SUFFOLK
PUBLIC SCHOOLS

Suffolk City School Board

Policy

Manual

2025 - 2026

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CHAPTER 1 - General Provisions

Article 1 - School Board Legal Status

Section 1-1.1. General Authority; Free Public Education Required. — A. The Constitution of Virginia, Article VIII, Section 1, requires that there be a system of free public elementary and secondary schools for all children of school age throughout the state and ensure that an educational program of high quality is continually maintained. A system of free public education shall exist in the City of Suffolk, Virginia, and the educational system in the City of Suffolk, Virginia shall be of high quality and available to all children of school age. (Adopted: November 10, 1994)

Legal Authority - Constitution of Virginia, Article VIII, §§ 1&7.

Section 1-1.2. Supervision of public schools generally. — A. Article VIII, Section 7 of the Constitution of Virginia, further provides that the supervision of schools in each school division shall be vested in a school board selected in accordance with the applicable provisions of the Code of Virginia. Based on this grant of authority, the supervision of public schools in the City of Suffolk, Virginia, shall be in the School Board of the City of Suffolk. (Adopted: November 10, 1994)

Legal Authority - Virginia Code §§22.1-1; 22.1-2; 22.1-28; & 22.1-71, (1950), as amended.

Section 1-1.3. Official Name; Corporate Status. — A. The School Board of the City of Suffolk is a body corporate whose official title shall be the Suffolk City School Board (hereinafter referred to as “School Board”). (Adopted: November 10, 1994)

Legal Authority – Virginia Code §22.1-52 (1950), as amended.

Article 2 - Involvement in Decision Making

Section 1-2.1. Community Participation Encouraged. — A. The School Board endorses the concept that community participation in the affairs of the public schools is essential if the school division and the community are to maintain mutual confidence and respect and work together to improve the quality of education for all students. (Adopted: November 10, 1994)

Legal Authority - Virginia Code §22.1-253.17:7 (1950), as amended.

Section 1-2.2. Citizen Participation Encouraged. — A. All citizens of the school division will be encouraged to express ideas, concerns, and judgments about the schools to the school administration and to the School Board. Residents who are particularly qualified because of

interest, training, or experience will be encouraged to assume an active role in school affairs. From time to time such persons may be invited by the School Board to serve on advisory committees or to assume some other position of service to assist the School Board in maintaining a high quality of education for its students. (Adopted: November 10, 1994)

Legal Authority - Virginia Code §22.1-253.13:7 (1950), as amended.

Section 1-2.3. Comments considered; School Board has final authority. — A. The School Board and the administration will give due consideration to the advice they receive from individuals and community groups interested in the schools, especially those individuals and groups they have invited to advise them regarding specific concerns, but the School Board has the final authority over all matters affecting the school division and will use its best judgment in arriving at decisions that are in the best interest of the school division. (Adopted: November 10, 1994)

Legal Authority - Virginia Code §22.1-253.13:7 (1950), as amended.

Article 3 - Staff Involvement in Decision Making

Section 1-3.1. Employee Involvement Encouraged; Superintendent official representative; discrimination against any employee because of membership in an employee organization or participation in any lawful activities of the organization prohibited. — A. In compliance with the Standards of Quality for Public Schools in Virginia, the School Board encourages employees to contribute their ideas for the betterment of the school division and to participate in the decision-making process of Suffolk Public Schools. However, nothing in this policy, or in any regulation promulgated pursuant to this policy is to be construed in such a way to limit the authority of the School Board to make final decisions on all matters of school policy, nor restrict communication between the administration and other employees in administrative and supervisory matters delegated by the School Board to the superintendent and staff.

B. All reports and recommendations to the School Board from any officer or employee under the direction and supervision of the superintendent shall be made through the office of the Superintendent, except when otherwise specifically directed by the School Board. All School Board actions requiring or authorizing the doing of anything by an officer or employee or requiring any report shall be directed to the superintendent, it being the intent of this section that the School Board and its members shall deal only with the superintendent in respect to all matters for which he or she is responsible.

C. The superintendent has the responsibility of making accessible School Board policies, rules, and regulations to all employees and to the community that pertains to them. The superintendent will also see that lines of communication are kept open between employees of

Suffolk Public Schools.
D. The superintendent is the official representative of Suffolk Public Schools and serves in its relations and communications with its employees.
E. School Board does not discriminate against any employee because of membership in an employee organization, or participation in any lawful activities of the organization. (Adopted: November 10, 1994; Revised October 10, 2019; Ordinance Number 19/20-9; Effective Date: October 10, 2019; Ordinance 24/25-15; Revised/Effective: September 12, 2024)

Legal Authority - Virginia Code §22.1-253.13:7 (1950), as amended.

Section 1-3.2. Informal Communications. — A. This policy, and regulations adopted pursuant to this policy, shall not limit opportunities for informal communication nor shall it affect the integrity of any grievance procedure in matters where a formal grievance procedure is applicable. (Adopted: November 10, 1994)

Legal Authority - Virginia Code §22.1-253.13:7 (1950), as amended.

Article 4 - Student Involvement in Decision Making

Section 1-4.1. Student Involvement Encouraged. — A. The School Board recognizes the importance of student recommendations and responses relating to policies which impact directly upon them. Wherever practicable, student input in the data collection process is important, and on relevant issues students' views are sought and considered by the superintendent and the School Board. (Adopted: November 10, 1994, Revised/Effective: May 11, 2023, Ordinance: 22/23-76)

Legal Authority - § 22.1-78 (1950), as amended.

Article 5 - Non-discrimination

Section 1-5.1. Policy Statement Generally. — A. The School Board is committed to non-discrimination with regard to sex, gender, race, color, ethnic or national origin, disability, religion, ancestry, age, marital status, sexual orientation, gender identity, military status, genetic information, pregnancy, childbirth or related medical conditions, or any other characteristic protected by law. This commitment prevails in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business. (Adopted: November 10, 1994; Revised April 14, 2016; Ordinance Number 15/16-7; Effective Date: July 1, 2016; Revised July 12, 2018; Ordinance Number 18/19-1; Effective Date: July 12, 2018; Revised April 15, 2021; Ordinance Number 20/21-11; Ordinance

Number 22/23-1, Revised/Effective November 10, 2022; Ordinance 24/25-16; Revised/Effective: September 12, 2024)

Legal Authority - 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 2000e-2000e-17, 2000ff-1, 34 C.F.R. 106.9, Constitution of Virginia, Article I, Section 11, §§ 2.2-3900, 2.2-3901, 2.2-3902, 2.2-3904, 2.2-3905, 2.2-3905.1, 22.1-23.3, 22.1-26.2, 22.1-295.2. (1950), as amended.

Section 1-5.1:1 Education Philosophy Generally. — A. The Suffolk City School Board is committed to providing equal opportunity for every student to achieve maximum intellectual, social, emotional, and physical growth and to ensuring that each student be equipped to communicate effectively with other people, to be competent both in the workplace and in higher education and to feel confident of the ability to make creative and constructive decisions in his/her life.

B. The Suffolk City School Board:

(i) provides the necessary trained and dedicated leadership, qualified personnel, equipment, and materials to assure an appropriate education for every student enrolled in Suffolk Public Schools;

(ii) treats all members of the school community equitably with the highest degree of respect; and

(iii) allocates and uses assets fairly and efficiently.

(Adopted: July 12, 2018, Ordinance Number 18/19-2)

Legal Authority — Virginia Code §§ 22.1-78 and 22.1-23.3 (1950), as amended.

Section 1-5.1:2. Education Opportunity Defined; Guiding Questions; Expressing cultural differences allowed; Opportunity Measurements; Key Terms. — A. The School Board defines Education Opportunity to mean fair treatment, access, opportunity, and advancement for all students without considering the student's race, color or ethnicity. In addition, the School Board recognizes that societal factors may influence student outcomes; therefore, the School Board endeavors to provide students with academic and social-emotional support to assist all students in meeting their goals and reaching their potential. The race, color or ethnicity of a student will not be considered as a societal factor when providing students with academic and social-emotional support. The School Board believes it is the shared responsibility of the School Board, employees, parents, community stakeholders, and students to work towards education opportunity for all students without considering a student's race, color, or ethnicity.

B. In order to ensure that there is education opportunity for all students enrolled in Suffolk Public Schools, Suffolk Public Schools must take into consideration the following factors when making decisions regarding resource allocation and staffing:

(1) Is there alignment with decisions related to education opportunity as defined in this

policy and the school division's mission and vision statements?

(2) What is the impact of decisions on stakeholders?

(3) Are stakeholders included in the decision-making process?

(4) Does Suffolk Public Schools provide the necessary resources to achieve education opportunity?

C. Employees of Suffolk Public Schools and students enrolled in Suffolk Public Schools are permitted to express their unique cultural differences but should not demean opposing cultural differences or viewpoints. In order to promote education opportunity, Suffolk Public Schools will focus on the following:

(1) Analysis of demographic data related to student achievement, specialty program participation, gifted and advanced courses, and student behavior data. The demographic data should not consider the student's race, color or ethnicity.

(2) Facilitation of community engagement events and activities for stakeholder input.

(3) Development of an Education Opportunity Plan that identifies, reviews, and implements curricula, initiatives, resources, and efforts that provide education opportunity and support for all students without any regard for the student's race, color, or ethnicity.

(4) Review of current school board policies to include any necessary language to guide and support a focus on education opportunity throughout the district.

(5) Development of the Suffolk Public Schools Education Opportunity Committee, inclusive of stakeholders such as Suffolk Public Schools employees, parents, students, and community members, to annually review metrics related to this policy regarding education opportunity. This committee will include a division-level education opportunity lead and a school-level education opportunity lead. The committee will meet on a regular basis and report to the Superintendent.

(6) Development of an Education Opportunity Tool that measures institutional practices that identifies trends in data which indicates that students are not receiving educational opportunity. The Education Opportunity Tool will assist school leaders in assessing if the school provides the processes, information, and supports that create a positive learning environment so students and staff can perform at their highest level.

D. The following metrics may be used to measure the impact of the Suffolk Public Schools Education Opportunity Policy:

(1) Allocated funding to schools predicated on the need to support all reporting groups for student achievement, co-curricular and extra-curricular activities, social services, or program needs of the school.

(2) Student enrollment by school and location.

(3) Discipline data.

(4) Professional learning that focuses on cultural competence as required by state law and regulations of the Virginia Board of Education, and building sustainable relationships with an emphasis on ensuring education opportunity for all students without considering the student's race, color or ethnic background.

E. In the implementation of this policy, Suffolk Public Schools will consider the following terms:

- ***Cultural Competency:*** Having an awareness of one's own cultural identity and views about difference, and the ability to learn and build on the varying cultural and community norms of students and their families. It is the ability to understand the within-group differences that make each student unique while celebrating the between-group variations that make our country a tapestry. Virginia Code Section 22.1-298.7 requires school board employees holding a license issued by the Virginia Board of Education complete cultural competence training in accordance with guidance issued by the Virginia Board of Education.
- ***Education Opportunity:*** Ensuring that all students will have equal opportunity to receive the benefits of a public education regardless of disparities in age, cognitive/physical ability, gender geography, race, sexual orientation, and socioeconomic status.
- ***Inclusive School Communities:*** Environments where all students, educators, and families feel supported and are extended a sense of belonging regardless of race, ethnicity, gender, identity, learning preferences, socio-economic status, or education.
- ***Marginalized Students:*** Those that have been systematically excluded and relegated to lower educational opportunities, which includes economically disadvantaged students, English Learners, and students with disabilities.
- ***Opportunity Gap:*** Describes the complex issues that contribute to achievement gaps and recognizes the historical and societal implications when students are denied education opportunity. (Adopted August 12, 2021, Ordinance 21-22-18; Ordinance 25/26-6, Revised/Effective: July 24, 2025)

Legal Authority — Virginia Code § 22.1-78 (1950), as amended.

Section 1-5.2. Cooperative Learning Opportunities. — A. The school administration shall establish and maintain an atmosphere in which students can develop attitudes and skills for effective, cooperative learning, which will include:

(a) Respect for the individual regardless of economic status, intellectual ability, race, national background, disabling condition, religion, sex, age, or other differentiating factors.

(b) Respect for cultural differences.

(c) Respect for economic, political, and social rights of others.

(d) Respect for the rights of others to seek and maintain their own identities.

(Adopted November 10, 1994)

Legal Authority - Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII, Executive Order 11246, 1965, as amended by Executive Order 11375, Equal Employment Opportunity Act of 1972, Education Amendments of 1972, Title IX (P.L. 92-318 45 CFR, Parts 81, 86 (Federal Register June 4, 1975, August 11, 1975), Age Discrimination in Employment Law, P.L. 95-256, Individuals with Disabilities Education Act of 1990 (P.L. 94-142), Rehabilitation Act of 1973, Constitution of Virginia, Article I, Section 11, Americans with Disabilities Act of 1990.

Section 1-5.3. Discrimination Prohibited. — A. The School Board, school administration, and employees of Suffolk Public Schools shall maintain good human relations by prohibiting discrimination in employment, assignment, and promotion of personnel; in the location and use of facilities; in educational offerings and instructional materials. (Adopted: November 10, 1994)

Legal Authority - Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII, Executive Order 11246, 1965, as amended by Executive Order 11375, Equal Employment Opportunity Act of 1972, Education Amendments of 1972, Title IX (P.L. 92-318 45 CFR, Parts 81, 86 (Federal Register June 4, 1975, August 11, 1975), Age Discrimination in Employment Law, P.L. 95-256, Individuals with Disabilities Education Act of 1990 (P.L. 94-142), Rehabilitation Act of 1973, Constitution of Virginia, Article I, Section 11, Americans with Disabilities Act of 1990.

Section 1-5.4. Collaborate with other agencies. — A. The School Board and the school administration shall use every opportunity to work with other institutions and agencies to develop improved human relations in the schools and to make channels available through which citizens can communicate their human relations concerns to the School Board and its employees. (Adopted: November 10, 1994)

Legal Authority - Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII, Executive Order 11246, 1965, as amended by Executive Order 11375, Equal Employment Opportunity Act of 1972, Education Amendments of 1972, Title IX (P.L. 92-318 45 CFR, Parts 81, 86 (Federal Register June 4, 1975, August, 11, 1975), Age Discrimination in Employment Law, P.L. 95-256, Individuals with Disabilities Education Act of 1990 (P.L. 94-142), Rehabilitation Act of 1973, Constitution of Virginia, Article I, Section 11, Americans with Disabilities Act of 1990.

Section 1-5.5. Compliance Officer designated under Title IX. — A. The School Board will designate an individual(s) to act as the division's compliance officer under the provisions of Title IX. All students and employees will be notified of the name, office address and telephone number of the designated individual(s). (Adopted: November 10, 1994)

Legal Authority - Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII, Executive Order 11246, 1965, as amended by Executive Order 11375, Equal Employment Opportunity Act of 1972, Education Amendments of 1972, Title IX (P.L. 92-318 45 CFR, Parts 81, 86 (Federal Register June 4, 1975, August 11, 1975), Age Discrimination in Employment Law, P.L. 95-256, Individuals with Disabilities Education Act of 1990 (P.L. 94-142), Rehabilitation Act of 1973, Constitution of Virginia, Article I, Section 11, Americans with Disabilities Act of 1990.

Section 1-5.6. Discrimination based on disability prohibited. — A. Section 504 of the Rehabilitation Act of 1973 and its accompanying regulations apply to all school divisions receiving federal funds. Under this body of law, a school division, which would include Suffolk Public Schools, may not do any of the following:

(1) Discriminate against qualified persons with a disability in any aspect of employment solely on the basis of the disability;

(2) Fail or refuse to make facilities, programs, and activities accessible, usable, and open to qualified persons with a disability;

(3) Fail or refuse to provide free appropriate education at the elementary and secondary levels, including non-academic and extracurricular services and activities, to qualified persons with a disability;

(4) Exclude any qualified person(s) with a disability, solely on the basis of the disability, from participating in any preschool education or daycare program or activity or any adult education or vocational program or activity;

(5) Fail or refuse to provide each qualified person(s) with a disability, the same health, welfare, and other social services as are provided other persons.

(Adopted November 10, 1994)

Legal Authority - Section 504, Rehabilitation Act of 1973; Individuals with Disabilities Education Act of 1990, American with Disabilities Act of 1990.

Section 1-5.7. Discrimination based on disability prohibited; protecting substantive rights, etc. — A. The School Board does not discriminate against individuals on the basis of disability. The School Board has established this policy as a way to provide prompt and impartial review of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973. This policy provides an optional resolution procedure for a complainant. This procedure is not a prerequisite before a complainant may directly pursue any other remedy available under state or federal law. However, the policy of School Board is for students, parents/guardians and employees to have the opportunity to make concerns known to the School Board and for the School Board to have the opportunity to respond to and resolve concerns as rapidly as practicable.

B. The goal of these procedures is to protect the substantive rights of interested persons, meet appropriate due process standards, assure School Board compliance with Section 504 of the Rehabilitation Act of 1973 and provide a prompt, equitable and impartial resolution of complaints alleging a violation of Section 504. Any person may be a complainant and may file a formal or informal grievance as provided in this policy. (Adopted: November 10, 1994, Ordinance 22/23-18, Revised/Effective: February 9, 2023)

Legal Authority - Section 504, Rehabilitation Act of 1973; Individuals with Disabilities Education Act of 1990, American with Disabilities Act of 1990; 29 U.S.C § 794, 34 C.F.R § 104.7.

Section 1-5.8. Compliance Officer designated under 504. — A. The School Board designates a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times.

B. The School Board's Compliance Officer receives training and is knowledgeable about the requirements of Section 504 in order to impartially and equitably resolve complaints and ensure compliance with the law. In addition, the Compliance Officer:

(i) receives reports and complaints of discrimination;
(ii) conducts or oversees the investigation of any alleged discrimination;
(iii) assesses the training needs of the school division in connection with this policy; and
(iv) arranges necessary training to achieve compliance with this policy.

(Adopted November 10, 1994; Ordinance 22/23-19, Revised/Effective: February 9, 2023)

Legal Authority - Section 504, Rehabilitation Act of 1973; Individuals with Disabilities Education Act of 1990, American with Disabilities Act of 1990; 29 U.S.C § 794, 34 C.F.R § 104.7.

Section 1-5.9. Filing a Formal Complaint of Discrimination; Investigation; Action by superintendent; Appeal. — A. Any complainant should submit a complaint alleging discrimination as soon as possible to the Compliance Officer or to any other school or school division staff. The complaint shall be submitted no later than 60 calendar days of the alleged discrimination. Any complaint submitted beyond 60 calendar days of the alleged acts of discrimination may be dismissed by the School Board at any time upon request from the school superintendent. Should the school superintendent requests dismissal of the complaint because the complainant filed the complaint beyond 60 calendar days of the alleged acts of discrimination, the complainant will be given 5 calendar days from the filing of the superintendent's request for dismissal to provide evidence to the School Board to show that through no fault of the complainant, the complaint could not have been filed within 60 calendar days of the alleged acts of discrimination. All complaints of discrimination must be submitted on Suffolk Public Schools claim forms; and all notices required by this policy will be sent to the complainant by Federal Express Next Day. Any employee who has knowledge of conduct which may constitute discrimination shall immediately report such conduct to the Compliance Officer,

the employee's supervisor, or to any other school or school division staff. Any employee who receives a complaint under this policy shall immediately forward the complaint to the Compliance Officer.

The complainant should use the “Complaint of Discrimination” form to make a complaint of discrimination. However, oral complaints are also accepted. The complaint should be filed with the school principal, other school or school division staff, or the Compliance Officer. School or school division staff receiving a complaint of discrimination shall forward it to the school principal; who shall immediately forward the complaint of discrimination to the Compliance Officer. Any complaint that involves the Compliance Officer shall be reported to the superintendent. Any complaint that involves the superintendent shall be reported to the School Board Chair.

The complaint and the identity of the complainant, the individual who is the subject of the complaint (if other than the complainant), and the persons allegedly responsible for the discrimination will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant.

B. Upon receipt of a report or complaint of discrimination, the Compliance Officer immediately authorizes or undertakes an investigation. The investigation may be conducted by school staff or a third party designated by the school division. The investigation shall be completed as soon as practicable, but not later than 45 calendar days after receipt of the complaint of alleged discrimination by the Compliance Officer unless the extension below is exercised. Within 5 calendar days of receiving the complaint, the Compliance Officer sends written notice that the complaint has been received to the complainant and the person or persons allegedly responsible for the discrimination.

Also, upon receiving the complaint, the Compliance Officer determines whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 45 calendar days will be required to investigate the complaint, the Compliance Officer will notify the complainant and the person or persons allegedly responsible for the discrimination of the reasons for the extended investigation and of the date by which the investigation is projected to be concluded, which will be no longer than an additional 60 calendar days. The investigation may consist of personal interviews with the complainant, the person or persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The complainant and the person or persons allegedly responsible for the discrimination have the right to identify witnesses and other relevant information as well as rebut evidence presented by others. The school division takes necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any. The Compliance Officer's written report, and all written notices sent pursuant to this policy are maintained and distributed in accordance with the Family Educational Rights and Privacy Act and policies of the School Board regarding confidentiality of student records and Regulation 8VAC20-671-360(C) of the Regulations of the Virginia Department of Education regarding confidentiality of employment records. The report shall be issued to the superintendent, the complainant and the accused person or persons allegedly responsible for the discrimination within 45 calendar days of receipt of the complaint, unless additional time was utilized for the investigation in which case the report shall be issued within 60 calendar days of receipt of the complaint.

C. Within 30 calendar days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding: (1) whether the complaint was timely filed; (2) whether this policy was violated and, if so (3) what action, if any, will be taken. This decision must be provided in writing to the complainant and the person or persons allegedly responsible for the discrimination. If the superintendent determines that discrimination occurred, the school division takes prompt, appropriate action to address and remedy the harm and prevent any recurrence. Such action may include discipline up to and including recommending that a student be expelled or that an employee be discharged.

D. If the superintendent or designee determines that no discrimination occurred or that the complaint was not timely filed, the complainant may appeal this determination to the School Board within 10 calendar days of the decision. Notice of appeal must be filed with the superintendent, who shall forward the Compliance Officer's report and any documentation or information deemed relevant by the Compliance Officer during the course of the investigation to the School Board. The School Board shall make a decision within 60 calendar days of receiving the record. The School Board may require oral or written argument from the complainant, the person or persons allegedly responsible for the discrimination, the superintendent, and any other individual it deems appropriate regarding any issue brought before the School Board. An extension of the 60 calendar day time limit may occur if necessary as determined by the School Board Chair up to an additional 10 calendar days. The decision of the School Board shall be in writing and shall be provided to the complainant and the person or persons allegedly responsible for the discrimination.

If the superintendent or superintendent's designee determines that discrimination

occurred and discipline is imposed, the disciplined person (i.e. student or employee) may appeal the disciplinary sanction in accordance with existing School Board policies and regulations. (Adopted: November 10, 1994; Ordinance 22/23-20, Revised/Effective: February 9, 2023; Ordinance 23/24-15, Revised/Effective: December 14, 2023)

Legal Authority - Section 504, Rehabilitation Act of 1973; Individuals with Disabilities Education Act of 1990, American with Disabilities Act of 1990; 29 U.S.C § 794, 34 C.F.R § 104.7.

Section 1-5.9:1. Informal complaint procedure; retaliation; false charges. — A. If the complainant and the person or persons allegedly responsible for the discrimination agree, the school principal, principal's designee or the Compliance Officer may arrange for them to resolve the complaint informally with the assistance of a counselor, teacher or other school or school division staff.

If the complainant and the person or persons allegedly responsible for the discrimination agree to attempt to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the above formal procedures.

If the complaint is resolved informally, the counselor, teacher or other school or school division staff shall notify the school principal of the resolution. The school principal shall notify the complainant, the person or persons allegedly responsible for the discrimination and the Compliance Officer in writing that the complaint has been resolved informally.

B. Retaliation against students, school staff or school division staff who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings.

C. Students, school staff or school division staff who make false charges of discrimination are subject to disciplinary action. (Adopted: Ordinance 22/23-21, Effective: February 9, 2023)

Legal Authority - Section 504, Rehabilitation Act of 1973; Individuals with Disabilities Education Act of 1990, American with Disabilities Act of 1990; 29 U.S.C § 794, 34 C.F.R § 104.7.

Article 6 - Prohibition Against Harassment and Retaliation

Section 1-6.1. Statement of Policy; Harassment prohibited; School personnel defined; Prompt investigations required. — A. The School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the School Board prohibits harassment against students, employees or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, military status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The School Board is an equal

opportunity employer.

B. It is a violation of this policy for any student or school personnel to harass a student or school personnel based on protected group status at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's protected group status at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

C. For the purpose of this policy, school personnel include School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the school division.

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(i) promptly investigates all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity;

(ii) promptly takes appropriate action to stop any harassment;

(iii) takes appropriate action against any student or school personnel who violates this policy; and

(iv) takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

(Adopted: April 14, 2016; Ordinance Number 15/16-8; Effective Date: July 1, 2016; Ordinance 22/23-22, Revised/Effective: February 9, 2023)

Legal Authority – 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. part 106.2, 106.8,106.9, 106,30, 106.44, 106.45, 106.71; Virginia Code Section-- §§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-23.3, and 22.1-295.2. (1950) as amended.

Section 1-6.2. Disability Harassment Prohibited; What constitutes harassment; Range of behaviors. — A. It is the policy of the School Board to maintain a working and learning environment for all its employees and students which provides for fair and equitable treatment, including freedom from disability harassment. It is a violation of School Board Policy for any

employee or student, male or female, to harass another employee or student because of disability.

B. Disability harassment consists of physical, written, or verbal conduct relating to an individual's disability when the conduct:

(1) creates an intimidating, hostile or offensive working or educational environment; or
(2) substantially or unreasonably interferes with an individual's work or education; or
(3) otherwise sufficiently limits an individual's employment opportunities or limits a student's ability to participate in or benefit from the education program.

C. The range of behaviors that may constitute disability harassment include, but are not limited to, the following:

(1) imitating any manner of speech or movement that specifically relates to a person's disability;
(2) interfering with necessary equipment and/or services;
(3) denying access to academic and extracurricular activities due to a person's disability or as punishment for accommodations made for a person's disability;
(4) inappropriate staring and/or pointing at a person with a disability;
(5) with malicious intent, impeding the movement of a person with a disability;
(6) manipulating the person with a disability to elicit a response that would create a negative impact on that person;
(7) name calling, teasing, jokes, rumors, or other derogatory or dehumanizing remarks involving a person's disability, necessary equipment, services, and/or accommodations;
(8) physical acts of aggression or assault against a person or his/her property because of the person's disability;
(9) threatening or intimidating conduct directed at another because of the other's disability or necessary use of accommodations;
(10) written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their disability; or
(11) other kinds of aggressive conduct such as theft or damage to property which is related to an individual's disability.

(Adopted: May 13, 2010; Revised May 13, 2010; Order Number 09/10-1; Effective Date: May 13, 2010)

Legal Authority – 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; U.S.C. §§ 2000d-2000d-7; 42

U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1.34 C.F.R. part 106.9.

Section 1-6.2:1. (Effective July 1, 2025) (Transgender Policy) Purpose Stated; Definitions; Discrimination, Harassment and Bullying Prohibited; Counseling Services; Use of Name and Gender Pronouns; Access to Student Records; Dress and Grooming Codes; Extracurricular Activities & Overnight Travel; Student Participation in Activities Determined by Sex; Access to Restrooms & Locker Rooms. — A. The intent of this policy is to establish clear and useful guidance for Suffolk Public Schools in order to fulfill the requirements of Virginia Code § 22.1-23.3 in accordance with the plain meaning of its provisions.

B. The following definitions apply to this policy:

Eligible Student: A student or former student who is 18 years of age or older or a student under the age of 18 who is emancipated.

Parent or Parents: Any parent, guardian, legal custodian, or other person having control or charge of a child.

Sex: The word "sex" means biological sex.

Transgender Student: A public school student whose parent has stated in writing that the student's gender differs from the student's sex, or an eligible student who states in writing that his or her gender differs from his or her sex.

C. Suffolk Public Schools complies with all applicable federal and state nondiscrimination laws including Title IX of the Education Amendments of 1972, the Virginia Human Rights Act. Suffolk Public Schools provides bullying prevention education in accordance with the Code of Virginia § 22.1-208.01. Bullying of any student by another student, for any reason, cannot be tolerated in Suffolk Public Schools. Intervening immediately to stop bullying on the spot can help ensure a safer school environment for all students. Complaints alleging discrimination, harassment, or bullying will be handled in the same manner as other discrimination or harassment complaints. The Chief of Operations for Suffolk Public Schools will be available to hear concerns from students and parents when complaints are not resolved at the school level. Suffolk Public Schools will inform parents of any bullying incidents that involve their child within 24 hours of learning of the allegation of bullying, as required by Virginia Code § 22.1-279.6(D).

D. Each school in Suffolk Public Schools will make reasonably available, with available resources, guidance and counseling services to all students as provided in 8 VAC20-620-10 and pursuant to parental notification requirements therein, including that, no student will be required to participate in any counseling program to which the student's parent object. Except with regard to eligible students, parents must be informed and given an opportunity to object before counseling services pertaining to gender are given. All school personnel must adhere to legal standards of confidentiality relating to information about a student's gender identity, legal name,

or sex assigned at birth. In addition to adhering to all legal standards of confidentiality, school personnel must treat information relating to a student's gender identity as being particularly sensitive, must not disclose it to other students and other parents, but must disclose to the parent of any student, and to other school personnel with a legitimate educational interest. No policy, guidance, training, or other written material issued by Suffolk Public Schools may encourage or instruct teachers to conceal material information about a student from the student's parents, including information related to gender. Suffolk Public Schools will comply with all laws that prohibit disclosure of information to parents, including but not limited to Virginia Code § 22.1-272.1(B) that prohibits parental contact where student is at imminent risk of suicide related to parental abuse or neglect. At the request of parents, Suffolk Public Schools should designate an administrator or counselor to speak directly with the student and the student's parents regarding any questions or concerns that the student may have pertaining to gender. This provision does not apply with regard to eligible students.

E. Employees of Suffolk Public Schools will refer to each student using only (i) the name that appears in the student's official record, or (ii) if the student prefers, using any nickname commonly associated with the name that appears in the student's official record. Nothing in this policy will prevent employees of Suffolk Public Schools from using a different name for a student when it is necessary for the student's academic instruction, such as using a name more common in a foreign country while in a foreign-language course. Employees of Suffolk Public Schools will refer to each student using only the pronouns appropriate to the sex appearing in the student's official record — that is male pronouns for a student whose sex is male, and female pronouns for a student whose sex is female.

However, an employee of Suffolk Public Schools may refer to a student by a name other than the one appearing in the student's official record, or by pronouns other than those appropriate to the sex appearing in the student's official record, if requested by an eligible student in writing or when a student's parent has instructed Suffolk Public Schools in writing that such other name or other pronouns are to be used. Any written instruction from a parent or eligible student must be placed in the student's official record and subject to the same retention, disclosure, and confidentiality requirements as the official record itself. The legal name and sex of a student cannot be changed, even upon the written instruction of a parent or eligible student, unless the requirements of subsection F are satisfied.

Only when instructed by an eligible student or parent of a student that some other name or pronoun is to be used, Suffolk Public Schools will use the preferred pronoun. No employee of Suffolk Public Schools can be compelled to address or refer to any student in any manner that would violate the employees constitutionally protected rights.

F. Suffolk Public Schools will:

(a) Comply with the limitations on access to student records provided in Virginia Code §§ 22.1-287 through 22.1-289.01;

(b) Adhere to legal standards of confidentiality relating to sensitive student

information and personally identifiable data covered by the Family Educational Rights and Privacy Act found at 20 U.S.C. § 1232g.

(c) Disclose sensitive student information (including any survey or evaluation related to the student's gender) only (i) to the student; (ii) the student parents; (iii) school personnel with a legitimate educational interest; or (iv) when required by law.

Suffolk Public Schools is required to maintain a record that includes a student's legal name and sex assigned at birth and may be required to use or report the legal name and sex assigned at birth in some situations. In situations where school staff is required to use or to report a transgender student's legal name or sex assigned at birth, such as for purposes of standardized testing, school staff and administrators should adopt practices to avoid the inadvertent disclosure of such information. Upon the request of an eligible student or parent, schools will use the name and gender consistent with the student's gender identity on other school records or documents. Schools will change a student's name and gender designation upon verification or submission of a legal document such as a birth certificate, state or federal issued identifications, passport, or court order substantiating the student or former student's change of legal name or sex. Records of former students may also be re-issued with the submission of legal documents substantiating the amended name and gender. Every effort should be made to ensure that a transgender student wishing to change his or her gender is treated with respect, compassion, and dignity in the classroom and school environment.

G. Dress and grooming codes must be written relating to the attire or articles of attire without limits on gender expectations. Students may dress in a manner consistent with maintaining a respectful, distraction-free environment which supports a focus on learning for all students. Students are not required to dress in a gender-neutral manner. However, any dress or grooming policy, regulation or guideline must provide the same set of rules and standards regardless of gender, as required by Virginia Code § 22.1-279.6.

H. For any school program, event, or activity (including extracurricular activities) that are separated by sex, the appropriate participation of students will be determined by sex, rather than gender or gender identity. Suffolk Public Schools will provide reasonable modifications to this policy only to the extent required by law.

Overnight travel accommodations, locker rooms, rooms, and other intimate spaces used for school-related activities and events will be based on sex. Suffolk Public Schools will provide reasonable modifications to this policy only to the extent required by law. Students with a diagnosis of gender dysphoria made by a licensed health care provider should consult with Americans with Disability Act (ADA) Coordinator for Suffolk Public Schools.

I. For any athletic program or activity that is separated by sex, the appropriate participation of students will be determined by sex rather than gender or gender identity. Suffolk Public

Schools must provide reasonable modifications to this policy only to the extent required by law.

J. Students must use bathrooms, locker rooms and other intimate spaces that correspond to his or her sex, except to the extent that federal law otherwise requires. Where state or federal law requires schools to permit transgender students to share otherwise sex-segregated facilities (such as bathrooms or locker rooms) with students of the opposite sex, parents must be given the right to opt their child out of using such facilities, and the child must be given access to alternative facilities that promote the child's privacy and safety. Eligible students must also be given the right to opt out of using such facilities and be given access to alternative facilities. Single-user bathrooms and facilities should be made available in accessible areas and provided with appropriate signage, indicating accessibility for all students. Any options offered will be non-stigmatizing and minimize lost instructional time. For locker room facilities without private changing areas, schools should make reasonable accommodations for requests for increased privacy. At the request of any parent, schools should offer alternative arrangements such as a separate changing schedule, use of a nearby private area, access to a staff member's office, not requiring students to dress in uniform for physical education, or offering alternatives to in-person physical education. Any accommodations offered should be non-stigmatizing and minimize lost instructional time. Also, note that any information related to accommodations should be handled in such a way as to protect the student's privacy relating to their gender identity. (Adopted: August 12, 2021, Ordinance 21/22-19; Revised/Reviewed: November 9, 2023, Ordinance 23/24-14; Ordinance 24/25-86; Revised/Reviewed: May 22, 2025)

Legal Authority – Virginia Code Section 22.1-23.3 (1950), as amended; Equal Protection Clause of the 14th Amendment; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Equal Access Act; Family Educational Rights and Privacy Act.

Section 1-6.2:2. Definitions and Examples of certain prohibited conduct; Additional prohibited conduct; Complaint procedure. — A. The following definitions shall apply to this policy:

The Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversee investigation of those complaints as described below.

"Consent" is clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

1. Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when:

(a) submission to that conduct or communication is made a term or condition,

either explicitly or implicitly, of obtaining or retaining employment or education;

(b) submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or

(c) that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

2. Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

(a) unwelcome sexual physical contact;
(b) unwelcome ongoing or repeated sexual flirtation or propositions, or remarks;
(c) sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions;
(d) graphic comments about an individual's body;
(e) sexual jokes, notes, stories, drawings, gestures or pictures;
(f) spreading sexual rumors;
(g) touching an individual's body or clothes in a sexual way;
(h) displaying sexual objects, pictures, cartoons or posters;
(i) impeding or blocking movement in a sexually intimidating manner;
(j) sexual violence;
(k) display of written materials, pictures, or electronic images;
(l) unwelcome acts of verbal, nonverbal, written, graphic, or
(m) physical conduct based on sex or sex stereotyping.

3. Sexual harassment prohibited by Title IX" means conduct on the basis of sex that satisfies one or more or the following:

i. an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct;

ii. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board's education program or activity; or

iii. "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C.§ 12291(a)(30).

4. Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct:

(a) creates an intimidating, hostile or offensive working or educational

environment;

(b) substantially or unreasonably interferes with an individual's work or education; or

(c) otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

5. Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

(a) graffiti containing racially offensive language;

(b) name calling, jokes or rumors;

(c) physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion;

(d) hostile acts which are based on another's race, national origin, religion or disability;

(e) written or graphic material which is posted; or

(f) circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion.

B. Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, perceived sexual orientation or gender identity, regardless of whether the personal characteristic is protected by law.

"Title IX" means 20 U.S.C. §§ 1681-1688 and the implementing regulations. "Title IX Coordinator" means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX. The Title IX Coordinator may be contacted at **[TITLE IX COORDINATOR@spsk12.net].**

C. Any student or school personnel who believes he or she has been the victim of harassment by a student, school personnel or a third party should report the alleged harassment to the Title IX Coordinator or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to the Title IX Coordinator or to any school personnel. Any school personnel who has noticed that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to the Title IX Coordinator. Any complaint that involves the Title IX Coordinator should be reported to the superintendent.

The reporting party should complete the Report of Harassment Form when making complaints of harassment. However, oral reports and other written reports are also accepted.

The complaint, and identity of the person allegedly harassed and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a person allegedly harassed who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division's ability to fully respond to the complaint.

After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process below is followed. If they cannot be sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who follows the procedures below.

The Title IX Coordinator also determines whether the alleged harassment may also constitute criminal conduct and ensures that law enforcement officials are notified if necessary.

If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Services in accordance with Policy Section 9-20.13 regarding Child Abuse and Neglect Reporting. (Adopted: April 14, 2016; Ordinance Number 151/6-8; Effective July 1, 2016; Ordinance 22/23-23, Revised/Effective: February 9, 2023)

Legal Authority – 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. part 106.2, 106.8,106.9, 106,30, 106.44, 106.45, 106.71; Virginia Code Section--_§§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-23.3, and 22.1-295.2. (1950) as amended.

Section 1-6.3. Investigation of complaints; What investigation consists of; Factors to be considered; Written report required; Employees required to cooperate fully. — A. The Compliance Officer will:

(1) receive complaints of harassment referred by the Title IX Coordinator;

(2) conduct or oversee the investigation of any alleged harassment referred by the Title IX Coordinator;

(3) assess the training needs of the school division in connection with complaints referred by the Title IX Coordinator;

(4) arrange necessary training; and

(5) ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

Upon receiving a referral of a complaint of alleged prohibited harassment from the Title IX Coordinator, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after referral of the complaint to the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice to both the person complaining of harassment and the person accused of harassment.

Also, upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the person allegedly harassed. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the person allegedly harassed and the alleged harasser shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

B. The investigation may consist of personal interviews with the person allegedly harassed, the alleged harasser and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the person allegedly harassed and others pending the completion of the investigation.

C. In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum:

(1) the surrounding circumstances;

(2) the nature of the behavior;

(3) past incidents or past or continuing patterns of behavior;

(4) the relationship between the parties;

(5) how often the conduct occurred;

(6) the identity of the alleged perpetrator in relation to the alleged victim (i.e.

whether the alleged perpetrator was in a position of power over the alleged victim);

(7) the location of the alleged harassment;

(8) the ages of the parties and

(9) the context in which the alleged incidents occurred.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

D. The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

E. All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency. (Adopted: April 14, 2016; Ordinance 15/16-8; Effective Date: July 1, 2016; Ordinance 22/23-24, Revised/Effective: February 9, 2023)

Legal Authority – 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. part 106.2, 106.8,106.9, 106,30, 106.44, 106.45, 106.71; Virginia Code Section-- §§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-23.3, and 22.1-295.2. (1950) as amended.

Section 1-6.4 Action by superintendent. — Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the person allegedly harassed and the alleged harasser. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the person allegedly harassed receives counseling. (Adopted: April 14, 2016; Ordinance Number 15/16-8; Effective Date: July 1, 2016; Ordinance 22/23-2, Revised/Effective Date: November 10, 2022)

Legal Authority – 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§2000e - 2000e-17, 42 U.S.C. §2000ff-1.34 C/F.R. C.F.R. part 106.9. as amended.

Section 1-6.5. Appeal to School Board; Decision within 30 days; Grievance Procedure. — A. If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed. If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board.

B. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

C. Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy. (Adopted: April 14, 2016; Ordinance 15/16-8; Effective Date: July 1, 2016; Ordinance 22/23-25, Revised/Effective: February 9, 2023)

Legal Authority – 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. part 106.2, 106.8,106.9, 106,30, 106.44, 106.45, 106.71; Virginia Code Section-- §§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-23.3, and 22.1-295.2. (1950) as amended.

Section 1-6.6. Compliance Officer and Alternate Compliance Officer; Duties of Compliance Officer. (Adopted: April 14, 2016, Ordinance 15/16-8, Effective: July 1, 2016; **Deleted: Ordinance 22/23-26, Effective: February 9, 2023**)

Section 1-6.7. Informal Procedure. — If the person allegedly harassed and the person accused of harassment agree, the person allegedly harassed principal or principal's designee or supervisor may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator. If the person allegedly harassed and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Compliance

Officer Formal Procedures set forth herein. The principal or principal's designee or supervisor shall notify the person allegedly harassed and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred. (Adopted: April 14, 2016; Ordinance Number 15/16-8; Effective Date: July 1, 2016; Ordinance 22/23-27, Revised/Effective: February 9, 2023)

Legal Authority – 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. part 106.2, 106.8,106.9, 106,30, 106.44, 106.45, 106.71; Virginia Code Section-- §§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-23.3, and 22.1-295.2. (1950) as amended.

Section 1-6.8. Retaliation. — Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The school division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. The Title IX Coordinator will inform persons who make complaints, who are the subject of complaints, and who participate in investigations, of how to report any subsequent problems. (Adopted: April 14, 2016; Ordinance Number 15/16-8; Effective Date: July 1, 2016; Ordinance 22/23-3, Revised/Effective Date: November 11, 2022)

Legal Authority – 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-17, 34 C.F.R. part 106.2, 106.8, 106.9, 106,30, 106.44, 106.45, 106.71; Virginia Code Section-- §§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-23.3, and 22.1-295.2. (1950) as amended.

Section 1-6.9. Right to Alternative Complaint Procedure. — Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies, or seeking redress under state or federal law. (Adopted: April 14, 2016; Ordinance Number 15/16-8; Effective Date: July 1, 2016)

Legal Authority - 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-17, 34 C.F.R. part 106.9.

Section 1-6.10. Prevention and Notice of Policy. — A. Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

B. This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers. (Adopted: April 14, 2016; Ordinance

Number 15/16-8; Effective Date: July 1, 2016)

Legal Authority - 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-17, 34 C.F.R. part 106.9.

Section 1-6.11. False Charges. — Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings. (Adopted: April 14, 2016; Ordinance Number 15/16-8; Effective Date: July 1, 2016)

Legal Authority - 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-17, 34 C.F.R. part 106.9.

Section 1-6.12. Abusive work environments prohibited; retaliation against employees who make allegations also prohibited. — A. The Suffolk School Board prohibits abusive work environments in Suffolk Public Schools. Any School Board employee who contributes to an abusive work environment shall be appropriately disciplined.

B. Retaliation or reprisal against School Board employees who make allegations of abusive work environments or assist in the investigation of allegations of abusive work environments is prohibited.

C. Definitions as used in this policy are listed below:

"Abusive conduct" means conduct of a School Board employee in the workplace that a reasonable person would find hostile and that is severe enough to cause physical harm or psychological harm to another School Board employee based on a determination in which the following factors are considered: the severity, nature, and frequency of the conduct and, when applicable, the continuation of the conduct after a School Board employee requests that it cease or demonstrates outward signs of physical harm or psychological harm in the face of the conduct. "Abusive conduct" includes verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; the gratuitous sabotage or undermining of another School Board employee's work performance; attempts to exploit another School Board employee's known psychological or physical vulnerability; or repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, or epithets. "Abusive conduct" does not include (i) a single act, unless it is especially severe, or (ii) conduct that the School Board proves with clear and convincing evidence is necessary for the furtherance of its legitimate and lawful interests.

"Abusive work environment" means a workplace in the school division in which abusive conduct occurs.

"Physical harm" means a material impairment of a School Board employee's physical health or

bodily integrity, as documented by a licensed physician or another licensed health care provider.

"Psychological harm" means a material impairment of a School Board employee's mental health, as documented by a licensed psychologist, psychiatrist, or psychotherapist or another licensed mental health care provider.

D. All claims of abusive work environments under this Policy will be investigated and appeals will be conducted as provided for in School Board Policy Section 1-5.9.

(Adopted October 14, 2018, Ordinance Number: 18/19-20; Ordinance 22/23-28, Revised/Effective: February 9, 2023; Ordinance 23/24-16, Revised/Effection: November 9, 2023)

Legal Authority — Virginia Code § 22.1-291.4 (1950), as amended.

Article 7 - Educational Philosophy of Suffolk Public Schools

Section 1-7.1. Mission Statement. — A. The mission of Suffolk Public Schools is to partner with the community we serve, provide effective educational experience and prepare every student to find success in our complex society. (Adopted: November 10, 1994)

Legal Authority - Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII, 42 U.S.C. 2000, 29 C.F.R. 1604.11 (1987); Executive Order 11246, 1965, as amended by Executive Order 11375; Equal Employment Opportunity Act of 1972, Title VII; Education Amendments of 1972, Title IX (Public Law 92-318), 45 C.F.R., Parts 81, 86 (Federal Register June 4, 1975, August 11, 1975.

Section 1-7.1:1 Use of Social Media Supported; Employee Rights under First Amendment; In School and out of school use of social media; Balancing of rights; Social Media defined; Superintendent to develop regulations. — A. The School Board supports using social media and digital applications as a way to enhance student education and effectively communicate with students, parents, and the community and as a means of engaging stakeholders and forging new partnerships.

B. The School Board recognizes that many of its employees use social media and that employees retain the right to maintain personal interests separate from their duties and responsibilities as School Board employees. Moreover, the School Board recognizes that its employees retain some rights under the First Amendment to speak out as citizens regarding matters of public concern.

C. School Board employees have the unique responsibility within the community to serve as role models, leaders and caretakers for the division's students. Also, the behavior of employees

off school grounds and after school hours can lead to disruption inside schools and/or for the school division. Therefore, certain off-duty conduct is inconsistent with employment with the School Board. For that reason, this policy applies to employees' in-school use of social media, out-of-school use of Suffolk Public Schools' sponsored social media, and personal use of social media generally.

D. The rights of Board employees must be balanced against, and are limited by, the School Board's interest as a public employer in promoting the efficiency of the public service it performs through its employees: providing an education to the children of Suffolk. When balancing those interests, which side the balance favors is determined by all the facts and circumstances of each particular case. In many cases, this can be a difficult determination to make. Employees are encouraged to seek permission beforehand from their building or department administrator if they are uncertain as to whether their posting would violate this policy.

E. Social media refers to any form of the online platform, program or service that allows for the creation and exchange of user-generated content including text, images, video, audio materials, files and/or other content. Examples include but are not limited to: (1) Blogs (e.g., Wordpress, Blogger); (2) Wikis (e.g., Wikispace, Google Sites) (3) Social networking sites (e.g., Facebook, Twitter, LinkedIn) (4) Photo and Video Sharing sites (e.g., YouTube, Flickr, Vimeo, Vine, Instagram) (5) Podcasting, Videocasting; and (6) Social Bookmarking (e.g., Pinterest, Reddit, StumbleUpon).

F. The school superintendent is directed to issue regulations and guidelines for social media communications between employees, students, parents and other associated persons; to prevent unauthorized access and other unlawful activities by Suffolk Public Schools users online; to prevent unauthorized disclosure of or access to sensitive information, and to comply with the Children's Internet Protection Act (CIPA).(Adopted: August 8, 2019, Ordinance No: 19/20-1; Effective Date: August 8, 2019)

Legal Authority - Virginia Code §22.1-78 (1950), as amended**.**

Section 1-7.2. Educational Philosophy Generally. — A. The School Board is committed to providing equal opportunity for every student to achieve maximum intellectual, social, emotional and physical growth and to ensuring that each student be equipped to communicate effectively with other people, to be competent both in the workplace and in higher education and to feel confident of the ability to make creative and constructive decisions in his/her life.

B. In order to carry out the educational philosophy set forth in subsection A above, Suffolk Public Schools shall: (i) provide the necessary trained and dedicated leadership, qualified personnel, equipment and materials to assure an appropriate education for every student; (ii) treat all members of the school community equitably with the highest degree of respect; and (iii) allocate and use assets fairly and efficiently. (Adopted: November 10, 1994; Revised April 14, 2016; Ordinance Number 15/16-9; Effective Date: April 14, 2016)

Legal Authority - Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII, 42 U.S.C.

2000, 29 C.F.R. 1604.11 (1987); Executive Order 11246, 1965, as amended by Executive Order 11375; Equal Employment Opportunity Act of 1972, Title VII; Education Amendments of 1972, Title IX (Public Law 92-318), 45 C.F.R., Parts 81, 86 (Federal Register June 4, 1975, August 11, 1975.

Section 1-7.3. Program of Instruction Grades kindergarten through 12; Program components; additional requirements. **—** A. Suffolk Public Schools shall develop and implement a program of instruction for grades kindergarten through 12 that is aligned to the Standards of Learning established by the Board of Education and that meets or exceeds the requirements of the Board of Education.

B. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, computer science and computational thinking, including computer coding, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

C. Suffolk Public Schools shall also implement:

1. Programs in grades kindergarten through three that emphasize developmentally appropriate learning to enhance success;
2. Programs based on prevention, intervention, or remediation are designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school; such programs shall include components that are research-based;
3. Career and technical education programs incorporated into the kindergarten through grade 12 curricula;
4. Educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to Va. Code §22.1-200.03;
5. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law;
6. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs;
7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in the Standards of Learning;
8. Adult education programs for individuals functioning below the high school completion level;

9. A plan to make achievements for students who are educationally at risk a division wide priority that shall include procedures for measuring the progress of such students;
10. An agreement for postsecondary degree attainment with a community college in Virginia specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from a community college concurrent with a high school diploma; such agreement shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher;
11. A plan to notify students and their parents of the availability of dual enrollment and Advanced Placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; the International Baccalaureate Program, and Academic Year Governor's School Programs; the qualifications for enrolling in such classes, programs and experiences; and the availability of financial assistance to low-income and needy students to take the Advanced Placement and International Baccalaureate examinations; this plan shall include notification to students and parents of the agreement with a community college in Virginia to enable students to complete an associate's degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma;
12. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs, which programs may include dual language programs whereby such students receive instruction in English and in a second language;
13. Early identification, diagnosis, and assistance for students with reading and mathematics problems and provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students;
14. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level;
15. A program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year; such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by the School Board;
16. A program of student services for grades kindergarten through grade 12 that shall be designed to aid students in their educational, social, and career development;
17. The collection and analysis of data and the use of the results to evaluate and make

decisions about the instructional program; and

18. A program of instruction in each government course in the school division on all information and concepts in the civics portion of the U.S. Naturalization test.

(Adopted: September 8, 2016; Revised Ordinance Number 16/17-1; Effective Date: July 1, 2017, Revised October 11, 2018, Ordinance Number 18/19-21, Effective Date: October 11, 2018)

Legal Authority - Virginia Code §22.1-253.13:1 (1950), as amended**.**

Section 1-7.4. Programs and services. — A. The School Board commits itself to providing programs and services as stated in the Standards of Quality, but only to the extent that appropriate funding is provided by the state and local governments.

B. The School Board places a high priority on the importance of a planned and continuing program of in-service education for its members. The central purpose of the program is to enhance the quality of effectiveness of Suffolk Public Schools. The School Board shall plan specific in-service activities designed to assist School Board members in their efforts to improve their skills as members of a policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the educational activities of the local schools; and, to deepen their insights into the nature of leadership in a modern democratic society.

C. Funds shall be budgeted annually to support this program. Individual school board members shall be reimbursed for out-of-pocket costs incurred through participation in approved activities. The School Board shall retain the authority to approve or disapprove the participation of members in planned activities. The public shall be kept informed through the media about the School Board's continuing in-service educational activities.

D. The School Board regards the following as the kinds of activities and services appropriate for implementing this polic

1. Participation in School Board conferences, workshops, and conventions conducted by the Virginia and the National School Boards Association.
2. Division-sponsored training sessions for School Board members.
3. Subscriptions to publications addressed to the concerns of School Board members.

(Adopted November 10, 1994)

Legal Authority - Virginia Code §22.1-253.13:1 (1950), as amended**.**

Section 1-7.5. Posting of National Motto required. — The statement "In God We Trust," the National Motto, which was enacted by Congress in 1956, shall be posted in a conspicuous place in each school for all students to read. (Adopted: April 3, 2003; Ordinance Number 02/03-09, Effective: July 1, 2003)

Legal Authority – Acts 2002 of the General Assembly, c. 891.

Section 1-7.5:1. Posting of Bill of Rights. **—** The Bill of Rights of the Constitution of the United States is posted in a conspicuous place in each school for all students to read. (Adopted: January 15, 2004; Ordinance Number 03/04-11, Effective: July 1, 2004; Ordinance 22/23-77, Revised/Effective: May 11, 2023)

Legal Authority – Acts 2003, c.902

Article 8 - Evaluations

Section 1-8.1. Evaluations generally. — A. One of the primary responsibilities of the School Board is to properly evaluate overall educational objectives of Suffolk Public Schools. Evaluations are the only means of learning whether the educational goals adopted by the School Board are being achieved.

B. A comprehensive program of evaluations in the public schools should cover: (1) the curriculum and instructional programs, (2) pupils, dropouts, and graduation percentages, (3) school personnel, (4) buildings and equipment, (5) business operations, and (6) operations of the School Board.

C. Appraising the success of the instructional programs is particularly important. Only through a keen awareness of the strengths and shortcomings of the instructional program can the School Board work toward improving the instructional program.

D. The School Board should also look at its own actions as well as those of the superintendent, school attorney, and school staff as a means of learning whether the educational goals adopted by the School Board are being achieved. The Board should work toward maintaining an awareness of the opinions of teachers, pupils, and the community as it relates to the goals and objectives of the School Board.

E. The School Board will make evaluations a continuing process so that the School Board can determine whether the needs of the school division are being met. (Adopted: November 10, 1994)

Legal Authority - Virginia Code §22.1-253.13:1 (1950), as amended.

Section 1-8.2. Evaluation of Operational Procedures. — A. The School Board will review its performance annually to ensure its proper discharge of responsibilities to the community. This evaluation will be based on a positive approach, which will indicate strengths of the School Board and areas that need improvement.

B. The evaluation should meet local needs and provide for objective examination. In order to help the School Board meet this goal, the following in the School Board's self-evaluation process:

(1) School Board members shall be involved in the development of an instrument by which they will evaluate themselves.

(2) The School Board's evaluation instrument should be completed by individual School Board members, and submitted to the School Board Chairman, or the Board Chairman's designee, for compilation of all individual results.

(3) The School Board shall meet, with all members present, to review and discuss the composite opinions and total results.

(4) Each judgement shall be supported with as much rational and objective evidence as possible.

C. Upon final discussion of the results, the School Board will develop both short and long range goals and objectives to ensure continued proficiency in areas of excellence, to strengthen satisfactory or weak areas, and to eliminate those areas no longer applicable to the School Board's performance. (Adopted: November 10, 1994: Revised October 10, 2019; Ordinance Number 19/20-10; Effective Date: October 10, 2019)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 1-8.3. Evaluation of the Superintendent; Timeline and process for evaluation. —

A. It is the responsibility of the School Board to maintain and improve the quality of administration and instruction in Suffolk Public Schools. One of the primary methods used in carrying out this responsibility is to work cooperatively with the superintendent of schools in improving the superintendent's effectiveness.

Annually, the superintendent of schools will provide to the School Board a work plan designed to implement the goals set for the division by the School Board. The School Board shall evaluate the superintendent after consulting (1) the uniform performance standards and criteria developed by the Board of Education and (2) the superintendent.

B. The superintendent's evaluations include:

(i) Student academic progress as a significant component

(ii) An overall summative rating

(iii) Identification of areas of individual strengths and weaknesses

(iv) Recommendations for appropriate professional activities

(v) An evaluation of cultural competency

C. Informal evaluations may also take place as the Board deems appropriate, provided that specific criteria for such appraisals be communicated to the superintendent.

Each School Board member will be involved in assessing the superintendent's job performance

on a continuing basis and by completing the annual evaluation instrument. Upon conclusion of the annual appraisal, the evaluation will be reviewed with the superintendent in a closed meeting of the School Board. Superintendent evaluations are consistent with the performance standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Superintendents.

D. The annual performance evaluation of the school superintendent must take place no later than July 30th of each fiscal year. Any discussion regarding the annual performance evaluation of the school superintendent must be held in a closed meeting of the School Board. When evaluating the performance of the school superintendent, members of the School Board are only allowed to evaluate the superintendent's performance as outlined in this policy. The chair of the School Board must provide members of the School Board with the agreed upon evaluation instrument and the school superintendent must provide members of the School Board with documentation evidence regarding the performance of the school superintendent by no later than June 30th of each fiscal year. The evaluation must be completed by members of the School Board and filed with the Clerk of the School Board by no later than 10 business days after receipt of the annual evaluation instrument from the chair of the School Board. Any member of the School Board who does not complete the annual evaluation instrument and file with the Clerk of the School Board as required by this policy will not have their evaluation considered by the remaining members of the School Board, except for good cause shown as determined by the remaining members of the School Board and this decision will be final. At least three business days before any closed meeting of the School Board is held for the purpose of discussing the performance of the school superintendent, the school superintendent must be provided with the composite numerical evaluation score together with any written comments from members of the School Board that appeared on the evaluation instrument. All discussions will be treated confidentially by members of the School Board and school superintendent. (Adopted: November 10, 1994; Revised March 14, 2013; Ordinance 12/13-3; Effective Date July 1, 2013; Revised April 14, 2016; Ordinance 15/16-10; Effective Date: July 1, 2016; Revised July 12, 2018; Ordinance Number 18/19-3; Effective Date: July 12, 2018; Ordinance 22/23-29, Revised/Effective: February 9, 2023; Ordinance 23/24-2, Revised/Effective: Aug 10, 2023; Ordinance 25/26-8, Revised/Effective: August 14, 2025)

Legal Authority - Virginia Code §§22.1-253.13:5 and 22.1-60.1 (1950), as amended. Guidelines for Uniform Performance Standards and Evaluation Criteria for Superintendents (Virginia Board of Education, as approved on March 17, 2022)

Section 1-8.4. Evaluation of School Board Attorney; Timeline and process for evaluation. — A. The School Board will annually evaluate the performance of the School Board Attorney. In evaluating the school board attorney, the School Board should consider the working relationship between the school board attorney and the School Board, and the overall performance of the school board attorney in providing competent legal advice and legal representation to the School

Board.

B. The annual performance evaluation of the school board attorney must take place no later than July 30th of each fiscal year. Any discussion regarding the annual performance evaluation of the school board attorney must be held in a closed meeting of the School Board. When evaluating the performance of the school board attorney, members of the School Board are only allowed to evaluate the attorney's performance as outlined in the evaluation instrument. The chair of the School Board must provide members of the School Board with the agreed upon evaluation instrument and the school board attorney must provide members of the School Board with documentation evidence regarding the performance of the school board attorney by no later than June 30th The evaluation must be completed by members of the School Board and filed with the Clerk of the School Board by no later than 10 business days after receipt of the annual evaluation instrument from the chair of the School Board. Any member of the School Board who does not complete the annual evaluation instrument and file with the Clerk of the School Board as required by this policy will not have their evaluation considered by the remaining members of the School Board, except for good cause shown as determined by the remaining members of the School Board and this decision will be final. At least three business days before any closed meeting of the School Board is held for the purpose of discussing the performance of the school board attorney, the school board attorney must be provided with the composite numerical evaluation score together with any written comments from members of the School Board that appeared on the evaluation instrument. All discussions will be treated confidentially by members of the School Board and school board attorney. (Adopted: November 10, 1994; Ordinance 25/26-9, Revised/Effective: August 14, 2025)

Legal Authority – Virginia §22-1.82 (1950), as amended.

Section 1-8.4:1. Evaluation of School Board Clerk; Timeline and process for evaluation. — A. The School Board will annually evaluate the performance of the School Board Clerk. In evaluating the school board clerk, the School Board should consider the working relationship between the school board clerk and the School Board, and the overall performance of the school board clerk in carrying out assigned duties.

B. The annual performance evaluation of the school board clerk must take place no later than July 30th of each fiscal year. Any discussion regarding the annual performance evaluation of the school board clerk must be held in a closed meeting of the School Board. When evaluating the performance of the school board clerk, members of the School Board are only allowed to evaluate the clerk's performance as outlined in the evaluation instrument. The chair of the School Board must provide members of the School Board with the agreed upon evaluation instrument. The evaluation must be completed by members of the School Board and filed with the Chief Financial Officer for Suffolk Public Schools by no later than 10 business days after receipt of the annual evaluation instrument from the chair of the School Board. Any member of the School Board who does not complete the annual evaluation instrument and file with the Chief Financial Officer for Suffolk Public Schools as required by this policy will not have their evaluation

considered by the remaining members of the School Board, except for good cause shown as determined by the remaining members of the School Board and this decision will be final. At least three business days before any closed meeting of the School Board is held for the purpose of discussing the performance of the school board clerk, the school board clerk must be provided with the composite numerical evaluation score together with any written comments from members of the School Board that appeared on the evaluation instrument. All discussions will be treated confidentially by members of the School Board and school board clerk. (Adopted: November 10, 1994; Ordinance 25/26-10, Revised/Effective: August 14, 2025)

Legal Authority –Virginia Code § 22-1.82.

Section 1-8.5. Evaluation of other staff generally. — A. All persons employed in Suffolk Public Schools will have their job performance evaluated. The evaluation of an employee's job performance shall be a cooperative and continuing process with a formal appraisal periodically. Teacher and principal evaluations are consistent with the performance standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers and Principals. The evaluation shall be at least in duplicate, in writing, dated and signed by the employee and the evaluator, with one copy going to the central office personnel file and one copy to the employee. Evaluations include an evaluation of cultural competency. The purpose for the evaluation process shall be:

(1) To raise the quality of instruction and educational services to children enrolled in Suffolk Public Schools;

(2) To raise the standards of the school division as a whole;

(3) To aid the individual to grow and improve.

The superintendent of schools shall assure that appropriate and proper procedures for staff evaluations are implemented within the school division. (Adopted: November 10, 1994; Ordinance 22/23-30, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code § 22.1-253.13:7.C.2 (1950), as amended.

Section 1-8.5:1. Training for administrative and supervisory personnel. — A. Beginning September 1, 2000, all principals, assistant principals, and other administrative personnel who participate in the evaluation and documentation of employee performance, will receive training in evaluating and documenting the performance of employees, and the training and evaluation process shall include, but shall not be limited to, the evaluation of the employee's skills and knowledge and student academic progress. Prior to participating in the training and evaluation of any employee, all principals, assistant principals or other administrative personnel must have received such training. (Adopted: November 10, 1994)

Legal Authority — Virginia Code §22.1-293.C. (1950), as amended.

Section 1-8.5:2. Evaluation of principals, assistant principals, and supervisors; evaluation of teachers. — A. In the evaluation of principals, assistant principals, and supervisors, and in making recommendations to the School Board for continued employment, the superintendent shall consider, among other things, the following: (i) the administrator's skills, knowledge, and ability to perform the job assigned; (ii) the administrator's ability to improve the academic progress of students through innovative and stimulating educational opportunities; (iii) the administrator's ability to encourage and stimulate gains in learning at the building level; (iv) the administrator's overall effectiveness in addressing school safety issues and enforcing student discipline.

B. In the evaluation of teachers, the superintendent or designee will evaluate all teachers in a manner that is appropriate to the tasks performed and will address, among other things, the following: (i) student academic progress; (ii) the teacher's skills; (iii) knowledge of the subject matter; (iv) teaching methodology; and (v) classroom management. (Adopted: November 10, 1994)

Legal Authority —Virginia Code §22.1-294.B. (1950), as amended.

Section 1-8.6. Evaluation of Instructional Programs. — A. The School Board is committed to the ongoing evaluation of the instructional program of Suffolk Public Schools. This evaluation is essential to the continuing provision of high-quality educational services in the City of Suffolk, Virginia. The superintendent of schools is charged with the responsibility of involving the entire school staff in a continuous program of curriculum study and evaluation that will encompass all aspects of the instructional program of Suffolk Public Schools. The superintendent of schools shall also report identified needs to the School Board, as well as progress made in the instructional program of Suffolk Public Schools in an effort to meet the needs, interests, and expectations of all students enrolled in Suffolk Public Schools. (Adopted: November 10, 1994)

Legal Authority – Virginia Code §22.1-253.13:6 (1950), as amended.

Section 1-8.7. Comprehensive Plan Required; when Literacy Plan required and posting requirements; Report presented to School Board. — A. The School Board adopts biennially a division-wide comprehensive unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan is developed with staff and community involvement and includes, or is consistent with, all other division-wide plans required by state and federal laws and regulations. Prior to the adoption of any division-wide comprehensive plan, the School Board posts the plan or revisions on the division's Internet website if practicable and makes the plan available for

public inspection and copying and conducts at least one public hearing to solicit public comment on the division-wide comprehensive plan. The superintendent of schools shall prepare the biennial plan for presentation to the School Board. The division-wide comprehensive plan includes:

a) the objectives of Suffolk Public Schools, including strategies for first improving student achievement, particularly the achievement of educationally at-risk students, then maintaining high levels of student achievement;

b) an assessment of the extent to which these objectives are being achieved;

c) a forecast of enrollment changes;

d) a plan for managing enrollment changes, including consideration for the consolidation of schools and/or the construction of new schools to provide for comprehensive and effective delivery of instructional services to students and economies in school operations;

e) an evaluation of the appropriateness of providing certain regional services in cooperation with neighboring school divisions;

f) a plan for implementing such regional services when appropriate; a technology component consistent with the technology plan for Virginia adopted by the Board of Education,

g) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the division's career and technical education programs, consistent with or as part of the comprehensive technology plan for Virginia adopted by the Board of Education;

h) an assessment of the needs of Suffolk Public Schools and evidence of community participation, including parental participation, in the development of the comprehensive plan,

i) any corrective action plan required pursuant to Va. Code § 22.1-253.13:3; and

j) a plan for parent and family involvement to include building successful school and parent partnerships that will be developed with staff and community involvement, including participation by parents.

B. Effective with the 2024-2025 school year, the division-wide comprehensive plan also

includes a division-wide literacy plan for pre-kindergarten through grade eight in accordance with Virginia law and the Standards of Quality.

C. A report shall be presented by the School Board to the public by November 1 of each odd-numbered year on the extent to which the objectives of the division-wide comprehensive plan have been met during the previous two school years.

D. Each school prepares a comprehensive, unified, long-range plan, which the school board considers in the development of the division-wide comprehensive plan. (Adopted: November 10, 1994; Revised October 10, 2019; Ordinance Number 19/20-11; Effective Date: October 10, 2019; Ordinance 23/34-17, Revised/Effective: November 9, 2023; Ordinance 24/25-17; Revised/Effective: September 12, 2024)

Legal Authority – Virginia Code § 22.1-253.13:6 (1950), as amended.

Section 1-8.8. Literacy Plan. — A. The Suffolk City School Board adopts a divisionwide literacy plan for grade levels pre-kindergarten through grade eight as part of its divisionwide comprehensive plan as required by Board Policy Section 1-8.7. The School Board uses programs from the lists developed by the Virginia Department of Education (the Department) or seeks approval from the Department for the use of alternative programs that consist of evidence-based literacy instruction and align with science-based reading research.
B. The School Board posts, maintains, and updates as necessary on the School Board's website a copy of its divisionwide literacy plan and the job description and contact information for any reading specialist employed by the division pursuant to Virginia Code § 22.1-253.13:2(G) and for any dyslexia specialist employed by such school division. The School Board submits its divisionwide literacy plan to the Department. The divisionwide literacy plan includes:

a) a program of literacy instruction that is aligned with science-based reading research and provides evidenced-based literacy instruction to students in kindergarten through grade eight;
b) the School Board's alignment with (a) literacy professional development, (b) core reading and literacy curriculum for students in kindergarten through grade five, and (c) screening, supplemental instruction, and interventions for students through grade eight with evidence-based literacy instruction practices aligned with science-based reading research;
c) how the School Board supports parents in their support of the literacy development of their children;
d) reading intervention services provided to students in kindergarten through grade eight who demonstrate substantial deficiencies based on their individual performance on the Standards of Learning reading assessment or a literacy screener provided by the Department; and
e) identification of which core literacy curricula, supplemental instructional practices

and programs, and intervention programs from the list developed by the Department or alternative programs approved by the Department that consist of evidence-based literacy instruction and align with science-based reading research are used in each grade level, kindergarten through 12, at each of the schools within the division.(Adopted: August 15, 2024, Ordinance 2024/25-18)

Legal Authority – Virginia Code §§ 22.1-1, 22.1-253.13:1, 22.1-253.13:2, and 22.1-253.13:6.

Article 9 - School Board Member Compensation and Benefits

Section 1-9.1. School Board member salary; benefits; insurance. — A. Each member of the School Board receives an annual salary as provided by law. The salary of school board members shall only be increased upon an affirmative vote by the School Board.

B. Actual expenses incidental to the performance of official duties by a School Board member may be reimbursed on presentation of an expense voucher with receipts attached. Compensation is paid for mileage incurred for attendance at meetings of the School Board or any other meeting held within the jurisdiction.

C. The School Board provides liability insurance to cover negligent acts committed or alleged to be committed by the School Board and its members while discharging their duties. This insurance shall be purchased in accordance with the recommendations of consultants to the School Board. (Adopted November 10, 1994; Revised October 10, 2019; Ordinance Number 19/20-12; Effective Date: October 10, 2019)

Legal Authority - Virginia Code §§22.1-32, 15.2-1414.1 et seq., 22.1-55, 22.1-78, 22.1-85**,** 22.1-84 (1950), as amended.

Section 1-9.2. Recognition of School Board Members. — Upon completion of a school board member's term of office on the School Board, the School Board may recognize the former school board member for having served. For any school board member who held the position of "Chair", the School Board will pay tribute to the former chair of the school board by adopting a formal resolution for presentation at a public meeting of the School Board. (Adopted: March 12, 2020, Ordinance Number: 19/20-65)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

CHAPTER 2 - School Board Governance & Operations

Article 1 - Policy Making Authority

Section 2-1.1. Policy Making Body. — A. The School Board is the policy making body for Suffolk Public Schools.

B. The School Board establishes rules of order and may adopt bylaws and policies. (Adopted: June 8, 1995; Revised March 14, 2013; Ordinance Number 12/13-8; Effective Date: July 1, 2013; Revised April 14, 2016; Ordinance Number 15/16-11; Effective Date July 1, 2016)

Legal Authority – Virginia Code §22.1-28 (1950), as amended.

Section 2-1.2. Policy Adoption Generally; Policy Manual Required; Posting of Website. — A. The School Board adopts policies for governing schools. The power to enact policy cannot be delegated to an employee or agent, including the division superintendent, or a single member of the school board.

B. The School Board is guided by written policies that are readily accessible to the School Board, division employees, students, parents, and citizens. The division policies are reviewed at least every five (5) years and revised as needed.

C. A current copy of all School Board policies and regulations promulgated by Suffolk Public Schools are posted on Suffolk Public Schools' website and are available to employees and the public. Printed copies of the policies and regulations will be made available as needed to citizens who do not have online access. The superintendent ensures that an annual announcement is made at the beginning of the school year and, for parents of students who enroll later in the academic year, at the time of enrollment, advising the public regarding the availability of School Board policies and regulations. (Adopted June 8, 1995; Revised March 12, 2009; Ordinance Number 08/09-30; Effective Date: July 1, 2009; Revised April 14, 2016; Ordinance Number 15/16-12; Effective Date July 1, 2016)

Legal Authority - Virginia Code § 22.1-253.13:7 (1950), as amended.

Section 2-1.3. Policy and Regulation Defined; Administration in absence of policy. — A. Policy is a basic statement related to the conduct of the school system's business. All policies of the School Board are subject to revision by the School Board. Policies are developed and presented to the School Board by the Policy Review Committee. The final authority for adoption rests solely with the School Board.

B. Regulation is the manner or method of implementation of policy by the division superintendent and staff. Regulations are subject to revision by the superintendent.

C. In situations where action must be taken by Suffolk Public Schools and the School Board has not adopted a policy nor provided guidelines for administrative action, the superintendent has the power to act, but the superintendent's decisions are subject to review by the School Board at its next regular meeting. It is the duty of the superintendent to inform the School Board promptly of such action taken and of the need for policy. (Adopted: June 8, 1995; Revised April 14, 2016; Ordinance Number 15/16-13; Effective Date July 1, 2016; Ordinance 22/23-31, Revised/Effective: February 9, 2023; Ordinance 25/26-11, Revised/Effective: August 14, 2025)

Legal Authority – Virginia Code §§ 22.1-78; 22.1-70; (1950); as amended.

Section 2-1.4. Policy effective date; Suspension of policies. — A. Unless otherwise specified in the policy, a new or revised policy becomes effective upon adoption. All regulations are developed by or through the superintendent. They are presented to the School Board as information items, unless the School Board informs the superintendent that it wants to act on a specified regulation.

B. Any policy adopted by the School Board can be suspended for a period of thirty-days by two-thirds vote (five members) of the School Board at a publicly held meeting. Any policy suspended by vote of the School Board must be referred to the Policy Review Committee to determine whether the policy should be repealed and/or revised. Policies that are required by either federal or state law cannot be suspended by vote of the School Board. (Adopted: June 8, 2000; Ordinance Number 99/00-44; Revised August 17, 2017; Ordinance Number 17/18-2; Effective Date: August 17, 2017; Ordinance 22/23-32, Revised/Effective: February 9, 2023; Ordinance 25/26-7, Revised/Effective: August 14, 2025)

Legal Authority – Virginia Code §§ 22.1-253.13.7, 22.1-78 and 22.1-79.

Article 2 - School Board Powers and Duties

Section 2-2.1. Powers and duties generally. — A. The School Board shall exercise all the powers conferred and shall perform all the duties imposed upon it by law. Complete and final control in all matters pertaining to Suffolk Public Schools shall be vested in the School Board. The School Board's powers include, but are not limited to, the following:

(1) See that the school laws are properly explained, enforced and observed.

(2) Perform such other duties as are prescribed by the State Board of Education or as imposed by law.

(3) Act as a policy making body and through its own action, legislate to make its policies effective.

(4) Adopt broad goals and objectives for each aspect of the Suffolk Public School's operation based upon the identified needs of the community. The goals and objectives shall be documented, reviewed and revised periodically in light of changing community needs.

(5) Establish basic policies to implement these goals and objectives and provide a framework of general rules and guidelines for Suffolk Public School's administration affecting major educational and financial problems of Suffolk Public Schools.

(6) Evaluate the performance and progress of Suffolk Public Schools against the stated goals and objectives. The measures used shall be:

(i) Progress toward objectives

(ii) Administration operations within School Board policy

(iii) Concise and meaningful management reports on current operations provided to the School Board by the division superintendent on a regular basis

(iv) Performance of the division superintendent

(7) Provide leadership in presenting needs of Suffolk Public Schools to regional, state and federal government or agencies, the general public or the media by a planned program of external public relations.

(8) Act upon recommendations that may come to it through the administration or its own members which concern the progress and improvement of Suffolk Public Schools.

(9) Act upon all recommendations of the division superintendent as they relate to implementation of School Board policy.

(10) Care for, manage and control the property of the school division and provide for erecting, furnishing, and equipping of necessary school buildings and appurtenances and the maintenance thereof.

(11) Secure, by visitation or otherwise, as full information as possible about the operation of Suffolk Public Schools and to ensure that the schools are being operated according to law and with the utmost efficiency.

(12) Operate and maintain the public schools in the school division and determine the length of the school term, the studies to be pursued, the methods of teaching and governance to be employed in the schools.

(13) Review and act upon the recommended attendance boundaries within the division in compliance with state and federal mandates.

(14) Provide for the consolidation of schools whenever such procedure will contribute to the efficiency of the school division.

(15) Review and approve the annual operating budget for Suffolk Public Schools prepared by the division superintendent to ensure that there is the most prudent utilization of public resources.

(16) Authorize expenditures and approve bills presented for payment of expenditures.

(17) Prescribe qualifications of all employees of the School Board and fix salary schedules for such employees.

(18) Employ a division superintendent and establish the salary and terms of contract, provided the terms shall be in conformity with existing laws and regulations of the Commonwealth of Virginia.

(19) Employ a school board attorney and establish the salary and terms of contract, provided the terms shall be in conformity with existing laws and regulations of the Commonwealth of Virginia.

(20) Evaluate the superintendent's performance and the school board attorney's performance on a continuing basis. Criteria for appraisals shall be specific and communicated to the division superintendent and school board attorney. Performance appraisals based on the stated criteria shall be conducted in a closed meeting of the School Board. Formal evaluations shall occur annually with informal evaluation as the parties deem appropriate.

(21) On the recommendation of the division superintendent, employ teachers and other personnel as may be needed for the efficient operation of the schools.

(22) Approve or reject personnel recommended by the superintendent and enter into contracts with such personnel when required by law.

(23) Acts as a body of final administrative appeal in all cases which may be appealed to the School Board from a ruling or decision made by the division superintendent, as provided for by established law and policy.

(24) Act upon legal matters with advice from the school board attorney.

(25) Be responsible for the safety of pupils involved in school activities, including transportation in school buses.

(26) Act upon textbooks and courses of study recommended by the division superintendent.

(27) Obtains public comment through a public hearing not less than seven days after reasonable notice to the public in a newspaper of general circulation in the school division prior to providing:

(1) for the consolidation of schools;

(2) the transfer from the public school system of the administration of all instructional services for any public school classroom or all non-instructional services in the school division pursuant to a contract with any private entity or organization;

(3) for redistricting of school boundaries or adopting any pupil

assignment plan affecting the assignment of fifteen percent or more of the pupils in average daily membership for redistricting of school boundaries or adopting any pupil assignment plan affecting the assignment of fifteen percent or more of the pupils in average daily membership in the affected school. Such public hearings may be held at the same time and place as the meeting of the School Board at which the proposed action is taken if the public hearing is held before the action is taken.

(28) Surveys, at least annually, the school division to identify critical shortages of teachers and administrative personnel by subject matter, and school bus drivers and reports such critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System or requests the superintendent to conduct such survey and submit such report to the School Board, the Superintendent of Public Instruction, and the Virginia Retirement System.

(29) Ensures that the public schools within the school division are registered with the Department of State Police to receive electronic notice of the registration or re-registration of any sex offender within the school division pursuant to Virginia Code Section 9-1.914.

(30) Ensures that the information sheet on the Supplemental Nutrition Assistance Program (SNAP) benefits program developed and provided by the Department of Social Services pursuant to subsection D of Va. Code § 63.2-801 is sent home with each student enrolled in an elementary or secondary school in the division at the beginning of each school year or, in the case of any student who enrolls after the beginning of the school year, as soon as practicable after enrollment.

(31) Ensures that a fillable free or reduced price meals application is sent home with each student enrolled in a public elementary or secondary school in the division at the beginning of each school year or, in the case of any student who enrolls after the beginning of the school year, as soon as practicable after enrollment.

(32) Ensures that at any back to school night event in the division to which the parents of enrolled students are invited, any parent in attendance receives prominent notification of and access, in paper or electronic form, or both, to information about application and eligibility for free or reduced price meals for students and a fillable free or reduced price meals application that may be completed and submitted on site.

(33) Performs such other duties as prescribed by the Board of Education or

imposed by law.

(Adopted: June 8, 1995; Ordinance 20/21-12, Revised April 15, 2021; Ordinance; 22/23, Revised/Effective: November 9, 2023)

Legal Authority - Virginia Code §§ 22.1-79, 22.1-78, 22.1-70.3, 22.1-253.13:2 (1950), as amended.

Section 2-2.2. School Board constitutes body corporate; corporate powers. — A. The duly appointed members of the School Board shall constitute the School Board. The School Board is declared a body corporate and, in its corporate capacity is vested with all the powers and charged with all the duties, obligations and responsibilities imposed upon school boards by law and may sue, be sued, contract, be contracted with, and in accordance with the provisions of this title, purchase, take, hold, lease and convey school property, both real and personal. School Board members elected or otherwise shall have no organization or duties except such as may be assigned to them by the School Board as a whole. (Adopted: June 8, 1995)

Legal Authority - Virginia Code §22.1-71 (1950), as amended.

Section 2-2.3. Election of Members and Qualifications. — A. School Board members shall be elected as provided for by law. In order to qualify as a member of the School Board, a person must be qualified to vote for and hold that office. In order to hold an elective office of the Commonwealth or its government units, the candidate must have been a resident of the Commonwealth for one year next preceding the election and be qualified to vote for that office.
B. In order to have their name placed on the ballot, all candidates shall be nominated only by petition as provided by general law pursuant to Virginia Code Section 24.2-506 (1950), as amended. No employee of the School Board shall be eligible to serve on the School Board. (Adopted: June 8, 1995)

Legal Authority - Virginia Code - §§ 22.1-29,22.1-30, and 22.1-57.3 (1950), as amended.

Section 2-2.4. Oath of Office. — School Board members shall qualify by taking the oath prescribed for officers of the Commonwealth before January 1 of the year of election. School Board members fulfilling unexpired terms of office must take the oath of office before serving at the first School Board meeting. Failure to take the oath of office within the time allowed by law renders the office vacant. (Adopted: June 8, 1995; Revised April 14, 2016; Ordinance Number 15/16-14; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §22.1-31 (1950), as amended.

Section 2-2.5. Removal from office; filling vacancies. — A. Any School Board member may

be removed from office in accordance with the provisions of Virginia Code Sections 24.2-230 through 24.2-237 of the Code of Virginia (1950), as amended.

B. When a vacancy occurs on the School Board, the remaining members, within forty-five (45) days of the office becoming vacant, shall fill the vacancy. If the majority of the remaining members of the School Board cannot agree, or do not act, the judges of the circuit court of the City of Suffolk shall make the appointment. The persons so appointed shall hold office until the qualified voters fill the vacancy by special election as provided for by law and the person so elected has qualified. (Adopted June 8, 1995; Revised November 11, 1999)

Legal Authority - Virginia Code §§ 24.2-230, 24.2-231, 24.2-232, 24.2-233, 24.2-234, 24.2-235, 24.2-236,24.2-237, 24.2-238 and 22.1-573 (1950), as amended.

Section 2-2.6. School Board Officers; Organizational Meeting; Appointed Officials; Duties. — A. The officers of the School Board shall be a chair and vice-chair. The School Board shall elect a chair and vice-chair and make committee appointments annually at the January organizational meeting of the School Board. Upon election, the chair immediately assumes office and presides over the remainder of the meeting.

B. At the organizational meeting of the School Board, the School Board appoints a clerk and deputy clerk and approves a designee for the division superintendent to attend meetings of the School Board in the absence or inability of the division superintendent to attend. The agenda for the organizational meeting of the School Board includes setting the time, place, and dates of regular School Board meetings and other items of annual business as appropriate.

C. The duties of the chair shall be to preside at all meetings of the School Board and to perform such other duties as may be prescribed by law or by action of the School Board. The chair shall sign all documents approved by the School Board. The chair, as a member of the School Board, has a vote on all matters before the School Board which come to a vote, but does not have an additional vote as chair in case of a tie.

D. The vice-chair shall preside in the absence of the chair and is empowered to act in all matters in case of the absence or inability of the chair to act as provided by resolution of the School Board.

E. On recommendation of the superintendent, a clerk and a deputy clerk are appointed annually by the School Board at the January organizational meeting of the School Board. The clerk and deputy clerk are each bonded in an amount not less than ten thousand dollars ($10,000), and the School Board pays the premiums for each bond. The clerk and deputy clerk shall discharge under the general direction of the superintendent all duties as required by law and such other duties as may be required by the School Board or the Board of Education.

F. The deputy clerk shall be empowered to act in all matters in case of the absence or inability to act on the part of the clerk, or otherwise as provided by resolution of the School Board and under the direction of the superintendent. (Adopted: June 8, 1995; Revised July 10, 2003; Ordinance Number 02/03-19; Revised March 14, 2013; Ordinance Number 12/13-9; Effective Date: July 1, 2013; Revised April 14, 2016; Ordinance Number 15/16-15; Effective Date: July 1,

2016; Ordinance 22/23-4, Revised/Effective Date: November 10, 2022)

Legal Authority - Virginia Code §§ 22.1-72, 22.1-76 (1950), as amended.

Section 2-2.6:1. Aspirational Statements; School Board Norms; Protocols; and Consequences for Violations. — A. The School Board adopts the following aspirational statements to express goals, values and desires of the School Board and its members:

1. Speak candidly and courteously to each other and listen to dissenting or different viewpoints with an open mind.

2. Help each other to depersonalize disagreements.

3. Be respectful of the different staff roles and responsibilities throughout the school division.

4. Maintain awareness of the different roles that School Board members play such as a board member, citizen, parent, etc.

5. Maintain open communication with other School Board Members, the administration and the community-at-large.

6. Members should not rely completely on social media in order to formulate their decisions regarding School Board business, but should consider opinions from all stake holders as well as the opinions of the administration and fellow members on the School Board.

7. Once the School Board approves an operating budget for Suffolk Public Schools, members of the School Board are expected to advocate with members of the governing body for passage of the School Board's adopted budget.

B. The School Board adopts the following norms to ensure the successful exchange of information amongst Board Members and the public at large:

1. During public meeting discussions, Board Members are not to use language based on their usual construction and common acceptance that are construed as insults or intimidating.

2. The official spokesperson for the School Board is the chair of the School Board. However, members of the School Board are allowed to express their own point of view when making comments to the media, at any public gathering, in print, or on social media regarding actions of the School Board or matters involving Suffolk Public Schools, without having to first indicate they are expressing their own point of view.

3. When posting information on social media from any meeting of the School Board, members of the School Board are to reference the official public record of the meeting.

4. School Board Members may contact each other one by one. However, School Board Members are not to assemble in groups of more than two outside of a public meeting and discuss public business.

5. School Board Members may communicate with the school superintendent by phone, email or in-person meetings. In-person meetings between individual School Board Members and the school superintendent and/or two School Board Members and the school superintendent are encouraged.

6. School Board Members serving on standing committees are to report on the work of standing committees in a written report provided to the full School Board as an information item. This report can be either approved or draft minutes from the meeting of the standing committee.

C. The School Board adopts the following protocols for obtaining reports from the Office of the School Superintendent, handling information received from the Office of the School Board Attorney, responding to public comments during public meetings, interacting with employees of Suffolk Public Schools and visiting property of Suffolk Public Schools.

1. A Board Member cannot request that a report be generated by the office of the school superintendent that will require considerable work or time, unless a majority of the Board at a public meeting of the School Board votes to require that the report be generated. Considerable work or time means research that requires more than 60 minutes to generate as determined by the school superintendent.

2. Information received by a Board Member from the Office of the School Board Attorney that is labeled “Attorney Client Communication Privilege,” “Attorney Work Product Confidential,” or “Confidential Communication” must not be shared with third parties, unless authorization has been given by the School Board.

3. School Board Members are to listen to Public Comment and Public Hearing presentations, but are not to comment, deliberate or take-action on them during the public comment time. However, at the conclusion of any public meeting, with the concurrence of the School Board chair, a Member of the School Board can request that the superintendent investigate any citizen comment or concern that specifically pertains to the operations of Suffolk Public Schools that was mentioned during public comments and report back to the School Board at a subsequent meeting.

4. Individual School Board Members are not to communicate with any employee of Suffolk Public Schools for the purpose of directing, managing, or evaluating an employee’s work

performance or job responsibilities.

(i) School Board Members are encouraged to visit schools in order to familiarize themselves with the operations of Suffolk Public Schools. However, before visiting any of the public schools, members of the School Board must notify the school superintendent. Board members may not visit schools during standardized testing.

(ii) When visiting schools, School Board Members:

(a) Must check in at the main office during the school day, and notify the principal of their presence on campus;

(b) Must notify the building principal that they are visiting the school in their role as a board member, versus when they are visiting the school in another role (*i.e.*, as parent/guardian, relative or emergency contact, professional or organizational affiliation, etc.);

(c) Must follow all school policies and procedures;

(d) Cannot go into a classroom unless invited by a teacher or escorted by an administrator;

(e) Must bring any concerns raised as a result of school visits to the attention of the superintendent and not subordinate administrators or staff.

(f) Must not interfere with school operations.

5. School Board Members may volunteer at schools, but must complete the Suffolk Public Schools' volunteer connect application in order to become a school volunteer.

D. Should the chair of the School Board receive notice of a claim that a member of the School Board has violated either School Board norms found in subsection B or protocols found in subsection C, and the School Board chair determines based on a conversation with both the member of the School Board who filed the claim and the alleged violator, that it is more likely than not that the violation occurred, the School Board chair may issue to the member of the School Board a letter of warning. The member of the School Board will then have five (5) business days to appeal in writing the chair's decision to the full School Board, and to request review by the School Board in either a closed or open meeting.

For any subsequent offense occurring within twelve (12) months of the first offense, the member of the School Board will be issued a formal notice of the alleged violation(s) and afforded an opportunity to respond to the allegations in a closed meeting of the School Board. If the charges are founded, the consequences imposed by the School Board will be the following:

(i) Second Offense — Letter of Warning Issued by the School Board.

(ii) Third Offense — Public Censure at a public meeting of the School Board

(iii) Fourth Offense — Removal from standing committees

E. All hearings of the School Board in which the School Board will discuss disciplining one of its members will take place in a closed meeting of the School Board, unless at least three members of the School Board vote to have the matter heard in an open meeting. (Adopted June 12, 2025, Ordinance 24/25-91)

Legal Authority - Virginia Code § 22.1-78.

Section 2-2.7. School Board Standing Committees; Foundations; Special Committees. –

A. Standing Committees are hereby established by the School Board:

(1) Policy Review Committee

The Policy Review Committee is responsible for advising the School Board and the Superintendent concerning the need to amend, adopt, repeal, and/or merge by-laws, policies and applicable regulations of the School Board to ensure that they are in accordance with federal and state mandates. The Policy Review Committee shall meet quarterly and shall make reports to the School Board as deemed necessary. Any change, addition, or revision to policies of the School Board must first be presented to the Policy Review Committee. The School Board cannot revise any policy of the School Board or vote for the adoption of any new policy of the School Board that has not first come before the Policy Review Committee for its consideration and recommendation. However, at a public meeting of the School Board, any member of the School Board can recommend for vote by the full School Board any change, addition and/or revision to policies of the School Board. If the School Board votes to approve the Board member's recommendation, the Board Member must then submit in writing to the Policy Review Committee a clear and concise statement explaining the change, addition and/or revision to policies of the School Board that is being requested. Any request that is made by a Board Member and approved by the School Board to change and/or revise a policy of the School Board, the Policy Review Committee must make the change and/or revision that has been requested and submit the change and/or revision to the full School Board for its consideration.

(2) Finance Committee

The Finance Committee works collaboratively with the school superintendent in an advisory capacity by offering input regarding major accounting changes in policy and/or significant fluctuations in revenue and/or expense that could affect operations of the school division, information about the annual resolution concerning authorizing the superintendent to spend down remaining funds in the operations fund and independent reports and comments. However, this Committee shall not interfere with the

superintendent's discharge of all duties and responsibilities incumbent on the superintendent by state law, regulations of the Board of Education and policies of the School Board. The Finance Committee shall meet at least twice a year and shall report the results of its meeting to the full School Board.

(3) Legislative Committee

The Legislative Committee is responsible for the development of the School Board's proposed annual legislative package relative to bills and legislation pending before the Virginia General Assembly and for acting as the School Board's liaison to the Virginia General Assembly as well as other publicly elected bodies. The Legislative Committee shall meet at least twice a year and shall report to the School Board regarding legislation pending before the Virginia General Assembly or United States Congress that could impact public education in Suffolk Public Schools.

(4) Support Committee

The Support Committee is responsible for providing technical support and assistance to citizen advisory committees that will assist them in carrying out their delegated duties and responsibilities. The technical support and assistance can include, but is not limited to, the following:

(i) meeting with chairs of citizen advisory committees to discuss any challenges the committee might be facing;
(ii) assisting the committee chair in formulating by-laws for the committee;
(iii) offering advice to the committee chair on best practices to ensure that meetings are productive and efficient; and
(iv) serving as a liaison or point of contact on the School Board to assist with any needs that may arise in carrying out the committee's delegated responsibilities.

B. Members of the School Board are permitted to serve on foundation boards, which include, but are not limited to, Suffolk Education Foundation, WHRO, and ACCESS.

C. Special committees may be appointed by the chair or created by School Board action. Special committees are created for a specific purpose and expire upon completion of the assigned task, or at the time specified when the committee is created, unless School Board action authorizes temporary continuance of the committees. Any member of the School Board appointed by the chair to serve on a special committee can also be removed by the chair without action by the School Board; and the chair may appoint a replacement. (Adopted: June 8, 1995; Revised November 11, 1999; Revised June 13, 2013; Ordinance Number 12/13-148; Effective Date: July 1, 2013; Revised April 14, 2016; Ordinance Number 15/16-16; Effective Date: July 1, 2016; Effective Date: May 9, 2019, Ordinance Number 18/19-70: Revised May 9, 2019; Ordinance Number 20/21-5, Revised: October 8, 2020; Ordinance 22/23-33, Revised/Effective: February 9, 2023; Ordinance 23/24-19, Revised/Effective: November 9, 2023; Ordinance 24/25-21, Revised/Effective: November 14, 2024; Ordinance 24/25-90; Revised/Effective: June 12,

2025)

Legal Authority - Virginia Code §§ 22.1-78, 22.1-277.06, 22.1-275.1, and 22.1-18.1 (1950), as amended.

Section 2-2.7:01 Special Committee created to make certain recommendations; duties listed; written report required; sunset provision. — A. It is the expressed intent of the School Board to fully engage citizens in the affairs of the School Board and that of Suffolk Public Schools through their involvement and active participation in citizen advisory committees as set forth in Policy Section 2-2.7:1. To this end, the School Board has created a special committee of the School Board to review the overall effectiveness of citizen advisory committees and to identify any barriers that impede and or limit the functionality of citizen advisory committees. This Committee will also make recommendations to the full School Board to address, but not be limited to, the following regarding citizen advisory committees:

1. appointment of members;
2. member retention;
3. member participation at meetings;
4. training for committee members;
5. grievance procedures for committee members;
6. and committee reporting.

B. In order to carry out its stated objective and prepare a written detailed report to the full School Board, the special committee of the School Board will do all things necessary to include, but not be limited to, the following, regarding citizen advisory committees;

1. survey committee members to receive their input;
2. interview committee chairs,
3. attend committee meetings;
4. review any written policies, guidelines and/or procedures adopted by any committee; and
5. to evaluate the impact of school employees serving on committee.

C. The Committee must make its final written report to the full School Board on or before April 27, 2025 at a regularly scheduled meeting of the School Board.

D. The policy will cease to be effective without any additional action by the School Board on April 27, 2025. (Ordinance 24/25-81, Approved: February 13, 2025)

Legal Authority - Virginia Code §§ 22.1-78.

Section 2-2.7:1. Citizen Advisory Committees; Open Meetings Required; Attendance by School Board Members. — A. The following Citizen Advisory Committees are hereby

established by the School Board.

1. A ***Gifted Education Advisory Committee*** will annually review the local plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The annual review shall consider the effectiveness of Suffolk Public Schools' gifted education program, including the review of screening, referral, identification, and program procedures toward the achievement of equitable representation of students, the review of student outcomes and the academic growth of gifted students. Such review shall be based on multiple criteria and shall include multiple sources of information. The comments and recommendations of the Committee will be submitted in writing directly to the School Board and the superintendent by October 1st of each year. The Committee will reflect the ethnic and geographical composition of the school division; be comprised of no more than twenty members and will consist of parents, teachers and administrators.

2. A ***School Health Advisory Board (SHAB)*** will assist with the development of the health policy in the school division and the evaluation of the status of school health, health education, the school environment, and health services. The School Board may request that the SHAB recommend to the School Board procedures relating to children with acute or chronic illnesses or conditions, including, but not limited to, appropriate emergency procedures for any life-threatening conditions and designation of school personnel to implement the appropriate emergency procedures. The SHAB will be comprised of no more than twenty members. The members will include broad-based community representation, including parents, students, health professionals, educators, and others. The SHAB will hold meetings at least semi-annually and will annually report on the status and needs of student health in the division to any relevant school, the School Board, the Virginia Department of Health, and the Virginia Department of Education by January 15th of each year.

3. A ***School Safety Audit Committee*** will be established to evaluate, the safety conditions in each public school to (i) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (ii) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses shall include recommendations for structural adjustments, changes in school safety procedures, and revisions to the school board's standards for student conduct. The committee will be comprised of no more than twenty members and shall include representatives of parents, teachers, local law-enforcement agencies, judicial and public safety personnel, and the community-at-large. The Committee shall present its report to the School Board by June 1st of each year.

The Virginia Center for School and Campus Safety (VCSCS) collects, analyzes, and disseminates the safety data of Virginia schools, including the school safety audit information. The VCSCS has developed five components for the school safety audit program and they include:

(1) Virginia School Safety Survey (annually);
(2) Division Safety Survey (annually);
(3) Virginia School Crisis Management Plan Review and Certification (annually); and
(4) Virginia School Survey of Climate and Working Conditions (administered in the

Spring) and School Safety Inspection Checklist (due every three years). Information included in the safety audit program is highly sensitive information. Local school boards can withhold or limit review of any security plans and specific vulnerability assessment components under the Virginia Freedom of Information Act. The School Board grants to the school superintendent or superintendent designee the authority to limit or restrict access by the Safety Audit Committee to any information deemed by the school superintendent or superintendent's designee to be sensitive information and if released could jeopardize the health and safety of students and employees of Suffolk Public Schools.

Restricting or limiting access to highly sensitive information by the Safety Audit Committee will not impair the Committee's ability to carry out the charge given by the School Board under this policy.

4. A ***Parent Advisory Council*** will be established to provide advice on all matters related to parental involvement in programs supported by Title I, Part A and/or Limited English Proficiency programs under Title III. The Parent Advisory Council will reflect the ethnic and geographical composition of the school division; and will comprise no more than twenty-two members, which shall include parents, teachers and administrators. The Parent Advisory Council shall present its report to the School Board by July 1st of each year.

5. A ***Local Advisory Committee for Special Education*** will be established as set forth in Regulations of the State Board of Education. The functions of the Local Advisory Committee for Special Education shall be as follows:

(a) Advise the local school division of needs in the education of children with disabilities;

(b) Participate in the development of priorities and strategies for meeting the identified needs of children with disabilities;

(c) Submit periodic reports and recommendations regarding the education of children with disabilities to the division superintendent for transmission to the local school board;

(d) Assist the local school division in interpreting plans to the community for meeting the special needs of children with disabilities for educational services;

(e) Review the policies and procedures for the provision of special education and related services prior to submission to the local school board; and

(f) Participate in the review of the local Suffolk Public Schools' annual plan.

The Local Advisory Committee for Special Education shall meet at least four times in a school year and will submit its report to the School Board by November 1st of each year.

6. A ***Career and Technical Education Advisory Council*** will be established as set forth in Regulations of the State Board of Education. The functions of the Career and Technical Education Advisory Council will be to provide recommendations to the School Board on current job needs and the relevancy of career and technical education programs offered and to assist in the development, implementation and evaluation of the local plan and application. The Career and Technical Education Advisory Council shall be composed of a group of persons representing

business and industry; labor organizations; Workforce Investment Councils; agencies serving out-of-school, homeless, and/or at-risk youth; special populations to include but not be limited to individuals with disabilities, economically disadvantaged families or those preparing for non-traditional training and employment; local community colleges; teachers; parents; students; and other interested community leaders for the purpose of providing recommendations, direction, and assistance to career and technical education. The council shall meet at regular intervals during the year to assist in the planning, implementing and assessing of career and technical education programs. The Council shall submit an annual report to the School Board by December 1st of each year. All meetings of standing committees and citizen advisory committees shall be open to the public, except where a closed meeting is permitted under the Virginia Freedom of Information Act.

Members of the School Board are permitted to attend any meetings of standing committees and/or advisory committees. However, Members of the School Board are only allowed to vote and/or participate in standing committee discussions if a Board Member is a member of the standing committee. Board Members shall refrain from voting and/or participating in the discussion of any topic before an advisory committee. (Ordinance 19/20-8; Effective Date: September 12, 2019; Ordinance 20/21-39; Revised/Effective Date: May 13, 2021; Ordinance 21/22-14; Revised August 12, 2021; Ordinance 24/25-76, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §§ 22.1-78, 22.1-275.1 22.1-279.8, 8 VAC 20-40-60; Elementary and Secondary Education Act of 1965, as amended, Title 1, Part A; 20 U.S.C. 6301-6339, 6571-6578; 8 VAC 20-81-230D; 8 VAC 20-120-50.

Section 2-2.7:2. Appointment to Standing Committees and foundation boards; appointment to Citizen Advisory Committees; reports by committees; number of committee members. — A. School Board Members will be appointed to Standing Committees of the School Board and Foundation Boards by the School Board Chair with the approval of the School Board. School Board Members will be appointed to Standing Committees each year at the January organizational meeting of the School Board. Appointments may be reviewed by the Chair as necessary for changes in the appointments, except for appointments to the Legislative Committee. Appointments to the Legislative Committee will be made at the School Board's first meeting in July of each year. Each School Board Member should be assigned to at least one (1) Standing Committee. When making an appointment the Chair should take into consideration, but not be limited to, the following:

(a) equitable distribution of Standing Committee assignments among School Board Members;
(b) expressed interests of School Board Members;
(c) experience as a School Board Member;
(d) a School Board Member's training, education and/or experience with the purpose of the Standing Committee;

(e) continuity of service and historical knowledge;
(f) availability for meetings;
(g) the need for diversity;
(h) the needs of the School Board; and
(i) other good and just reasons for appointment.

Should one or more representatives of the School Board be needed to attend a Standing Committee meeting prior to the School Board's adoption of Standing Committee assignments, the Chair is authorized to temporarily appoint School Board Members to Standing Committees. Appointments to a Standing Committee are effective until December 31st of each year, except for appointments to the Legislative Committee which will be effective until June 30th of each year.

The School Board Chair is also authorized to appoint alternates to Standing Committees, should the School Board Member assigned require another School Board Member to substitute. In the absence of an alternate or when an alternate is unavailable, the Chair may assign another School Board Member to represent the School Board at a meeting of the Standing Committee.

B. The School Board will appoint citizens to serve on Citizen Advisory Committees. All appointments to citizen advisory committees must be made at the June meeting of the School Board for a one-year term that will begin July 1st and end June 30th of each year. The School Board will issue a public announcement and will determine the process for receiving applications and/or letters of interest from citizens to serve on citizen advisory committees. Members of the School Board can request that a citizen be reappointed to serve on a citizen advisory committee if the citizen is currently serving on a citizen advisory committee and desires reappointment without the citizen having to submit an application or letter of interest for reappointment. However, any member of the School Board who wants to reappoint someone to serve on a citizen advisory committee must submit the request for reappointment in writing to the clerk of the School Board forty-eight (48) hours prior to the scheduled meeting of the School Board in which a vote is to occur for the appointment of citizens to serve on citizen advisory committees. In selecting citizens to serve on citizen advisory committees the School Board should take into consideration, but not be limited to, the following:

(a) equitable distribution of citizen advisory committee members among the seven voting boroughs of the City;
(b) expressed interests of the citizen to serve on a citizen advisory committee;
(c) the need for diversity;
(d) the needs of the School Board; and
(e) other good and just reasons for appointment.

C. All reports coming from standing committees or citizen advisory committees must be presented in writing to members of the School Board and placed on the School Board meeting agenda as an informational item. Oral reports are not allowed. If any member of the School Board has a particular question or concern regarding a written report, that question or concern should be communicated to the School Board chair and if a further explanation or clarification is required the School Board chair will have the chair of the standing committee or citizen advisory

committee to appear at a public meeting of the School Board to offer explanation or clarification relative to information contained in the written report.

D. The School Board will determine the number of School Board Members to serve on Standing Committees and the number of citizens to serve on Citizen Advisory Committees. In determining the number to serve on a committee, the School Board will take into consideration, but not be limited to, the following:

(a) complexity of the assigned task;
(b) frequency of meetings;
(c) number of persons who have expressed an interest in serving; and
(d) reporting requirements.

(Ordinance 19/20-5; Effective Date: September 12, 2019: Ordinance 24/25-77, Revised/Effective: December 12, 2024; Ordinance 24/25-84, Revised/Effective: March 13, 2025)

Legal Authority - Virginia Code § 22.1-78 (1950), as amended.

Section 2-2.7:3 Committee authority; committee chair; roles and responsibilities of committee chair; notice of meetings; public access to committee meetings; rules of order. — A. Individual School Board Members and citizens appointed to any Committee of the School Board will have no authority to bind the School Board on any matter unless such authority is expressly granted by the School Board.

B. The Chair for Standing Committees and Citizen Advisory Committees will be chosen by their respective committee members. For the purpose of electing a Standing Committee Chair, the most senior School Board Member attending the first meeting of the year of a Standing Committee will conduct the election of the Standing Committee Chair. For the purpose of electing a chair for any Citizen Advisory Committees, the School Board Chair or Vice-Chair will attend the first meeting of Citizen Advisory Committees for the sole purpose of conducting the election for a Committee Chair. No School Board Member will serve as a voting member on any citizen advisory committee.

C. The Committee Chair will have the responsibility for:

(a) presiding over the meetings or designating another Committee Member to preside in the Chair's absence;
(b) ensuring that the Committee functions in an efficient manner;
(c) providing guidance and communicating expectations to other Committee Members;
(d) ensuring that relevant, timely and effective decisions are executed and all Committee Members are provided the opportunity to participate in the decision making process;
(e) ensuring compliance with applicable law, School Board policies and regulations;
(f) ensuring that appropriate notices are made, agendas and supporting

materials are provided and that the minutes of the meetings are kept as required by law.

D. The Committee Chair or the assigned staff member will provide the School Board Clerk notice of the date, time, and location of Committee meetings so that the School Board Clerk can give the public notice of meetings consistent with applicable law. The Committee Chair or the assigned staff member will make available to the public, upon request, nonexempt agenda materials furnished to Members for the meeting as required by the Virginia Freedom of Information Act and other applicable law. Committee Meetings will be held in locations accessible to the public.

E. Committee Meetings will be open to the public but may be closed for all or a portion of the Meeting as permitted by the Virginia Freedom of Information Act and other applicable laws or regulations. The Committee Chair or assigned staff member will make arrangements for any persons needing accommodations or other services to access the Committee Meetings.

F. All meetings of the School Board, including Committee Meetings, will be conducted in accordance with Informal Rules adopted by the School Board and none of the formal Robert's Rules of Order Newly Revised are applicable to meetings of the School Board or any committee appointed by the School Board to perform delegated functions, unless formal rule requirements are referenced in the Informal Rules. (Ordinance 19/20-6; Effective Date: September 12, 2019; Ordinance 23/24-37, Revised/Effective: December 14, 2023)

Legal Authority - Virginia Code §§ 22.1-78; 2.2-3701 (1950), as amended.

Section 2-2.7:3.1. Rules of Order for meetings of School Board and Committees of the School Board; Governing Principles; Basic Principles; Basic Definitions; General Procedure for handling a main motion; General Rules of Debate. — A. In order to maintain decorum at all meetings of the School Board and any meeting held by a committee appointed by the School Board to carry out delegated functions, the School Board adopts the following informal parliamentary procedure in lieu of the more formal parliamentary procedure set forth in the Robert's Rules of Order.

B. Governing principles for these rules include the following:
   (1) promote justice and courtesy for all;
   (2) maintenance of order;
   (3) consideration of one item at a time;
   (4) all sides of an issue are heard;
   (5) ability for each member to provide input;
   (6) majority rule; and
   (7) protection of the rights of the members including the minority.

C. Basic principles include the following:
   (1) a quorum must be present for business to be conducted
   (2) all members have equal rights, privileges and obligations
   (3) no person should speak until recognized by the chair

(4) only one question at a time may be considered, and only one person may have the floor at any one time

(5) members have a right to know what the pending question is and to have it restated before a vote is taken

(6) full and free discussion of every main motion is a basic right.

(7) a majority decides a question except when basic rights of members are involved or a rule provides otherwise.

(8) Silence gives consent. Those who do not vote allow the decision to be made by those who do vote.

(9) The chair can speak in discussion without leaving the chair and votes on all questions.

D. Basic Definitions and responsibilities include the following:

a. Motion — A formal proposal made to bring a subject before the assembly for its consideration and action. Begins with "I move that…"

b. Second — A statement by a member who agrees that the motion made by another be considered. Stated as "Second," or "I second the motion."

c. Amendment — Before the vote is taken on a motion, it may be amended but the assembly must agree to amend the motion before it can be thought of as a main motion. A motion can be amended by:

(i) Striking out words;

(ii) Inserting or adding words

(iii) Striking out words and inserting others in their place

(iv) Substituting one (1) paragraph or resolution for another

d. Voting — All members are allowed to vote on all motions by either "yea" or "nay" or a member can abstain from voting. But in order for a member to abstain from voting, the member must clearly express the reason for abstaining from the vote before the member exercises the right to abstain.

e. Presiding Officer/Chair — The individual who facilitates the meeting. In the absence of the chair, the vice-chair will facilitate the meeting. If neither the chair or vice-chair is present, then a meeting cannot take place.

f. Role of the Presiding Officer — The presiding officer is responsible for the following:

(i) introduces business in proper order as provided for by the meeting agenda

(ii) recognizes speakers

(iii) determines if a motion is in order

(iv) keeps discussion focused on the pending motion

(v) maintains order and decorum of the meeting

(vi) puts all motions to a vote

E. General Procedure for handling a main motion include the following:

(1) a member must obtain the floor by being recognized by the chair

(2) any member can make a main motion, except for the chair

(3) a motion must be seconded by another member before it can be considered

(4) if the motion is in order, the chair will restate the motion and open debate
(5) the maker of the motion has the right to speak first in debate
(6) the main motion is debated along with any secondary motions that are debatable
(7) debate on subsidiary, privileged and incidental motions (if debatable or amendable) take precedence over debate on the main motion and must be decided before debate on the main motion can continue
(8) motion to close or limit debate are not permitted
(9) the chair calls the vote either via electronic voting or by roll call
(10) the chair then announces the result

F. General Rules of Debate include the following:
(1) a motion does not have to be pending in order to discuss a subject informally
(2) all discussion must be relevant to the immediately pending question
(3) no member should speak more than twice to each debatable motion. The second time takes place after everyone wishing to debate the motion has had an opportunity to speak once
(4) each time a member speaks on a debatable motion, the member is subject to the ten-minute limit, unless the members decide otherwise
(5) all remarks should be addressed to the chair — no cross debate is permitted
(6) debate must address issues not personalities
(7) cannot attack a member's motives for speaking for or against or presenting a motion
(8) address all statements and remarks through the chair
(9) cannot speak adversely on a prior action that isn't pending and has already been finalized
(10) refrain from speaking against his/her own motion
(11) only allowed to read from reports or quotations without objection or with permission; a member may read from reports or quotations with the chair's permission as long as no other member objects
(12) when possible, the chair should let the floor alternate between those speaking in support and those speaking in opposition to the motion
(13) members must not disrupt the assembly

(Ordinance 23/24-38, Effective: December 14, 2023;Oridance 24/25-85, Revised/Effective: March 13, 2025)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 2-2.8. Appointment of student representative; non-voting; attendance at closed meeting prohibited. — A. The opinions and concerns of the students enrolled in Suffolk Public Schools are important to the School Board. Therefore, the School Board may appoint a student

representative from among the students enrolled in Suffolk Public Schools. The student appointment will be on the recommendation of the superintendent and will take place at the January organizational meeting of the School Board. The student's term will expire December 31, unless sooner terminated by the School Board.

B. The principal of each high school nominates two students from the school to serve as the student representative to the School Board. From these nominations, the Superintendent selects the student representative subject to final approval by the School Board.

C. The student representative serves in an advisory capacity and does not vote. The school division provides the meeting agenda and other public materials to the student representative in advance of each open meeting. The student representative does not have access to confidential information, including student or personnel records. The student representative is expected to attend all regular, open meetings and complete assignments for research and data collection when requested by the School Board.

D. The student representative shall not, however, be allowed to attend closed meetings of the School Board. (Adopted: November 11, 1999; Ordinance Number 99/00-07; Revised April 14, 2016; Ordinance Number 15/16-17; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §22.1-86.1 (1950), as amended.

Section 2-2.9. School Accreditation Required; Schools Awarded for Significant Progress; Approval of Individual School Accreditation Plan. — A. All Suffolk Public Schools shall be accredited according to standards developed by the Board of Education. The School Board will review the accreditation status of each school in the division annually in a public session of a board meeting.

B. The School Board recognizes individual schools under the Exemplar School Recognition Program established by the Board of Education to recognize and reward schools that exceed requirements established by the Board of Education or show continuous improvement on academic and school quality indicators and schools that implement effective, innovative practices that are aligned with Virginia's goals for public education. The recognition may include public announcements, media releases, and other appropriate recognition.

C. The School Board may ask the Board of Education for release from state regulations on behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for schools enumerated in 8 VAC 20-131-420, based on special circumstances. A request for a waiver from state regulations that are not (i) mandated by state or federal law or (ii) designed to promote health or safety will be made by the superintendent and chair of the School Board on behalf of the School Board. The waiver request will describe how release from state regulations is designed to increase the quality of instruction and improve the achievement of students in the affected school or schools.

The School Board, by the superintendent and chair of the School Board, may also request that the Board of Education grant waivers of specific requirements in Va. Code § 22.1-253.13:2,

permitting the School Board to assign instructional personnel to the schools with the greatest needs, so long as the school division employs a sufficient number of personnel division wide to meet the total number required by Va. Code § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in Subsection C of Va. Code § 22.1-253.13:2 are met. In its request, the School Board will demonstrate that the waivers from specific Standards of Quality staffing standards will increase the quality of instruction and improve the achievement of students in the affected school or schools. (Adopted: March 14, 2013; Ordinance Number 12/13-11; Effective Date: July 1, 2013; Revised; September 8, 2016; Ordinance Number 16/17-2; Effective Date: July 1, 2017; Revised July 12, 2018; Ordinance Number 18/19-4; Effective Date: July 12, 2018; Ordinance 23/34-4, Revised/Effective: August 10, 2023)

Legal Authority – Virginia Code §§ 22.1-253.13:3, 22.1-253.13:9, (1950), as amended.

Article 3 - Meetings Generally

Section 2-3.1. Organizational Meeting. — A. The School Board shall organize annually by the election of officers at the first meeting in January. The meeting shall be called to order by the superintendent. The first order of business shall be the election of the School Board chairman. The new chairman shall then assume office and preside over the remainder of the meeting.
B. At this meeting, the School Board shall also elect a chairman and vice-chairman, and appoint a clerk and a deputy clerk/secretary. The agenda for the organizational meeting shall include setting the time, place and dates of regular School Board meetings and other items of annual business as appropriate. (Adopted November 11, 1999; Ordinance Number 99/00-07; Revised July 10, 2014; Ordinance Number 14/15-2; Effective August 14, 2014)

Legal Authority - Virginia Code §22.1-72 (1950), as amended.

Section 2-3.2. Regular Meetings; Special Meetings; Quorum. — A. The School Board transacts all business at School Board meetings. The School Board does not vote by secret or written ballot. However, nothing prohibits separately contacting the membership, or any part thereof, of the School Board for the purpose of ascertaining a member's position with respect to the transaction of public business, whether such contact is done in person, by telephone or by electronic communication, provided the contact is done on a basis that does not constitute a meeting under the Virginia Freedom of Information Act.
B. All meetings of the School Board are open to the public, except as otherwise permitted by law. No meeting is conducted through telephonic, video, electronic or other electronic communication means where the members are not physically assembled to discuss or transact public business, except as provided in Board Policy § 2-4.2 regarding Electronic Participation in Meetings from Remote Locations.
C. The School Board gives notice of its meetings in accordance with School Board Policy 2-

4.1.

D. At least one copy of all agenda packets will be made available to members of the School Board at least seven (7) calendar days in advance of the scheduled meeting of the School Board and, unless exempt, all materials furnished to the members of the School Board for a meeting are made available for public inspection at the same time such documents are furnished to the members of the School Board as provided for in School Board Policy § 2-5.1. Once an agenda has been published on the Electronic School Board (ESB) and released for public viewing, agenda topics or line items that were not on the agenda when first published cannot be added to the published agenda. However, up to and including the day of the actual meeting of the School Board, the clerk is allowed to (a) make grammatical corrections to the published agenda; and (b) add attachments to the agenda that directly pertain to topics and/or line items that are listed on the published agenda.

E. If any member of the School Board is interested in having an item placed on the School Board agenda for an approaching School Board meeting as an information and/or action item, the request must be:

(1) submitted by the school board member in writing to the school board chair;

(2) supported by at least two other members of the School Board; and

(3) received by the school board chair, with a copy sent to the school superintendent, at least (16) calendar days prior to the scheduled meeting of the School Board.

If the request is not received within sixteen (16) calendar days, then the item will be considered for placement on the agenda at the next regularly scheduled meeting of the School Board but not the approaching meeting of the School Board.

At any regularly scheduled meeting of the School Board, members of the School Board can motion to have an item added to the meeting agenda. If the motion is approved by a majority vote of the School Board, the item is then added to the meeting agenda. This initial vote is only to add the item to the meeting agenda and is not a vote of the School Board to approve or disapprove the added item. Only items added to the meeting agenda that will not directly impact students or employees of Suffolk Public Schools are to be voted on by the full School Board at the same meeting at which the item was added to the agenda, unless the School Board through the exercise of its discretion should determine that it would be in the best interests of Suffolk Public Schools to add an item and then vote on the added item at the same meeting.

Any item added to the meeting agenda that directly impacts students or employees of Suffolk Public Schools can be added to the meeting agenda of the School Board for discussion or informational purposes only. However, any vote regarding the added item must take place at the next regularly scheduled meeting of the School Board. This will allow members of the public to receive notice of the item to be voted on and given an opportunity to speak on the agenda item.

An item that directly impacts students is an item that involves student achievement, assignment, attendance, transportation, or discipline. An item that directly impacts employees of Suffolk Public Schools is an item that involves working conditions, hours of school operations,

employee terminations, elimination of positions, and employee benefits.

F. Any person may photograph, film, record or otherwise reproduce any portion of an open meeting. The School Board may adopt rules governing the placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting to prevent interference with the proceedings, but does not prohibit or otherwise prevent any person from photographing, filming, recording or otherwise reproducing any portion of an open meeting. The School Board does not conduct any open meeting in any building or facility where such recording devices are prohibited.

G. The School Board holds special and continued meetings when necessary. Special meetings are held when called by the chairman or when requested by three or more members with the agreement of the chairman. Special meetings may be called provided each member is duly notified, or a reasonable attempt has been made to notify each member. Business that does not come within the purposes set forth in the call of the meeting is not transacted at any special meeting of the School Board unless the members present unanimously agree to consider additional items of business. Notice, reasonable under the circumstances, of special or continued meetings is given contemporaneously with the notice provided to members of the School Board.

H. At any meeting of the School Board, a majority of the members of the School Board shall constitute a quorum.

I. Minutes of all regular School Board meetings are recorded in accordance with School Board Policy § 2-7.1.

J. Under the agenda topic Reports by the Superintendent only matters specifically listed on the agenda by the superintendent can be addressed by the superintendent during the open meeting. (Adopted June 8, 1995; Revised April 14, 2016; Ordinance Number 15/16-18; Effective Date: July 1, 2016; Revised October 12, 2017; Ordinance Number 17/18-3; Effective Date: October 12, 2017; Revised February 14, 2019; Ordinance Number 18/19-60; Effective Date: February 14, 2019; Ordinance 19/20-47; Revised/Effective Date: December 12, 2019; Revised/Effective Date: June 11, 2020, Ordinance 19/20-67; Ordinance 20/21-9; Revised: January 14, 2021; Ordinance 2024/25-52, Revised/Effective: December 12, 2024)

Legal Authority - Virginia Code §§ 22.1-78, 2.2.3707, 22.1-72.

Section 2-3.3. Closed meetings; Motions therefore; Attendance by non-members; Candidate Interviews; Certification Requirement; Failure of Certification; Attendance at any Committee Meeting Allowed. — A. Closed meetings may be held by the School Board or any committee thereof only in accordance with Virginia Law, for purposes including the following purposes:

1. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the School Board. Any

teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter which involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the School Board. The School Board may not, however, discuss the compensation of Board members in closed session.

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student enrolled in Suffolk Public Schools. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, legal counsel and, if the student is a minor, the student's parents or legal guardians, so request in writing and such request is submitted to the presiding officer of the School Board.
3. Discussion or consideration of the condition, acquisition or use of real property for public purposes or of the disposition of publicly held property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the School Board.
4. The protection of the privacy of individuals in personal matters not related to public business.
5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community.
6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the School Board would be adversely affected.
7. Consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual or potential litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the School Board. For purposes of this subsection, "probable litigation" means litigation which has been specifically threatened or on which the School Board or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.
8. Consultation with legal counsel employed or retained by the School Board regarding specific legal matters requiring the provision of legal advice by such counsel. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.
9. Discussion or consideration of honorary degrees or special awards.
10. Discussion or consideration of tests or examinations or other information used, administered or prepared by a public body and subject to the exclusion in subdivision 4 of Va. Code § 2.2-3705.1
11. Discussion of strategy with respect to the negotiation of a hazardous waste sitting

agreement or to consider the terms, conditions, and provisions of a sitting agreement if the governing body in open meeting finds that an open meeting will have a detrimental effect upon the governing position of the governing body or the establishment of the terms, conditions, and provisions of the sitting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

12. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 3 or 4 of Va. Code § 2.2-3705.2 where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.
13. Discussion or consideration of information subject to the exclusion in subdivision 11 of Va. Code § 2.2-3705.6 (the Public Private Education Facilities and Infrastructure Act) by the School Board or any independent review panel appointed to review information and advise the School Board concerning such information.
14. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the School Board.

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the School Board, following the meeting, re-convenes in open meeting and takes a vote of the membership of such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

C. No closed meetings are held by the School Board or any committee thereof unless the School Board or committee has taken an affirmative recorded vote in an open meeting approving a motion which:

(i) identifies the subject matter,
(ii) states the purpose of the meeting as authorized in Va. Code § 2.2-3711.A or other provision of law and
(iii) cites the applicable exemption or exemptions from open meeting requirements provided in the Virginia Freedom of Information Act (FOIA) or other provision of law.

The matters contained in such motion are set forth in detail in the minutes of the open meeting. A general reference to the provisions of the Virginia Freedom of Information Act (FOIA) or

authorized exemptions from open meeting requirements, or the subject matter of the closed meeting is not sufficient to satisfy the requirements for holding a closed meeting.

D. These notice provisions shall not apply to closed sessions of the School Board held solely for the purpose of interviewing candidates for the position of superintendent. Prior to any such closed session for the purpose of interviewing candidates, the School Board shall announce in an open meeting that such closed meetings shall be held at a disclosed or undisclosed location within fifteen (15) days thereafter.

E. The School Board or committee thereof, in holding a closed meeting, restricts its consideration of matters during the closed portions only to those purposes specifically exempted under the FOIA.

F. Recording devices to include cameras, computer storage devices, digital video recorders, sound recording technology or tape-recording devices of any kind whatsoever, are not allowed in closed meetings of the School Board, unless authorized by the School Board.

G At the conclusion of any closed meeting, the School Board reconvenes in open session immediately thereafter and takes a roll call or other recorded vote to be included in the School Board's minutes, certifying that to the best of the member's knowledge:

(i) only public business matters lawfully exempted from open meeting requirements, and
(ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the School Board.

Any member of the School Board who believes that there was a departure from the requirements of (i) and (ii) above, so states prior to the vote, indicating the substance of the departure that, in the member's judgment, has taken place. The statement is recorded in the School Board minutes.

H. Failure of the certification required in Section F above, to receive the affirmative vote of a majority of the members of the School Board present during a closed meeting does not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with these provisions. The recorded vote and any statement made in connection therewith, upon proper authentication, constitutes evidence in any proceeding brought to enforce these provisions.

I. The School Board may permit non-members to attend a closed session if such persons are deemed necessary or if their presence will reasonably aid the School Board in its consideration of a topic which is a subject of the meeting.

J. Except as specifically authorized by law, in no event may the School Board or committee thereof take action on matters discussed in any closed meeting, except at an open meeting for which notice was given pursuant to Va. Code § 2.2-3707.

K. The School Board is subject to a civil penalty of up to $1000 if a court finds that the Board voted to certify a closed meeting in accordance with Section F above and such certifications was not in accordance with FOIA.(Adopted: June 8, 1995; Revised March 12, 2009; Ordinance Number 08/09-27; Effective Date: July 1, 2009; Revised April 14, 2016; Ordinance Number 15/16-19; Effective Date: July 1, 2016; Revised September 8, 2016; Ordinance Number 16/17-4; Effective Date: July 1, 2017; Revised October 12, 2017; Ordinance Number 17/18-4; Effective Date: October 12, 2017; Revised October 10, 2019; Ordinance Number 19/20-13; Effective Date: October 10, 2019; Ordinance 21/22-15; Revised August 12, 2021; Ordinance 22/23-78, Revised/Effective: May 11, 2023)

Legal Authority - Virginia Code §§ 2.2-3701, 2.2-3712 and 2.2-3714, (1950), as amended.

Article 4 - Meeting Notification

Section 2-4.1. Advance Notice of School Board Meetings Required; Direct Notification; Special, Emergency or Continued Meetings. — A. The School Board and any committees thereof give notice of the date, time, and location of its meetings by posting such notice on its website, if any, placing a notice in a prominent public location at which notices are regularly posted and in the office of the clerk of the School Board at least three working days prior to the meeting. In addition, the School Board and any committees thereof publish notice of their meetings by electronic means whenever feasible. At least one copy of the proposed agenda and all agenda packets and other non-exempt materials furnished to members of the School Board and any committees thereof is made available for public inspection at the same time the documents are furnished to members of the School Board or committee.

The notice provisions described above do not apply to closed meetings of the Board held solely for the purpose of interviewing candidates for the position of superintendent. Prior to any such closed meeting, the School Board announces in an open meeting that such closed meeting will be held at a disclosed or undisclosed location within fifteen days thereafter.

B. Notice of all School Board meetings is furnished directly to any person who requests such information. Requests to be notified of all meetings should be made at least once a year in writing and include the requester's name, address, zip code, daytime telephone number, electronic mail address, if available, and organization, if any. Unless the person making the request objects, the school division may provide electronic notice of all meetings in response to such requests.

C. Notice, reasonable under the circumstances, of special, emergency or continued meetings is given contemporaneously with notice provided to members of the School Board. (Adopted: June 8, 1995; Revised: July 10, 2003; Ordinance Number 02/03-20, Effective: July 1,

2004; Revised October 12, 2017; Ordinance Number 17/18-5; Effective Date: October 12, 2017; Ordinance 22/23-5, Revised/Effective: November 10, 2022)

Legal Authority – Virginia Code §§ 22.1-78, 2.2-3707, 2.2-3712 (1950), as amended.

Section 2-4.2. Meeting Participation by Electronic Communication; meeting minutes; attendance at closed meetings; definitions; when remote participation allowed; minute requirements when remote participation approved; when remote participation not approved; Quorum Required; when all virtual meetings allowed. — A. Except as provided hereafter, or as otherwise permitted by law, the School Board shall not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic, or other electronic communication means where the members are not physically assembled. This policy is applied strictly and uniformly, without exception, to the entire membership of the School Board and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

B. The minutes of meetings conducted in accordance with this policy, if any, include
   (i) the identity of the members of the committee who participated in the meeting through electronic communication means,
   (ii) the identity of the committee members who were physically assembled at one physical location, and
   (iii) the identity of the members of the committee who were not present at the location identified in (ii) but who monitored such meeting through electronic communication means.

C. Members of the School Board are permitted to attend any closed meeting held by any committee of the School Board or any committee created to advise the School Board. The minutes of the committee, if any, include the identity of any School Board member who attends a closed meeting of the committee.

D. For purpose of this policy the following definitions apply:

"All-virtual public meeting" means a public meeting (i) conducted by the School Board using electronic communication means, (ii) during which all members of the School Board who participate do so remotely rather than being assembled in one location, and (iii) to which public access is provided through electronic communication means.

"Caregiver" means an adult who provides care for a person with a disability as defined in Va. Code § 51.5-40.1. A caregiver must be either related by blood, marriage, or adoption to or the legally appointed guardian of the person with a disability for whom the caregiver is caring.

"Committee" means a committee, subcommittee, or other entity however designated of

the School Board created to perform delegated functions of the School Board or to advise the School Board. It does not exclude any such committee, subcommittee, or entity because it has private sector or citizen members.

“Electronic communication” means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

“Remote participation" means participation by an individual member of the committee by electronic communication means in a public meeting where a quorum of the committee is otherwise physically assembled.

E. Members of the School Board or of any committee appointed by the School Board may use remote participation instead of attending a meeting in person if, in advance of the meeting, each committee member seeking to use remote participation notifies the committee chair that:

(i) the member has a temporary or permanent disability or other medical condition that prevents the member’s physical attendance; for purposes of determining whether a quorum is physically assembled, a member of the School Board who is a person with a disability as defined in Va. Code § 51.5-40.1 and uses remote participation counts toward the quorum as if the member was physically present;

(ii) a medical condition of a member of the member’s family requires the School Board member to provide care that prevents the School Board member’s physical attendance; or the member is a caregiver who must provide care for a person with a disability at the time the meeting is being held thereby preventing the member's physical attendance; for purposes of determining whether a quorum is physically assembled, a member of the School Board who is a caregiver for a person with a disability and uses remote participation counts toward the quorum as if the member was physically present;

(iii) the member’s principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.

(v) that such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter and the remote location from which the member plans to participate. However, the member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year up to the next whole number, whichever is greater. A member of the School Board may only use remote participation for meeting of the School Board due to personal matters is limited each calendar year to two meetings of the School Board.

F. Individual participation from a remote location will be approved unless such participation

would violate this policy or the Virginia Freedom of Information Act, Va. Code § 2.2-3700 et seq. If a member's participation from a remote location is challenged, the School Board will vote whether to allow such participation. If the School Board votes to disapprove of the member's participation because such participation would violate this policy, such disapproval will be recorded in the minutes with specificity.

G. If participation in a public meeting by a member of the School Board or by a member of a committee appointed by the School Board is through electronic communication means is approved pursuant to subsection E above, the School Board or committee of the School Board records in its minutes

(i) the identity of the member or members of the School Board or committee of the School Board who participated in the meeting through electronic communication means;

(ii) the identity School Board members who were physically assembled at one physical location; and

(iii) the remote location from which the member participated. However, the remote location need not be open to the public and may be identified in the minutes, if any, by a general description.

H. If participation is approved due to a temporary or permanent disability or other medical condition, or medical condition of a family member, the School Board or committee of the School Board also includes in its minutes the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance or the medical condition of a family member. If participation is approved due to a personal matter, the School Board or committee of the School Board also includes in its minutes the specific nature of the personal matter cited by the member. If participation is approved because the member's principal residence is more than 60 miles from the meeting location, the School Board includes in its minutes the fact that the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location.

I. If a member's participation from a remote location is disapproved, such disapproval is recorded in the minutes with specificity.

J. A school board member or member of any committee appointed by the School Board may participate in a meeting by electronic means pursuant to subsection E above only when:

(1) a quorum of the School Board is physically assembled at one primary or central meeting location; and

(2) the School Board will arrange for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

K. The School Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, or the locality in which the School Board is located has declared a local state of emergency pursuant to Va. Code § 44-146.21, provided:

(a) the catastrophic nature of the declared emergency makes it impractical or unsafe to assemble a quorum in a single location, and

(b) the purpose of the meeting is to provide for the continuity of operations of the School Board or the discharge of its lawful purposes, duties, and responsibilities. If it holds a meeting pursuant to this section, the School Board:

(i) gives public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board; and

(ii) make arrangements for public access to the meeting through electronic communications means, including videoconferencing if already used by the School Board;

(iii) provides the public with the opportunity to comment at those meetings when public comment is customarily received; and

(iv) otherwise complies with the provisions of the Virginia Freedom of Information Act.

For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held are stated in the minutes of the meeting. The provisions of this section are applicable only for the duration of the declared emergency.(Adopted March 12, 2009; Ordinance Number 08/09-28; Effective Date: July 1, 2009; Revised April 14, 2016; Ordinance Number 15/16-20; Effective Date: July 1, 2016; Revised October 12, 2017; Ordinance 17/18-6; Effective Date: October 12, 2017; Revised Date: February 14, 2019; Ordinance 18/19-61; Effective Date: February 14, 2019; Ordinance 22/23-79, Revised/Effective: May 11, 2023; Ordinance 23/24-20, Revised/Effective: November 9, 2023; Ordinance 24/25-21; Revised/Effective: September 12, 2024)

Legal Authority - Virginia Code §§ 2.2-3701, 2.2-3707, 2.2-3708.3, 2.2-3710, and 51.5-40.1.

Section 2-4.2:1. When all-virtual public meetings allowed by committees of the School Board; when closed meeting held; limit on number of all virtual meetings by committees. — A. Committees of the School Board and committees appointed to advise the School Board may conduct all-virtual public meetings when:

(1) the required notice of the meeting indicates whether the meeting will be in-person or all-virtual along with a statement notifying the public that the method by which the committee chooses to meet will not be changed unless the committee provides a new meeting notice in accordance with the provisions of Va. Code § 2.2-3707;

(2) public access to the all-virtual public meeting is provided via electronic communication means;

(3) the electronic communication means used allows the public to hear all members of the committee participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the committee; when audio-visual technology is available, a committee member shall, for purposes of a quorum, be considered absent from any portion of the meeting during which visual communication with the member is voluntarily disconnected or otherwise fails or during which audio communication involuntarily fails;

(4) a phone number or other live contact information is provided to alert the committee if the audio or video transmission of the meeting provided by the committee fails, the committee monitors such designated means of communication during the meeting, and the committee takes a recess until public access is restored if the transmission fails for the public;

(5) a copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of the committee for a meeting is made available to the public in electronic format at the same time that such materials are provided to members of the committee;

(6) the public is afforded the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received; and

(7) no more than two members of the committee are together in any one remote location unless that remote location is open to the public to physically access it.

B. If a closed session is held during an all-virtual public meeting, transmission of the meeting to the public resumes before the committee votes to certify the closed meeting as required by subsection D of Va. Code § 2.2-3712.

C. The committee does not convene an all-virtual public meeting (i) more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, or (ii) consecutively with another all-virtual public meeting. (Adopted September 12, 2024; Ordinance 24/25-22)

Legal Authority — Virginia Code § 2.2-3708.3 (D).

Section 2-4.3. Quorum Required; When Quorum Not Physically Assembled; Notice Required; Reporting Requirement. **—** A. A School Board member may participate in a meeting by electronic means pursuant to this section only when:

(i) a quorum of the School Board is physically assembled at the primary or central meeting location; and

(ii) the School Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

B. The School Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, provided:

(i) the catastrophic nature of the declared emergency makes it impractical or unsafe to assemble a quorum in a single location, and

(ii) the purpose of the meeting is to address the emergency.

C. If it holds a meeting pursuant to this section, the School Board shall:

(i) give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board;

(ii) make arrangements for public access to the meeting;

(iii) make available to the public, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the School Board and that have been made available to the School Board's staff in sufficient time for duplication and forwarding to all locations at which public access will be provided;

(iv) record minutes of the meeting in accordance with School Board Policy 2-7.1; and

(v) record in the minutes votes taken by name in roll-call fashion.

For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the meeting. In addition, at such meetings the School Board will make available to the public a public comment form prepared by the Virginia Freedom of Information Advisory Council.

D. If the School Board meets by electronic means, it shall make a written report of the following to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science by December 15 of each year:

(1) the total number of electronic communication meetings held that year;

(2) the dates and purposes of the meetings;

(3) a copy of the agenda for each meeting;

(4) the number of sites for each meeting;

(5) the types of electronic communication means by which the meetings were held;
(6) the number of participants, including members of the public, at each meeting location;
(7) the identity of the members of the School Board recorded as absent and those recorded as present at each meeting location;
(8) a summary of any public comments received about the electronic communication meetings;
(9) a summary of the School Board's experience using electronic communication meetings, including its logistical and technical experience.

(Adopted: April 14, 2016; Ordinance Number 15/16-21; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §§ 2.2-3708.1, 2.2-3708.1, 2.2-3701, 2.2-3707, 2.2-3708.2, 2.2-3710, as amended. Acts 2020, c. 1283.

Article 5 - Meeting Agenda

Section 2-5.1. Agenda Preparation and Dissemination. — At least one copy of the proposed agenda and other non-exempt materials furnished to members of the School Board shall be made available for public inspection at the same time that documents are furnished to School Board members, unless the materials are exempt under the Virginia Freedom of Information Act. The preparation of the agenda shall be the responsibility of the School Board Chair with the assistance of the superintendent. Any member of the School Board may submit items for inclusion on the agenda. (Adopted: June 8, 1995; Revised July 10, 2003; Ordinance Number 02/03-21; Effective: July 1, 2004; Revised October 12, 2017; Ordinance Number 17/18-7; Effective October 12, 2017; Effective Date: October 12, 2017)

Legal Authority – Virginia Code §§ 22.1-78, and 2.2-3707 (1950), as amended.

Article 6 - Voting Method

Section 2-6.1. Unanimous vote required. — A. Each School Board member's vote on every decision is recorded in the official minutes of the meeting. The minutes of the meeting also reflect the method and result of all votes. No votes are taken by secret or written ballot.

B. In any case in which there is a tie vote of the School Board when all members are not present, the question shall be passed by until the next meeting when it will again be voted upon even though all members are not present. In complying with the procedure, or in any case in which there is a tie vote when all the members of the School Board are present, the clerk records the vote and the School Board Chair immediately notifies the tie breaker, if any, to vote as provided in the Code of Virginia § 22.1-75. If no tiebreaker has been appointed or elected as

authorized by state law, any tie vote defeats the motion, resolution, or issue voted upon. (Adopted: June 8, 1995; Ordinance 22/23-36, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 2.2-3710, 22.1-57.3, 22.1-75 (1950), as amended.

Article 7 - Minutes of Meetings

Section 2-7.1. Minutes of all meetings required; public inspection allowed; closed meeting minutes; minutes of study committees and subcommittees; what is included in minutes. — A. Minutes are recorded at all open meetings, approved by the School Board in regular session, signed by the clerk and chairman of the Board, and kept and stored in accordance with the provisions of the Code of Virginia. If minutes are required, they are posted on the school division's website within seven working days of their final approval.

B. Draft minutes and all other records of open meetings, including audio or audio/visual records, are public records open pursuant to the Virginia Freedom of Information Act.

C. Minutes may be taken during closed meetings of the School Board but are not required. Such minutes are not subject to mandatory public disclosure.

D. Minutes are not required to be taken at deliberations of study commissions or study committees, or any other committees or subcommittees appointed by the School Board except where the membership of any such commission, committee or subcommittee includes a majority of the School Board. If minutes are required, they are posted on the school division's website within seven working days of their final approval.

E. Minutes are in writing, are available electronically, and include, but are not limited to:

(1) the date, time, and location of the meeting;

(2) the members of the School Board recorded as present and absent;

(3) a summary of the discussion on matters proposed, deliberated or decided; and

(4) a record of any votes taken.

(Adopted: June 8, 1995; Revised November 16, 1995; Revised July 10, 2003; Ordinance Number 02/03-22; Effective: July 1, 2004; Revised October 12, 2017; Ordinance Number 17/18-8; Effective Date: October 12, 2017; Revised October 10, 2019; Ordinance Number 19/20-14; Effective Date: October 10, 2019; Ordinance 23/24-5, Revised/Effective: August 10, 2023)

Legal Authority – Virginia Code §§ 22.1-74, 2.2-3704, 2.2-3707, 2.2-3702.2, 2.2-3712 (1950), as amended.

Article 8 - Early and Late Appearances Defined

Section 2-8.1. Early Appearances; Suffolk Community Defined; Five Minutes and not less than Three Minutes for Presentation; When More than Fifteen Speakers. — A. Members of the public are invited to attend and encouraged to observe any open meeting of the School Board, including meetings held by Committees of the School Board. At any regular meeting of the School Board open to the general public, any member of the Suffolk Community may address the School Board on matters pertaining to services, policies and affairs relating to the School Board or Suffolk Public Schools, or they may submit their remarks in writing to the Clerk of the School Board. The agenda item entitled "Early Appearances" pertains to those items listed on the School Board agenda for which no public hearing has been scheduled and members of the Suffolk Community have expressed a desire to publicly express their views. The total amount of time set aside during the public meeting of the School Board for Early Appearances shall be limited to a total of forty-five (45) minutes.

The "Early Appearance" and "Late Appearance" portion of the meeting of the School Board is considered a limited public forum. Members of the Suffolk Community are afforded an opportunity to voice any concerns they may have to members of the School Board regarding services, policies, and affairs of the School Board or Suffolk Public Schools. Any person attending a public meeting of the School Board must not engage in disorderly, disruptive, or boisterous conduct, such as, but not limited to, making noise, use of profane language or obscene gestures, yelling or similar demonstrations that interrupts or disturbs the peace and good order of the meeting. Any member of the Suffolk Community who would like to appear and speak before the School Board must complete the online Request to Speak form and submit the completed form to the clerk of the School Board.

B. The term member of the Suffolk Community includes any:

(1) person residing in the City of Suffolk;
(2) parent or legal guardian of a child enrolled in Suffolk Public Schools;
(3) business owner licensed to conduct business in the City of Suffolk;
(4) person who owns real property in the City of Suffolk;
(5) employee of Suffolk Public Schools; and
(6) student enrolled in Suffolk Public Schools.

B. Each person participating under this agenda item shall be permitted no more than five (5) minutes and no less than three (3) minutes for the purpose of presenting their views. Presentations shall be addressed to the entire School Board, rather than to an individual School Board member. Individuals shall not be allowed to give all or part of their five minutes to other speakers. The chair is responsible for the orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented and length of time for such presentation. At the conclusion of a speaker's remarks, any member of the School Board who desires further information, is allowed to address the speaker but only with permission of the chair.

C. If there are more than fifteen (15) persons to be heard under this agenda item, the first fifteen

(15) who notified the Clerk of the School Board of their desire to speak before the School Board as required by Board Policy Section 10-5.1 will be allowed three (3) minutes each to make their presentation. When fifteen (15) speakers have spoken or when the forty-five (45) minutes allotted for Early Appearances has expired, any remaining speakers who expressed an interest in speaking under the agenda item entitled "Early Appearances" will be allowed to speak under the agenda item entitled "Late Appearances" or they may submit their remarks in writing to the Clerk of the School Board to be read during Late Appearances. Any person desiring to be heard under "Early Appearances" must complete the online Request to Speak form and forward to the Clerk of the School Board after the release of the regular meeting agenda to the public, but no later than 12:00 noon on Wednesday preceding the day of the regular School Board meeting. (Adopted: October 13, 2005; Ordinance Number 05/06-2, Effective Date: January 1, 2006; Adopted September 8, 2016; Ordinance Number 16/17-5; Effective Date: July 1, 2017; Ordinance 20/21-10: Revised January 14, 2021; Ordinance 23/24-21, Revised/Effective: November 9, 2023)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

Section 2-8.2. Late Appearances Defined; Notice Requirement. — A. Members of the Suffolk community who would like to express their views under the agenda item entitled "Late Appearances" shall have the opportunity to speak on matters pertaining to services, policies and affairs of Suffolk Public Schools, and shall be permitted five minutes for the purpose of presenting their views.

The term *member of the Suffolk Community* includes any:

(1) person residing in the City of Suffolk;

(2) parent or legal guardian of a child enrolled in Suffolk Public Schools;

(3) business owner licensed to conduct business in the City of Suffolk;

(4) person who owns property in the City of Suffolk;

(5) employee of Suffolk Public Schools; and

(6) student enrolled in Suffolk Public Schools.

B. Any person desiring to be heard under the agenda item "Late Appearances" shall complete the online Request to Speak form and forward to the Clerk of the School Board by no later than 12 noon on the day of the regular School Board meeting. Once allotted time has expired the speaker shall be seated, but may submit in writing any remaining comments to the Clerk of the School Board. (Adopted: October 13, 2005; Ordinance Number 05/06-2, Effective Date: January 1, 2006; Ordinance 23/24-22, Revised/Effective: November 9, 2023)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

SECTION 2-8.3. Public Speakers Before the School Board. — Any member of the Suffolk Community speaking before the School Board must adhere to the following:

1. Confine their comments to matters germane to the business of the School Board of the city of Suffolk;

2. Refrain from words or statements which, from their usual construction and common acceptance, are construed as insults and tend to incite violence or breach of the peace;

3. Refrain from obscenity, vulgarity, or other breach of respect;

4. Comply with the time limit for public comment as set by the Board, which can be up to five minutes, unless the Board through the exercise of its discretion decides to allow less than five minutes for public comment;

5. Refrain from cumulative or repetitive remarks; and

6. Refrain from making any comment regarding any pending student discipline or employee grievance matters. The appropriate forum for such matters is the applicable administrative hearing provided by State law or, where appropriate, court proceeding.

(Ordinance 23/24-23, Effective: November 9, 2023)

Legal Authority – Virginia Code Section 22.1-78.

Article 9 - Conflict of Interests

Section 2-9.1. Purpose of Conflict of Interest Policy. — A. The School Board seeks, through the adoption of this policy, to assure that the judgment of its members, officers and employees will be guided by a policy that defines and prohibits inappropriate conflicts and requires disclosure of economic interests, as defined by the General Assembly in the State and Local Government Conflict of Interests Act, which is found in Virginia Code Section 2.1-639.1 *et. seq.*

B. The State and Local Government Conflict of Interests Act establishes six principal areas of regulation applicable to Board members, officers, and employees of the School Board. They are:

(i) special anti-nepotism rules relating to School Board members and superintendents of schools;
(ii) general rules governing public conduct by School Board members regarding the acceptance of gifts and favors;
(iii) prohibited conduct regarding contracts;
(iv) required conduct regarding transactions;
(v) disclosure required from certain School Board members, and

(vi) training requirements for elected School Board members.

(Adopted June 8, 1995; Revised November 16, 1995; Revised October 9, 2003, Ordinance 03/04-02; Effective: July 1, 2004; Revised March 14, 2013; Ordinance Number 12/13-12; Effective Date: July 1, 2013; Revised October 10, 2019; Ordinance Number 19/20-15; Effective Date: October 10, 2019)

Legal Authority – Virginia Code §§22.1-78 and 2.2-3124 and 2.2-3152 (1950), as amended.

Section 2-9.2. Definitions. — A. As used in this policy: "*Contract"* means any agreement to which the School Board is a party, or any agreement on behalf of the School Board which involves the payment of money appropriated by the School Board, whether or not such agreement is executed in the name of the School Board.

(1) *"Advisory agency"* means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

(2) *"Affiliated business entity relationship"* means a relationship, other than a parent-subsidiary relationship, that exists when:

(i) one business entity has a controlling ownership interest in the other business entity;

(ii) a controlling owner in one entity is also a controlling owner in the other entity; or

(iii) there is shared management or control between the business entities.

Factors that may be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two entities, there are common or commingled funds or assets, the business entities share the use of personnel on a regular basis, or there is otherwise a close working relationship between the entities.

(3) *"Business"* means any individual or entity carrying on a business or profession, whether or not for profit.

(4) *"Contract"* means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision of it.

(5) *"Dependent"* means a son, daughter, father, mother, brother, sister or other person, whether or not related by blood or marriage, if such person receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support.

(6) “Council” means the Virginia Conflict of Interest and Ethics Advisory Council established in Va. Code § 30-355.

(7) *"Employee"* means all persons employed by a governmental or advisory agency.

(8) *"Financial institution"* means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, broker-dealer as defined in Va. Code § 13.1-501, or investment company or advisor registered under the federal Investment Advisers Act or Investment Company Act of 1940.

(9) "Foreign country of concern" means any country designated by the Secretary of State to have repeatedly provided support for acts of international terrorism pursuant to the National Defense Authorization Act for Fiscal Year 2019, P.L. 115-232 § 1754(c), Aug. 13, 2018; the Arms Export Control Act § 40, 22 U.S.C. § 2780; or the Foreign Assistance Act of 1961 § 620A, 22 U.S.C. § 2370.

(10) *"Gift"* means any gratuity, favor, discount, entertainment, hospitality, and loan forbearance or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings, and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include:

(1) any offer of a ticket, coupon or other admission or pass unless the ticket, coupon, admission or pass is used;

(2) honorary degrees;

(3) any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution or program's financial aid standards and procedures applicable to the general public;

(4) a campaign contribution properly received and reported pursuant to Va. Code § 24.2-945 et seq.;

(5) any gift related to the private profession or occupation of the School Board member or employee or of a member of the School Board member’s or employee’s immediate family;

(6) food or beverages consumed while attending an event at which the School Board member or employee is performing official duties related to his public service;

(7) food and beverages received at or registration or attendance fees waived for any event at which the School Board member or employee is a featured speaker, presenter or lecturer;

(8) unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento or similar item that is given in recognition of public, civic, charitable or professional service;

(9) a devise or inheritance;

(10) travel disclosed pursuant to the Campaign Finance Disclosure Act (Va. Code § 24.2-945 et seq.);

(11) travel paid for or provided by the government of the United States, any of its territories or any state or any political subdivision of such state; travel related to an official meeting of the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member by virtue of his office or employment;

(12) gifts with a value of less than $20;

(13) attendance at a reception or similar function where food, such as hors d'oeuvres, and beverages that can be conveniently consumed by a person while standing or walking are offered;

(14) tickets or the registration or admission fees to an event that are provided by the School Board to School Board members or employees for the purposes of performing official duties related to their public service: or

(15) gifts from relatives or personal friends.

For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, nephew or first cousin; a person to whom the donee is engaged to be married; the donee's or donee's spouse's parent, grandparent, grandchild, brother, sister, step-parent, step grandparent, step-grandchild, step-brother or step-sister or the donee's brother's or sister's spouse. For the purpose of this definition, "personal friend" does not include any person that the School Board member or employee knows or has reason to know is (a) a lobbyist registered

pursuant to Va. Code § 2.2-418 et seq.; (b) a lobbyist's principal as defined in Va. Code § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the School Board. For purposes of this definition, "person, organization or business" includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

(11) *"Governmental agency"* means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are "governmental agencies" for purposes of this policy.

(12) *"Immediate Family Member"* means (i) a spouse and (ii) any other person residing in the same household as the School Board member, who is a dependent of the School Board member employee.

(13) "Officer" means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he receives compensation or other emolument of office.

(14) *"Parent-subsidiary relationship"* means a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.

(15) *"Personal Interest"* means a financial benefit or liability accruing to a School Board member or employee or to a member of the immediate family of the School Board member or employee. Such interest shall exist by reason of

(i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business;

(ii) annual income that exceeds, or may reasonably be anticipated to exceed, $5,000 from ownership in real or personal property or a business;

(iii) salary, other compensation, fringe benefits, or benefits business that exceeds, or may reasonably be anticipated to exceed, $5,000 annually;

(iv) ownership of real or personal property if the interest exceeds $5,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; or

(v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or

(vi) an option for ownership of a business or real or personal property if the ownership interest will consist of (i) or (iv) above.

(16) *"Personal interest in a contract"* means a personal interest which a School Board member has in a contract with the School Board, whether due to his being a party to the contract or due to a personal interest in a business which is a party to the contract.

(17) *"Personal interest in a transaction"* means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business, or governmental agency, or represents or provides services to any individual or business and such property, business, or represented or served individual or business is

(i) the subject of the transaction or

(ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction.

Notwithstanding the foregoing, such personal interest in a transaction shall not be deemed to exist where (a) an elected member of a local governing body serves without remuneration as a member of the board of trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity or (b) an officer or employee of a local governing body is appointed by the local governing body to serve on a governmental agency and the personal interest in the transaction of the governmental agency is a result of the salary, other compensation, fringe benefits, or benefits provided by the local governing body to the officer, employee, or elected member or member of his immediate family.

(18) *"Transaction"* means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

(Adopted: June 8, 1995; Revised November 16, 1995; Revised March 14, 2013; Ordinance Number 12/13-13; Effective Date: July 1, 2013; Revised April 14, 2016; Ordinance Number 15/16-22; Effective Date: July 1, 2016; Revised October 12, 2017; Ordinance Number 17/18-9; Effective Date: October 12, 2017; Revised April 15, 2021; Ordinance 20/21-13; Ordinance 22/23-81, Revised/Effective: May 11, 2023; Ordinance 23/24-24, Revised/Effective: November 9, 2023)

Legal Authority - Virginia Code §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1 2.2-

3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118, 2.2-3119, 2.2.3121, 2.2-3124, 2.2-3132 and 30-356 (1950), as amended.

Section 2-9.3. Special Nepotism Rules regarding School Board Members and Superintendent; Limited Exception; Substitute Teacher Employment; Direct Supervisory and/or Administrative Relationship Prohibited. — A. The School Board may not employ or pay, and the superintendent may not recommend for employment, the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law of the superintendent or of a School Board member. This prohibition shall not be construed to prohibit the employment, promotion or transfer within the school division, of any person within a relationship described above when such person:

(a) has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of any member of the Board or superintendent; or

(b) has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the inception of such relationship; or

(c) was employed by the School Board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school board prior to the taking of office of any member of the School Board or superintendent.

B. Notwithstanding the rules stated in Subsection A above, the School Board may employ or pay, and the superintendent may recommend for employment, any family member of a School Board member provided that:

(1) the member certifies that he had no involvement with the hiring decision;

(2) the superintendent certifies to the remaining members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual, and

(3) that no member of the Board had any involvement with the hiring decision.

C. Notwithstanding the rules stated above, the School Board may employ or pay any family member of the superintendent provided that:

(1) the superintendent certifies that he had no involvement with the hiring decision; and

(2) the assistant superintendent certifies to the members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that the superintendent had no involvement with the hiring decision.

D. Any family member employed as a substitute teacher may not be employed to any greater

extent than he was employed by the School Board in the last full school year prior to the taking of office of such Board member or superintendent or to the inception of such relationship.

E. No family member as listed in subsection A above of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit is discouraged. (Adopted: April 14, 2016; Ordinance Number 15/16-22; Effective Date July 1, 2016, Revised: October 11, 2018, Ordinance Number 18/19-22, Effective Date: October 11, 2018; Revised October 10, 2019; Ordinance Number 19/20-16; Effective Date: October 10, 2019; Ordinance 23/24-25, Revised/Effective: November 9, 2023)

Legal Authority – Virginia Code §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2- 3110, 2.2-3112, 2.2-3115, 2.2-3119 and 2.2-3124 (1950), as amended.

Section 2-9.4. General Rules Governing Public Conduct by School Board Members and Employees Regarding Gifts and Favors. — Neither the School Board collectively, nor any member of the Board, shall:

(a) solicit or accept money, or anything else of value, for services performed within the scope of the Board Member's or employee's official duties other than the Board Member's or employee's regular compensation, expenses or other remuneration;

(b) offer or accept money, or anything else of value, for or in consideration of obtaining employment, appointment, or promotion in the school division;

(c) offer or accept any money or anything else of value for or in consideration of the use of his public position to obtain a contract for any person or business with the school division;

(d) use for the Board Member's or employee's own economic benefit, or anyone else's, confidential information gained by reason of the Board Member's or employee's office, and which is not available to the public;

(e) accept any money, loan, gift, favor or service or business or professional opportunity that reasonably tends to influence the Board Member or employee in the performance of the Board Member's or employee's official duties;

(f) accept any business or professional opportunity when the School Board Member knows there is a reasonable likelihood that the opportunity is being offered the Board Member or employee to influence the Board Member's or employee's conduct in the performance of official duties;

(g) accept a gift from a person who has interests that may be substantially affected by the performance of the School Board member's or employee's official duties under the circumstances where the timing and nature of the gift would cause a reasonable person to question Board member's or employee's impartiality in the matter affecting the donor;

(h) accept gifts from sources on basis so frequent as to raise an appearance of the use of the Board member's or employee's public office or employment for private gain; or

(i) use the Board Member's or employee's public position to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law, provided, however, that this prohibition shall not restrict the authority of any public employer to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law. (Adopted: April 14, 2016; Ordinance Number 15/16-22; Effective Date July 1, 2016; Revised April 15, 2021; Ordinance Number 20/21-14; Ordinance 22/23-82, Revised/Effective: May 11, 2023)

Legal Authority - Virginia Code §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118, 2.2-3119, 2-2.3121, 2.2-3124, 2.2-3132 and 30-356 (1950), as amended.

Section 2-9.5. Definitions; Certain Gifts prohibited; Acceptable gifts; Amount to be Adjusted Every Five Years; Gift returned to donor or donated to charitable organization. — A. For the purpose of this subsection the following definitions apply:

(1) "Person, organization or business" includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

(2) "Widely attended event" means an event at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals (i) who share a common interest, (ii) who are members of the public, civic, charitable or professional organization, (iii) who are from a particular industry or profession or (iv) who represent persons interested in a particular issue.

B. School Board members and employees required to file a Statement of Economic Interests as prescribed in Va. Code § 2.2-3117 and members of their immediate families shall not solicit, accept or receive any single gift with a value in excess of $100 or any combination of gifts with an aggregate value in excess of $100 within any calendar year for the School Board member or employee or a member of the School Board or employee's immediate family from any person that the School Board member or employee or a member of the School Board's or employee's immediate family knows or has reason to know is (i) a lobbyist registered pursuant to Va. Code

§ 2.2-418 et seq.; (ii) a lobbyist's principal as defined in Va. Code § 2.2-419; or (iii) a person, organization or business who is or is seeking to become a party to a contract with the School Board. Gifts with a value of less than $20 are not subject to aggregation for purposes of this prohibition.

C. Notwithstanding the above, School Board members and employees required to file a Statement of Economic Interests and members of their immediate families may accept or receive the following:

1) a gift of food and beverages, entertainment or the cost of admission with a value in excess of $100 when such gift is accepted or received while in attendance at a widely attended event and is associated with the event. Such gifts shall be reported on the Statement of Economic Interests;

2) a gift from a foreign dignitary with a value exceeding $100 for which the fair market value or a gift of greater or equal value has not been provided or exchanged so long as such foreign dignitary is not a representative of a foreign country of concern. Such gift shall be accepted on behalf of the Commonwealth or a locality and archived in accordance with guidelines established by the Library of Virginia. Such gift shall be disclosed as having been accepted on behalf of the Commonwealth or a locality, but the value of such gift shall not be required to be disclosed;

3) certain gifts with a value in excess of $100 from a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board if such gift was provided to such School Board member or employee or a member of the immediate family of the School Board member or employee on the basis of a personal friendship. A lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board may be a personal friend of such School Board member or employee or the immediate family of the School Board member or employee. In determining whether a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board is a personal friend, the following factors shall be considered: (i) the circumstances under which the gift was offered; (ii) the history of the relationship between the person and the donor, including the nature and length of the friendship and any previous exchange of gifts between them; (iii) to the extent known to the person, whether the donor personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iv) whether the donor has

given the same or similar gifts to other persons required to file the disclosure form prescribed in Va. Code §§ 2.2-3117 or 30-111; and

4) gifts of travel, including travel-related transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of $100 that is paid for or provided by a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board when the School Board member or employee has submitted a request for approval of such travel to the Council and has received the approval of the Council pursuant to Va. Code § 30-356.1. Such gifts shall be reported on the Statement of Economic Interests.

D. The $100 limitation imposed in accordance with this section shall be adjusted by the School Board every five years, as of January 1 of that year, in an amount equal to the annual increases for that five-year period in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar.

E. No person shall be in violation of this policy if (i) the gift is not used by such person and the gift or its equivalent in money is returned to the donor or delivered to a charitable organization within a reasonable period of time upon the discovery of the value of the gift and is not claimed as a charitable contribution for federal income tax purposes or (ii) consideration is given by the donee to the donor for the value of the gift within a reasonable period of time upon the discovery of the value of the gift provided that such consideration reduces the value of the gift to $100 or less. (Adopted: April 14, 2016; Ordinance Number 15/16-22; Effective Date July 1, 2016; Ordinance 23/24-27, Revised/Effective: December 14, 2023)

Legal Authority – Virginia Code §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2- 3110, 2.2-3112, 2.2-3115, 2.2-3119 and 2.2-3124 (1950), as amended.

Section 2-9.6. Awards to Employees for Exceptional Service. — Nothing herein shall be construed to prohibit or apply to the acceptance by a teacher or other employee of Suffolk Public Schools of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code. (Adopted: April 14, 2016; Ordinance Number 15/16-22; Effective Date July 1, 2016)

Legal Authority – Virginia Code §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3119 and 2.2-3124 (1950), as amended.

Section 2-9.7. Prohibited Contracts; Exceptions. — A. No School Board member shall have a personal interest in (i) any contract with the School Board or (ii) any contract with any government agency which is subject to the ultimate control of the Board.

B. The above prohibition shall not be applicable to:

(1) a Board member's personal interest in a contract of employment provided the employment first began prior to the member becoming a member of the School Board;

(2) contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public;

(3) a contract awarded to a member of the School Board as a result of competitive sealed bidding where the School Board has established a need for the same or substantially similar goods through purchases prior to the election or appointment of the member to serve on the School Board; however, the member shall have no involvement in the preparation of the specifications for such contract, and the remaining members of the School Board, by written resolution, shall state that it is in the public interest for the member to bid on such contract;

(4) the sale, lease or exchange of real property between a School Board member or employee and the School Board, provided the Board member or employee does not participate in any way as a Board member or employee in such sale, lease or exchange, and this fact is set forth as a matter of public record by School Board or superintendent;

(5) the publication of official notices;

(6) an officer or employee whose sole personal interest in a contract with the governmental agency is by reason of income from the contracting firm or governmental agency in excess of $5,000 per year, provided the officer or employee or a member of his immediate family does not participate and has no authority to participate in the procurement or letting of such contract on behalf of the contracting firm and the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of his governmental agency or he disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract;

(7) contracts between an officer’s or employee’s governmental agency and a public service corporation, financial institution or company furnishing public utilities in which the officer or employee has a personal interest provided the officer or

employee disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating or approving the contract;

(8) contracts for the purchase of goods or services when the contract does not exceed $500;

(9) grants or other payment under any program wherein uniform rates for, or the amounts paid to, all qualified applicants are established solely by the administering governmental agency;

(10) an officer or employee whose sole personal interest in a contract with his own governmental agency is by reason of his marriage to his spouse who is employed by the same agency, if the spouse was employed by such agency for five or more years prior to marrying such officer or employee;

(11) employment contracts and other contracts entered into prior to August 1, 1987, provided such contracts were in compliance with the Virginia Conflict of Interests Act (or the Comprehensive Conflict of Interests Act) at the time of their formation and thereafter. Those contracts shall continue to be governed by the provisions of the appropriate prior Act. The employment by the same governmental agency of an officer or employee and spouse or any other relative residing in the same household shall not be deemed to create a material financial interest except when one of the persons is employed in a direct supervisory and/or administrative position with respect to the spouse or other relative residing in his household and the annual salary of the subordinate is $35,000 or more.

(12) contracts between the School Board and an officer or employee of the School Board when the total of such contracts between the School Board and the officer or employee of the School Board or a business controlled by the officer or employee does not exceed $5,000 per year or such amount exceeds $5,000 and is less than $25,000 but results from contracts arising from awards made on a sealed bid basis, and such officer or employee has made disclosure as provided for in Virginia Code Section 2.2-3115.

(Adopted: April 14, 2016; Ordinance Number 15/16-22; Effective Date July 1, 2016; Revised April 15, 2021; Ordinance Number 20/21-15)

Legal Authority - Virginia Code §§ 2.2-3103, 2.2-3102, 2.2-3103, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118, 2.2-3119, 2-2.3121, 2.2-3124, 2.2-3132 and 30-3056 (1950), as amended.

Section 2-9.8. Personal Interest in Transaction Requires Disqualification; Disqualification Recorded in Minutes; When Participation Allowed; Representing an Immediate Family Member Allowed; Remaining Members Constitute Quorum; When Defendant in Legal Proceeding. — A. Each School Board member and School Board employee who has a personal interest in a transaction shall disqualify himself from participating in the transaction if:

(i) the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsidiary or affiliated business entity relationship with the business in which he has a personal interest; or

(ii) he is unable to participate pursuant to subsections C.a., C.b., or C.c. of this policy.

B. Any disqualification under this subsection shall be recorded in the School Board's public records. The School Board member or employee shall disclose his personal interests as required by Va. Code § 2.2-3115.E and shall not vote or in any manner act on behalf of the School Board in the transaction. The member or employee shall not:

(i) attend any portion of a closed meeting authorized by the Virginia Freedom of Information Act when the matter in which he has a personal interest is discussed; or

(ii) discuss the matter in which he has a personal interest with other governmental officers or employees at any time.

C. A School Board Member or School Board employee may participate in the transaction when —

a. the Board member is a member of a business, profession, occupation or group of three or more persons, the members of which are affected by the transaction, and he complies with the declaration requirements of Va. Code § 2.2-3115.G;

b. the Board member is a party to the transaction is a client of his firm and he does not personally represent or provide services to such client and he complies with the declaration requirements of Va. Code § 2.2-3115.H; or

c. the transaction affects the public generally, even though his personal interest, as a member of the public, may also be affected by that transaction.

D. Disqualification under this section shall not prevent any employee having a personal interest in a transaction in which his employer is involved from representing himself or a member of his immediate family in such transaction provided he does not receive compensation for such representation and provided he complies with the disqualification and relevant disclosure requirements of this policy.

E. If disqualifications under subsection A. of this section leave less than the number required by law to act, the remaining member or members of the Board shall constitute a quorum for the conduct of business and have authority to act for the Board by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of the remaining members.

F. The provisions of this section shall not prevent a Board member or employee from participating in a transaction merely because such a Board member or employee is a defendant in a civil legal proceeding concerning such transaction. (Adopted: April 14, 2016; Ordinance Number 15/16-22; Effective Date July 1, 2016; Revised April 15, 2021; Ordinance 20/21-16)

Legal Authority – Virginia Code §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118, 2.2-3119, 2.2-3124, 2.2-3124, 2.2-3132 and 30-3056 (1950), as amended.

Section 2-9.9. Disclosure Requirements; Penalty for Failure to File; Disclosure of Interest, Training requirements. — A. School Board members file, as a condition of assuming office, a disclosure statement of their personal interests and other information as required on the form prescribed by the Virginia Conflict of Interest and Ethics Advisory Council pursuant to Virginia Code Section 2.2-3117 and thereafter file such statement annually on or before February 1. The disclosure forms are filed and maintained as public records for five years in the office of the Clerk of the School Board. A School Board member or employee required to file an annual disclosure on or before February 1 shall disclose his personal interests and other information as required on the form prescribed by the Virginia Conflict of Interest and Ethics Advisory Council for the preceding calendar year complete through December 31.

A School Board member or employee required to file a disclosure as a condition to assuming office or employment shall file such disclosure on or before the day such office or position of employment is assumed and disclose his personal interests and other information as required on the form prescribed by the Virginia Conflict of Interest and Ethics Advisory Council for the preceding 12 month period complete through the last day of the month immediately preceding the month in which the office or position of employment is assumed; however, any School Board member or employee who assumes office or a position of employment in January shall be required to only file an annual disclosure on or before February 1 for the preceding calendar year complete through December 31.

When the deadline for filing any disclosure falls on a Saturday, Sunday or legal holiday, the deadline for filing shall be the next day that is not a Saturday, Sunday or legal holiday.

B. A clerk of the School Board who releases any disclosure form shall redact from the form any residential address, personal telephone number, email address, or signature contained on such form.

C. School Board members and employees required to file the Statement of Economic Interests who fail to file such form within the time period prescribed shall be assessed a civil penalty of $250. The clerk of the School Board shall notify the attorney for the Commonwealth for the locality of any School Board member's or employee's failure to file the required form and the attorney for the Commonwealth shall assess and collect a civil penalty. The clerk shall notify the attorney for the Commonwealth within 30 days of the deadline for filing.

D. Any Board member or employee who is disqualified from participating in a transaction under Section 2-9.8(A) of this policy, or otherwise elects to disqualify himself, shall forthwith

make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate if the interest involves a business or real estate and such disclosure shall be reflected in the School Board's public records in the division superintendent's office for a period of five (5) years.

E. Any Board member or employee who is required to disclose his interest under Section 2-9.6(B) of this policy shall declare his interest by stating: (i) the transaction involved; (ii) the nature of the Board member's or employee's personal interest affected by the transaction; (iii) that he is a member of a business, profession, occupation or group the members of which are affected by the transaction; and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest.The Board member or employee shall either make his declaration orally to be recorded in written minutes of the Board or file a signed written declaration with the clerk of the Board, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the board member or employee shall prepare and file the required declaration by the end of the next business day. The Board member or employee shall also orally disclose the existence of the interest during each School Board meeting at which the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

F. A Board member or employee who is required to declare his interest pursuant to Section 2-9.8(C) of this policy shall declare his interest by stating: (i) the transaction involved; (ii) that a party to the transaction is a client of his firm; (iii) that he does not personally represent or provide services to the client; and (iv) that he is able to participate in the transaction fairly, objectively and in the public interest.

The Board member or employee shall either make his declaration orally to be recorded in written minutes of the Board or file a signed written declaration with the clerk of the Board who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the Board member or employee shall prepare and file the required declaration by the end of the next business day.

G. In compliance with the State and Local Government Conflict of Interests Act, each elected school board member completes the training session provided by the Virginia Conflict of Interests and Ethics Advisory Council within two months after assuming office and thereafter at least once during each consecutive period of two calendar years while holding office. The clerk of the School Board maintains records indicating school board members subject to the training requirement and the dates of their completion of training sessions. Such records are maintained as public records for five years in the clerk's office. (Adopted: April 14, 2016; Ordinance Number 15/16-22; Effective Date July 1, 2016; Revised October 10, 2019; Ordinance Number 19/20-17; Effective Date: October 10, 2019; Revised April 15, 2021; Ordinance Number 20/21-17)

Legal Authority – Virginia Code §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118, 2.2-3119, 2.2-3121, 2.2-3124, 2.2-3132 and 30-3056 (1950), as amended

Section 2-9.10. Employee Conflict of Interests; Compliance Requirement; Personal Interests in Transactions; Prohibited Conduct; Examples of; Advisory Opinions. — A. The State and Local Government Conflict of Interests Act (the Act), applies to public school employees and officials. The Act creates uniform standards of conduct for all public employees and officials. The Act also defines and prohibits inappropriate conflicts of interest and requires disclosure of economic interests in some circumstances. The purpose of this policy is to provide an introduction to the Act for employees. Additional information regarding the Act may be obtained from Policy Section 2-9.9 regarding disclosure requirements and from the Virginia Conflict of Interest and Ethics Advisory Council (the Ethics Council) which assists with compliance with the Act.

B. School board employees are required to read and be familiar with the Act. The superintendent will provide employees with information regarding how to access the Act and how to contact the Ethics Council. The Act's provisions are complex and their application is fact-specific. A violation of the Act could result in civil or criminal penalties. Therefore, if an employee has any question whether an interest the employee has in a contract or transaction involving the school division is prohibited under the Act, the employee should contact the superintendent's office or the Ethics Council for assistance.

C. The Act prohibits school employees from having a "personal interest," as that term is defined by the Act, in certain contracts and transactions that involve the division and from engaging in other specified conduct related to the schools. The prohibited personal interest also may be that of the school employee's immediate family (a spouse or any other person who resides in the same household as the employee and who is a dependent of the employee).

D. Under the Act, an employee may be considered to have a prohibited conflict arising from: (i) a personal interest in a contract; (ii) a personal interest in a transaction; (iii) business opportunities tied to official acts; (iv) misuse of confidential information; or (iv) receipt or solicitation of certain gifts.

E. Examples of prohibited conduct include: (i) soliciting or accepting money or other things of value for services performed within the scope of the employee's official duties, except for the employee's compensation, expenses or other remuneration paid by the division; (ii) using for the employee's own economic benefit or that of another party, confidential information that the employee has acquired by reason of the employee's public position and which is not available to the public; (iii) accepting any money, loan, gift, favor, service or business or professional opportunity that reasonably tends to influence the employee in the performance of the employee's official duties; (iv) accepting any business or professional opportunity when the employee knows that there is a reasonable likelihood that the opportunity is being afforded to influence the employee in the performance of the employee's official duties; (v) entering into

contracts with the school division under certain circumstances; (vi) accepting a gift from a person who has interests that may be substantially affected by the performance of the employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the employee's impartiality in the matter affecting the donor; and (vii) accepting gifts from sources on a basis so frequent as to raise an appearance of the use of the employee's position for private gain.

F. The Act does not prohibit or apply to the acceptance by a teacher or other employee of Suffolk Public Schools of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

G. Employees may seek written opinions regarding application of the Act from the local Commonwealth's Attorney, the City Attorney or the Ethics Council. Good faith reliance on a written opinion of the Commonwealth's Attorney or a formal opinion or written informal advice of the Ethics Council made in response to a written request for such opinion or advice regardless of whether such opinion or advice is later withdrawn, provided that the alleged violation occurred prior to the withdrawal of the opinion or advice, bars prosecution for a knowing violation of the Act provided the opinion or advice was made after a full disclosure of the facts. If the employee relies on written informal advice given by the Ethics Council in a prosecution for a knowing violation of the Act, the record of the request and the written informal advice given shall be a public record and released upon request. An opinion of the City Attorney may be introduced at trial as evidence that the employee did not knowingly violate the Act. (Adopted: September 8, 2016; Ordinance Number 16/17-3; Effective Date: July 1, 2017; Ordinance 17/18-10; Effective Date: October 12, 2017)

Legal Authority – Virginia Code §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3013.1, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118.2, 2.2-3119, 2.2-3121, 2.2-3124, 2.2.3132 and 300-356 (1950), as amended.

Section 2-9.11. Disclosure by Division Superintendent. — The superintendent shall, as a condition to assuming employment, file a disclosure statement of personal interests and other information as is required on the form prescribed by the Virginia Conflict of Interest and Ethics Advisory Council pursuant to Code of Virginia § 2.2-3117. The disclosure statement is filed on or before the day the superintendent assumes employment for the preceding 12-month period complete through the last day of the month immediately preceding the month in which the superintendent assumes employment. However, if the superintendent assumes employment in January, the superintendent files a disclosure form on or before February 1 for the preceding year complete through December 31. Completed forms shall be filed and maintained as public records for five years in the office of the clerk of the Suffolk City School Board. After the initial disclosure, the superintendent files this statement annually on or before February 1. (Adopted October 12, 2017; Ordinance 17/18-11; Effective Date: October 12, 2017; Ordinance 22/23-6, Revised/Effective Date: November 10, 2022)

Legal Authority — Virginia Code §§ 2.2-3115, 2.2-3117 and 2.2-3118.2 (1950), as amended.

Article 10 - Salary of School Board Members

Section 2-10.1. Procedure for setting Board Member salary and salary limits same as governing body; resolution required. — A. The procedure for setting the annual salary for members of the School Board and the salary limits shall be consistent with the salary procedures and limits as provided in Virginia Code§15.2-1414.1 *et. seq.* or as provided for in the City Charter for members of the governing body.

B. The School Board shall be awarded a salary increase only if there is an affirmative vote by the School Board setting forth the specific salary increase. Any salary increase must be established prior to January 1 in any year in which members are to be elected or appointed, and such increase shall not become effective until July 1 of the following year. (Adopted June 8, 1995)

Legal Authority - Virginia Code §22.1-32 (1950)

Section 2-10.2. Chairman salary; mileage. — A. The School Board may, in its discretion, pay the chairman of the School Board an additional salary not exceeding $2,000 per year upon passage of an appropriate resolution by the School Board.

B. The School Board may, in its discretion, pay each of its members' mileage for use of a private vehicle in attending meetings of the School Board and in conducting other official business of the School Board. School Board members may be reimbursed for private transportation at a rate not to exceed that which is authorized for persons traveling on state business in accordance with provisions of state law. Whatever rate is paid, however, shall be the same for School Board members and employees of the School Board.

Legal Authority - Virginia Code Section 22.1-32 (1950) as amended.

Section 2-10.3. Professional Development Activities; FOIA Training required; Funding Requirement; Conflict of Interests Training required; clerk to maintain records. — A. Members of the School Board participate annually in high-quality professional development activities at the state, local, or national levels on governance, including personnel policies and practices; the evaluation of personnel, curriculum, and instruction; use of data in planning and decision-making; and current issues in education as part of their service on the Board.

B. Each elected board member completes a training session on the Virginia Freedom of Information Act (FOIA) provided by the Virginia Freedom of Information Advisory Council or the Board's attorney within two months of assuming office and thereafter at least once every two calendar years.

Each elected board member completes a training session for local elected officials on the State and Local Government Conflict of Interests Act (COIA) provided by the Virginia Conflict of Interest and Ethics Advisory Council (the Ethics Council) within two months of assuming office and thereafter at least once every two calendar years.

C. The school board clerk maintains records of the dates on which each elected school board member completed the required FOIA and COIA training sessions. The records are maintained in the clerk's office for five years. (Adopted: April 14, 2016; Ordinance Number 15/16-23; Effective Date: July 1, 2016; Ordinance 22/23-37, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 2.2-3132, 2.2-3704, 22.1-78, 22.1-253.13:5 (1950), as amended.

CHAPTER 3 - ADMINISTRATION

Article 1 - Administrative Responsibilities

Section 3-1.1. Administrative Responsibilities Generally. — A. The chief administrative officer for Suffolk Public Schools is the superintendent of schools. The superintendent is responsible for the direction, leadership and coordination of students and staff in their efforts to reach educational goals adopted by the School Board. The administration must be based upon positive human relationships in order to serve as the keystone to the effective operation of the entire educational system. Without such a base, Suffolk Public Schools will lack that uniting force which makes everybody in the organization feel important, regardless of the tasks or duties which he or she is discharging, be they professional or support services.

B. The School Board expects the administration to specialize in:

1. The processes of decision-making and communication.
2. Planning, organizing, implementing, and evaluating educational programs.
3. The coordination of various centers of power within Suffolk Public Schools so as to enable people to do the things together for education that they might never be able to do separately.
4. The demonstration of leadership.
5. The development and maintenance of close working relationships and channels of communication within the school system and community.
6. The prevention of misunderstandings and development of cooperation toward attaining the educational goals adopted by the School Board.

(Adopted January 1, 1995)

Legal Authority - Virginia Code §22.1-70 (1950), as amended**.**

Section 3-1.2. Qualifications and Duties of the Superintendent. — A. The superintendent meets or exceeds the requirements set by the Board of Education.

B. The superintendent annually participates in high-quality professional development activities at the local, state, or national levels, on topics including the Standards of Quality, Board of Education regulations, and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents.

C. Major Duties include the following:

1. As chief executive officer for Suffolk Public Schools, the superintendent
   - (a) attends School Board meetings.
   - (b) implements policies of the School Board and ensures that they are posted on the division's website,
   - (c) reports to the School Board about the status of programs, personnel and the overall operation of Suffolk Public Schools.
   - (d) recommends actions to the School Board.
   - (e) facilitates communication between the School Board and school personnel,
   - (f) assists the School Board chairman in developing agendas of meetings of the School Board, and develops regulations as directed by the School Board.
2. As the educational leader of the school division, the superintendent
   - (a) supervises the principals and assistant superintendents,
   - (b) oversees planning and evaluation of curriculum and instruction,
   - (c) develops for approval by the School Board procedures for adopting textbooks and other instructional materials,
   - (d) visits schools on a regular basis, and
   - (e) maintains a current knowledge of developments in curriculum and instruction.
3. The superintendent enforces school laws and regulations, including by
   - (a) observing such directions and regulations prescribed by the Superintendent of Public Instruction or Board of Education,
   - (b) reporting information to the Superintendent of Public Instruction as required,
   - (c) promptly distributing all reports, forms, laws and regulations received from the Superintendent of Public Instruction,
   - (d) enforcing school laws, regulations and decisions of the Superintendent of Public Instruction and of the Board of Education, and
   - (e) developing and maintaining procedures, guidelines and regulations to implement School Board policy. If School Board action is required by law or the School Board has specifically asked that certain types of regulations be given prior School Board approval, these procedures, regulations and guidelines are presented to the School Board for approval and, when approved, placed in the School Board policy manual. The administrative

procedures, guidelines and regulations are communicated to the staff and made available for their information.

4. The superintendent oversees staff personnel management, including by
   (a) organizing recruitment of personnel,
   (b) re-assigning personnel in accordance with school board policy,
   (c) administering personnel policies and programs,
   (d) the request of the School Board, surveying the school division at least annually to identify critical shortages of teachers and administrative personnel by subject matter, specialized student support positions, and school bus drivers and reporting such critical shortages to the School Board, the Superintendent of Public Instruction, and the Virginia Retirement System. Specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions, which may either be employed by the School Board or provided through contracted services;
   (e) supervising the evaluation of personnel,
   (f) providing for maintenance of up-to-date job descriptions for all personnel, and
   (g) annually designating a division employee as the division safety official whose duty it is to receive reports pursuant to subsection A of Va. Code §§ 19.2-83.1, 19.2-291.1, and 19.2-299.3 and including such designation in the collated packet of school safety audits submitted to the Virginia Center for School and Campus Safety. The designation includes updated contact information for the division safety official, including (i) a current mailing address, (ii) a current working daytime phone number, (iii) a current functional email address, and (iv) a current functional fax number. The superintendent updates this contact information within 48 hours of any change to such information.
5. The superintendent oversees facility management, including by
   (a) preparing long-and short-range plans for facilities and sites,
   (b) providing for the maintenance of school property and safety of personnel and property,
   (c) inspecting, or providing for the inspection of school property on a regular basis,
   (d) overseeing the utilization of school property,
   (e) monitoring any construction, renovation and demolition of school facilities,
   (f) representing Suffolk Public Schools before local or state agencies which control building requirements or provide financing for buildings, and
   (g) closing public school buildings which appear to be unfit for occupancy.
6. The superintendent oversees financial management by

(a) preparing the budget for School Board approval,
(b) ensuring that expenditures are within the limits approved by the School Board,
(c) reporting to the School Board on the financial condition of Suffolk Public Schools,
(d) establishing procedures for procurement of equipment and supplies, and
(e) Ensuring that an accurate record of all receipts and disbursements of school funds is kept.

7. The superintendent directs community relations activities including by
(a) articulating educational programs and needs to the community,
(b) responding to concerns expressed in the community,
(c) maintaining contact with the news media,
(d) participating in community affairs, and
(e) involving the community in planning and problem solving for Suffolk Public Schools.

8. The superintendent oversees pupil personnel services by
(a) monitoring pupil personnel services,
(b) providing for an adequate pupil record system,
(c) implementing policies and programs relating to the behavior and discipline of pupils,
(d) maintaining programs for the health and safety of pupils, and
(e) facilitating communication between Suffolk Public Schools and community agencies.

(Adopted June 8, 1995; Revised November 16, 1995; Revised March 14, 2013; Ordinance Number 12/13-17; Effective Date: July 1, 2013; Revised October 10, 2019; Ordinance Number 19/20-18; Effective Date: October 10, 2019; Revised April 15, 2021; Ordinance Number 20/21-18; Ordinance 23/24-28, Revised/Effective: December 14, 2023)

Legal Authority - Virginia Code §§22.1-58, 22.1-59, 22.1-68, 22.1-69, 22.1-70.3, 22.1-79, 22.1-136, 22.1-253.13:2, 22.1-253.13:5, and 22.1-253.13:7 (1950), as amended. 8 VAC 20-23-50., 8 VAC 20-23-630, 8 VAC 20-390-10, 8 VAC 20-390-40, 8 VAC 20-390-50, 8 VAC 20-390-60, 8 VAC 20-390-60, 8 VAC 20-390-70, 8 VAC 20-390-80, 8 VAC 20-390-90, 8 VAC 20-390-100, and 8 VAC 20-390-110.

Section 3-1.3. Appointment and term of superintendent; Failure to appoint by School Board; List of candidates submitted to State Board of Education; Contract to be negotiated by School Board. — A. The School Board appoints the superintendent from the list of eligible candidates certified by the Board of Education and determines the term of the superintendent's term expires on June 30. The superintendent serves an initial term of not less than two years nor more than four years. At the expiration of the initial term, the superintendent

is eligible to hold office for the term specified by the School Board, not to exceed four years.

B. When there is a vacancy in the office of superintendent, the School Board will have 180 days to fill the vacancy. If the School Board has not appointed a superintendent within 120 days of a vacancy, it will submit a written report to the Superintendent of Public Instruction demonstrating its timely efforts to make an appointment and containing a status report with a timeline for making the appointment prior to the 180-day deadline. On request, the School Board will be granted an additional 180 days within which to appoint a superintendent. Except as provided below, if the School Board does not appoint a superintendent within 180 days of a vacancy, or request additional time within which to make the appointment, the School Board will immediately notify the Virginia Board of Education, in writing, of its failure to make an appointment.

C. If there has been no extension, within 30 days of the 180th day after the vacancy occurs, the School Board will submit in writing to the Virginia Board of Education, its preferred candidate(s), not to exceed three, for the position of superintendent. The Virginia Board of Education may authorize the State Superintendent of Public Instruction to conduct the search for a division superintendent.

D. If the Virginia Board of Education appoints a superintendent, the superintendent's contract will be negotiated by the School Board.

(Adopted: June 8, 1995; Revised: February 14, 2008; Ordinance Number 07/08-2; Effective Date: February 14, 2008; Revised April 14, 2016; Ordinance Number 15/16-24; Effective Date: July 1, 2016)

Legal Authority – Virginia Code §§ 22.1-60, 22.1-58, and 22.1-61, (1950), as amended.

Section 3-1.4. Compensation and benefits for superintendent; when renegotiation of superintendent's contract not permitted; notice requirement; severance benefits. — A. The superintendent's contract shall be negotiated as provided by law and local School Board policy. The contract shall also set forth the superintendent's compensation and benefit package.

B. The School Board shall not renegotiate a superintendent's contract during the period following the election or appointment of new members to the School Board and the date such members are qualified and assume office.

C. When the superintendent's contract is being renegotiated, each member of the School Board will be notified at least 30 days in advance of any meeting at which a vote is planned on the renegotiated contract unless the members agree unanimously to take the vote without the 30-day notice. Each member's vote on the renegotiated contract will be recorded in the minutes of the meeting.

D. Any severance benefits provided to a departing superintendent will be publicly announced prior to the superintendent's departure. (Adopted June 8, 1995; Revised: July 10, 2003; Ordinance Number 02/03-24; Effective: July 1, 2004; Revised: July 12, 2018; Ordinance Number: 18/19-5; Effective: July 12, 2018; Ordinance 24/25-23; Revised/Effective: September 12, 2024)

Legal Authority - Virginia Code §§ 2.2-3705.1, 22.1-60 (1950), as amended.

Section 3-1.5. Administrative Organization Plan. — The School Board and the Superintendent value an organizational structure and two-way system of communication whereby there is an open, orderly and constructive exchange of ideas, information and assistance among employees at every level. The organizational structure of Suffolk Public Schools shall include organizational charts wherein each employee may identify his/her relationship with other employees. The charts should show the line of authority (chain of command) and, where possible, the secondary lines of cooperation expected across various positions. The Superintendent shall conduct an annual review and evaluation of the staff organization of Suffolk Public Schools. Any revisions will be presented to the School Board for informational purposes only. (Adopted June 8, 1995; Revised/Effective Date: June 11, 2020, Ordinance Number 19/20-66)

Legal Authority – Virginia Code §22.1-70 (1950), as amended.

Section 3-1.6. The responsibilities of the building principal; budget preparation; implementation of severe weather plans; make up days; waivers by Board of Education. — A. The principal under the direction of the school superintendent or his/her designee, serves as the chief executive in his or her assigned school and is charged with the administration, supervision, and operation of the individual school program. It is the principal's responsibility to see that the school functions within the framework of regulations of the superintendent, the policies of the School Board and the State Board of Education. The principal is expected to provide leadership to staff and assists in interpreting the educational program in the community. The principal shall respond to concerns expressed by parents and involve the community in planning and problem solving for the school where appropriate. The principal must have successfully served as a teacher; have demonstrated administrative ability; and satisfied the requirements for state licensure.

B. The principal prepares budget requests indicating needs for the school, and controls and expends funds allocated to the school.

C. The principal implements the severe weather disaster plans upon notification by the superintendent or his/her designee.

D. If severe weather conditions or other emergency situations result in the closing of a school or schools or all the schools in the school division or in an unscheduled remote learning day for a school or schools in the division for (i) five or fewer days, all missed days are made up by adding teaching days to the school calendar or extending the length of the school day; (ii) six days or more, the first five days plus one day for each two days missed in excess of the first five are made up by adding teaching days to the school calendar or extending the length of the school day.

If severe weather conditions or other emergency situations result in the closing of any

school in the school division and such school has been unable to meet the 180 teaching day requirement, the school division may make up the missed teaching days by providing its students with instructional hours equivalent to such missed teaching days to meet the minimum 990 teaching hour requirement.

If severe weather conditions or other emergency situations result in the closing of any school in the school division for in-person instruction, the school division may declare an unscheduled remote learning day whereby the school provides instruction and student services that are consistent with guidelines established by the Department of Education to ensure the equitable provision of such services. No more than 10 unscheduled remote learning days will be declared in a school year unless the Superintendent of Public Instruction grants an extension.

E. The Board of Education may waive the requirement that the school division provide additional teaching days or teaching hours to compensate for school closings resulting from a declared state of emergency or severe weather conditions or other emergency situations under certain circumstances. If the School Board desires a waiver, it will submit a request to the Board of Education. The request will include evidence of efforts that have been made by the school division to reschedule as many days as possible and certification by the superintendent and chair of the School Board that every reasonable effort for making up lost teaching days or teaching hours was exhausted before requesting a waiver. If the waiver is denied, the school division will make up the missed instructional time.

The Board of Education waives the requirement that school divisions provide additional teaching days or teaching hours to compensate for school closings resulting from an evacuation directed and compelled by the Governor pursuant to Va. Code § 44-146.17 for up to five teaching days. If the School Board desires such a waiver, it notifies the Board of Education and provides evidence of efforts that have been made by the school division to reschedule as many days as possible and certification by the superintendent and chair of the School Board that every reasonable effort for making up lost teaching days or teaching hours was exhausted. After receiving such notification, the Board of Education grants the waiver and there is no proportionate reduction in the amount paid by the Commonwealth from the Basic School Aid Fund. Further, the local appropriations for educational purposes necessary to fund 180 teaching days or 990 teaching hours shall not be proportionally reduced by the local appropriating body due to any reduction in the length of the term of any school or the schools in a school division permitted by such waiver. (Adopted June 8, 1995**;** Revised July 10, 2003; Ordinance Number 02/03-25; Effective: July 1, 2004; Ordinance 22/23-38, Revised/Effective: February 9, 2023; Ordinance 24/25, Revised/Effective: July 11, 2024)

Legal Authority - Virginia Code §§ 22.1-26, 22.1-79.1, 22.1-98, and 22.1-200.2. (1950), as amended.

Section 3-1.7. Development and dissemination of regulations. — A. The School Board authorizes the superintendent to promulgate such regulations as are necessary to carry out policies adopted by the School Board. If School Board action is required by law or should the

School Board request that a regulation be approved by the School Board in advance of the school superintendent issuing a proposed regulation, the superintendent will present the regulation to the School Board for School Board review and appropriate action. The superintendent shall make all regulations available to School Board members, employees and the public and shall see that the regulations are placed in the School Board Policy Manual or are kept with the Policy Manual.

B. Administrators and supervisors are responsible for informing staff members of all newly adopted or revised policies and regulations. (Adopted: June 8, 1995; Revised April 14, 2016; Ordinance Number 15/16-25; Effective Date: July 1, 2016)

Legal Authority – Virginia Code §22.1-70 (1950), as amended.

Section 3-1.8. Reporting requirements generally. — The School Board shall require reports from the superintendent concerning conditions and needs of Suffolk Public Schools. The superintendent shall complete and submit all reports required by law and by the State Department of Education. As the superintendent deems necessary, reports shall be submitted to the School Board to keep School Board members informed about the needs and conditions of Suffolk Public Schools. Special reports shall be prepared by the superintendent at the request of the School Board. (Adopted June 8, 1995)

Legal Authority - Virginia Code §§22.1-68 & 22.1-70 (1950), as amended.

Section 3-1.9. Certain acts to be reported to the Superintendent and Principal; authority of principal to receive reports; principal to report acts of violence and substance abuse; when report by principal to law enforcement required. — A. Reports are made to the superintendent and the principal or principal's designee on all incidents involving

1. alcohol, marijuana, a controlled substance, an imitation controlled substance, or anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;

2. the assault and battery that results in bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;

3. the sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or § 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;

4. any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;

5. the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;

6. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;

7. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;

8. the arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor; or

9. any illegal possession of weapons, alcohol, drugs or tobacco products

The principal of each school collects and maintains information on the above listed acts which occur on school property, on a school bus, or at a school-sponsored activity.

B. The superintendent and the principal or principal's designee receive reports from law-enforcement authorities relative to offenses, wherever committed, when committed by students enrolled at the school, if the offense:

(1) would be a felony if committed by an adult or,
(2) would be in violation of the Drug Control Act having occurred on a school bus, on school property, or at a school-sponsored activity or
(3) would be an adult misdemeanor involving any of the incidents listed in subparts 1-8 of subsection A above.

The report should also indicate whether the student is released to the custody of the student's parent or, if 18 years of age or more, is released on bond. The superintendent may request that the reports include information regarding terms of release from detention, court dates, and terms of any disposition orders entered by the court. When the division superintendent receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to state law, the superintendent will report such information to the principal of the school in which the juvenile is enrolled.

C. Except as may otherwise be required by federal law, regulation, or jurisprudence, each principal:

(1) immediately reports to the local law-enforcement agency any incident described in clause A.1 of this policy that may constitute a felony offense;
(2) immediately reports to the local law-enforcement agency any incident described in clauses A.3 through 7 of this policy except that a principal is not required to but may report to the local law-enforcement agency any incident described in clause A.4 committed by a student who has a disability;

(3) may report to the local law-enforcement agency any other incident described in clauses A.1 through 8 of this policy that is not required to be reported by the previous two bullets; and

(4) immediately reports any act enumerated in clauses A.1 through 5 of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. The principal also reports whether the incident has been reported to local law enforcement pursuant to this policy and, if the incident has been so reported, that the parents may contact local law enforcement for further information.

D. The principal or principal's designee will report all incidents required to be reported pursuant to section of this policy to the superintendent. The superintendent annually reports all such incidents to the Department of Education for the purpose of recording the frequency of such incidents on forms that are provided by the Department and makes such information available to the public.

In submitting reports of such incidents, principals and superintendents accurately indicate any offenses, arrests, or charges as recorded by law-enforcement authorities and required to be reported by such authorities pursuant to this policy.

E. The principal or principal's designee notifies the parent of any student involved in an incident required to be reported pursuant to this policy, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice relates to only the relevant student's involvement and does not include information regarding other students.

F. Whenever any student commits any reportable incident as set forth in this policy, such student is required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or superintendent designee. Prevention and intervention activities are identified in the division's drug and violence prevention plans developed pursuant to the federal Improving America's Schools Act of 1994 (Title IV--Safe and Drug-Free Schools and Communities Act).

The School Board develops, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs to prevent violence and crime on school property and at school-sponsored events, which include research-based hazing prevention. Activities designed to prevent the recurrence of violence and crime, including hazing, may include such interventions as education relating to Virginia's criminal law, school crime lines, peer mediation, conflict resolution, community service requirements, and any program focused on demonstrating the consequences of violence and crime. The School Board may develop and use a network of volunteer services in implementing prevention activities.

G. The purpose of reporting acts of violence and substance abuse is to develop a program of prevention activities to provide a safe environment conducive to learning. (Adopted June 8,

1995; Revised November 16, 1995; Revised November 11, 1999; Revised October 9, 2003; Ordinance Number 03/04-03; Effective: July 1, 2004; Revised February 14, 2008, Ordinance Number 07/08-1; Effective: February 14, 2008; Revised March 14, 2013; Ordinance Number 12/13-18; Effective Date: July 1, 2013; Revised April 14, 2016; Ordinance Number 15/16-26; Effective Date: July 1, 2016; Revised October 11, 2018, Ordinance Number 18/19-24, Effective Date: October 11, 2018; Revised April 15, 2021; Ordinance 20/21-19; Ordinance 22/23-83, Revised/Effective: May 11,2023)

Legal Authority - Virginia Code §§ 8.01-47, 22.1-279.3:1, 22.1-279.9, 8 VAC 20-560-10 (1950), as amended**.**

Section 3-1.10. Annual report to the State Board of Education. — The School Board, with the assistance of the superintendent, makes a report, covering the work of Suffolk Public Schools for the year ending the preceding June 30, to the State Board of Education according to the timeline and on forms supplied by the Superintendent of Public Instruction. (Adopted June 8, 1995; Revised April 14, 2016; Ordinance Number 15/16-27; Effective Date: July 1, 2016; Ordinance 22/23-84, Revised/Effective: May 11, 2023; Ordinance 24/25-24; Revised/Effective: September 12, 2024)

Legal Authority - Virginia Code § 22.1-81 (1950), as amended.

Section 3-1.11. School Performance Report Cards; required information. — A. Suffolk Public Schools shall ensure that every school in the division, regardless of whether or not that school receives funds under Title I, Part A, shall provide annually to the parents and the community a School Performance Report Card containing information for the most recent three-year period.

B. Such information shall include but not be limited to:

1. SOL test scores and scores on the literacy and numeracy tests required for the Modified Standard Diploma for the school, school division, and state.
2. Percentage of students tested, as well as the percentage of students not tested, to include a breakout of students with disabilities and limited English proficient students.
3. Percentage of students who are otherwise eligible, but do not take, the SOL tests due to enrollment in an alternative, or any other program not leading to a Standard, Advanced Studies, Modified Standard, or International Baccalaureate Diploma.
4. Performance of students with disabilities or students with limited English proficiency on SOL tests and alternate assessments as appropriate.
5. The accreditation rating awarded to the school.
6. Attendance rates for students.
7. Information related to school safety to include, but not be limited to, incidents of physical violence (including fighting and other serious

offenses), possession of firearms, and possession of other weapons.

8. Information related to qualifications and experience of the teaching staff including the percentage of the school's teachers endorsed in the area of their primary teaching assignment.
9. Advanced Placement (AP) information to include percentage of students who take AP courses and percentage of those students who take AP tests.
10. International Baccalaureate (IB) information to include percentage of students who are enrolled in IB programs and percentage of students who receive IB Diplomas.
11. College-level course information to include percentage of students who take college- level courses.
12. Percentage of (i) diplomas, (ii) certificates awarded to the senior class including GED credentials, and (iii) students who do not graduate.
13. Percentage of students in alternative programs that do not lead to a Standard, Advanced Studies, or Modified Standard Diploma.
14. Percentage of students in academic year Governor's Schools.
15. Percentage of dropouts.
16. The number of industry certifications obtained, state licensure examinations passed, and the number of career and technical education completers that graduated. A "career and technical education completer" is a student who has met the requirements for a career and technical concentration or specialization and all requirements for high school graduation or an approved alternative education program.

(Adopted: February 14, 2008; Ordinance Number 07/08-9; Effective Date: February 14, 2008)
Legal Authority — Virginia Code §22.1-253.13:4 (1950), as amended.

Section 3-1.11:1 Annual Information on Suffolk Public Schools; Quality Profiles Required; Quality Profiles for Secondary Schools. — A. Suffolk Public Schools shall annually prepare and disseminate information on the school division and each school within the division. The information shall be concise, presented in an understandable and uniform format, and, to the extent practicable, presented in a language that parents can understand. The information is accessible to the public and shows how students in the division achieved on the state's student academic assessments compared to students in the state as a whole and how students at individual schools achieved compared to students in the division and in the state.

B. Suffolk Public Schools shall ensure that every school in the division annually provides parents and the community a School Quality Profile in a manner prescribed by the Board of Education. The School Quality Profile includes designated information for the most recent three-year period. The School Quality Profile includes information designated by the Board of Education to include indicators of the following: accountability, assessments, enrollment and demographics, college and career readiness, finance, learning environment, and teacher quality. Specific indicators include:

(1) Virginia Assessment Program results by percentage of participation and proficiency and disaggregated by student reporting groups;
(2) accreditation status;
(3) attendance and absenteeism for students;
(4) information related to school safety to include incidents of crime and violence; and
(5) information related to qualifications and educational attainment of the teaching staff.

C. In addition, School Quality Profiles for secondary schools shall include the following:
(1) Advanced Placement (AP) information to include percentage of students who take AP courses and percentage of students who take AP tests
(2) International Baccalaureate (IB) and Cambridge course information to include percentage of students who are enrolled in IB or Cambridge programs, and percentage of students who receive IB or Cambridge Diplomas
(3) college-level course information to include percentage of students who take college-level courses including dual enrollment courses
(4) number and percentage of (i) graduates by diploma type as prescribed by the Board of Education, (ii) certificates awarded to the senior class including high school equivalency preparation program credentials approved by the Board of Education, and (iii) students who do not complete high school
(5) number and percentage of dropouts
(6) the number of Board-approved industry certifications obtained
(7) the number of state licensure examinations passed
(8) the number of national occupational competency assessments passed
(9) the number of Armed Services Vocational Aptitude Battery assessments passed
(10) the number of Virginia workplace readiness skills assessments passed
(11) the number of career and technical education completers who graduated. A "career and technical education completer" is a student who has met the requirements for a career and technical concentration or specialization and all requirements for high school graduation or an approved alternative education program.

(Adopted: February 14, 2019; Ordinance Number 18/19-62; Effective February 14, 2019)

Legal Authority — Virginia Code §§ 22.1-253.13:3, 22.1-253:4; 8 VAC 20-131-270

Section 3-1.12. Employment of Principals and Assistant Principals; Principal to provide instructional leadership, etc.; Submit recommendations for appointment, etc. — A. The School Board, upon recommendation of the superintendent, employs principals and assistant

principals who hold licenses as prescribed by the Board of Education.
B. A principal provides instructional leadership at their assigned school, is responsible for the administration of the school, and supervises the operation and management of school property to which the principal has been assigned, in accordance with the policies of the School Board, regulations of Suffolk Public Schools and under the supervision of the superintendent.
C. A principal may submit recommendations to the superintendent for the appointment, assignment, promotion, transfer and dismissal of all personnel assigned to the principal's supervision. (Adopted: April 14, 2016, Ordinance Number 15/16-28; Effective July 1, 2016; Ordinance 22/23-39, Revised/Effective: February 9, 2023)

Legal Authority — Virginia Code Section §§ 22.1-78, and 22.1-293 (1950), as amended.

CHAPTER 4 - FISCAL RESPONSIBILITIES

Article 1 - Management of Funds

Section 4-1.1. Control and management of school funds is with School Board. —
A. The School Board shall manage and control funds made available to the School Board for the public schools and may incur costs and expenses.
B. The School Board shall establish policy and provide direction regarding the school division budget and financial management which reflect the philosophy and educational goals of the community. If funds are appropriated to the School Board by major classifications, no funds shall be expended by the School Board except in accordance with such classifications without the consent of the governing body appropriating the funds.
C. If the governing body approves the School Board budget by total expenditures, funds may be transferred from one category to another as follows: (i) from one (1) line to another within a sub-category shall be made only with the approval of the superintendent; (ii) from one (1) line item to another between sub-categories, where such transfer is $5,000.00 or less, among employee benefits or grant line items only with the approval of the superintendent; (iii) from one (1) line item to another between sub-categories, where such transfer is more than $5,000, and the transfer is not among employee benefits or grant line items can only be made with the approval of the School Board. (Adopted July 13, 1995)

Legal Authority - Virginia Code §22.1-89 (1950), as amended.

Article 2 - Budget

Section 4-2.1. Budget administration responsibility; appropriate fiscal planning required; fund transfers by School Board; fund transfers by superintendent. — A. The superintendent shall be responsible for administering the budget for Suffolk Public Schools in accordance with School Board policies and applicable state and federal laws and regulations.

B. The superintendent or his/her designee shall use appropriate fiscal planning and management methods, consistent with the best accepted business practices and educational goals of the School Board.

C. Should City Council appropriate funds to the School Board by total amounts (also referred to as lump sums), funds may be transferred by the School Board from one major classification to another. If funds are appropriated to the School Board by major classifications, no funds shall be expended by the School Board except in accordance with such classifications without the consent of City Council.

D. The superintendent is hereby authorized to make line item transfers (i) within a major classification; and (ii) among employee benefits; and (iii) among grant line items, without first securing the approval of the School Board. (Adopted July 13, 1995; Revised November 16, 1995; Revised and Adopted: June 12, 2003, Ordinance Number 02/03-27, Effective: July 1, 2004; Revised October 11, 2018; Ordinance Number 18/19-26; Effective: October 11, 2018)

Legal Authority — Virginia Code §§ 22.1-78, 22.1-89, 22.1-94, and 22.1-115, (1950) as amended.

Section 4-2.2. Annual budget preparation. — A. The annual school budget is the financial outline of the division's education program. It presents a proposed plan of expenditures and the expected means of financing those expenditures. After adoption, it provides the primary means of managing expenditures. The fiscal year begins on the first day of July and ends on the thirtieth day of the following June.

B. The superintendent prepares, with the approval of the School Board, and submits to City Council, an estimate of the amount of money needed during the next fiscal year for the support of the public schools of the school division. The estimate sets up the amount of money needed for each major classification prescribed by the Board of Education and such other headings or items as may be necessary.

C. The superintendent or superintendent’s designee prepares a budget calendar identifying all deadlines for the annual budgetary process. The calendar includes at least one work session for reviewing the budget and at least one public hearing on the budget. Notice of the time and place for the public hearing must be published at least seven days in advance, in a newspaper having general circulation within the City of Suffolk.

D. Upon approval of the school division’s budget by City Council, the school division publishes the approved budget, including the estimated required local match, on its website and the document shall also be made available in hard copy as needed to citizens for inspection.

(Adopted July 13, 1995; Revised November 16, 1995; Revised March 14, 2013; Ordinance Number 12/13-19; Effective Date: July 1, 2013; Revised May 12, 2016; Ordinance Number 15/16-29; Effective Date: July 1, 2016; Ordinance 23/24-29, Revised/Effective: December 14, 2023)

Legal Authority - Virginia Code §§ 15.2-2500, 22.1-91, 22.1-92, 22.1-93 (1950), as amended.

Article 3 - Custody and Disbursement of Funds

Section 4-3.1. Deposit of funds and signing of checks; Disbursements — A. All School Board funds except 1) money generated by school activities, and classified "school activity fund accounts," 2) petty cash funds, and 3) accounts established for the purchase of instructional materials and office supplies, are deposited with the Treasurer for the City of Suffolk, Virginia, who is in charge of the receipts, custody and disbursement of School Board funds, and who keeps such funds in an account or accounts separate and distinct from all other funds. Checks must be drawn on the School Board account by the Treasurer for the City of Suffolk, Virginia.

B. Authorized signatures for School Board checks will be those of the School Board chairman, clerk and treasurer for the City of Suffolk, and they are authorized to sign checks with a facsimile signature.

C. The School Board authorizes two (2) types of checks: (i) vendor checks and (ii) payroll checks.

D. Disbursement of School Board funds is approved as provided in School Board Policy § 4-9.1. (Adopted July 13, 1995; Revised May 12, 2016; Ordinance Number 15/16-30; Effective Date: July 1, 2016)

Legal Authority – Virginia Code §§22.1-78; 22.1-70; 22.1-89; 22.1-122 (1950), as amended.

Article 4 - Financial Accounting and Reporting

Section 4-4.1. System of accounting required; activity funds defined; accurate record required; Monthly statement of funds and expenditures; annual audits; report to governing body. — A. The superintendent or superintendent's designee is responsible for implementing a modern system of accounting for all school funds as established by the Board of Education and the Auditor of Public Accounts.

B. All funds derived from extracurricular school activities, including, but not limited to, entertainment, athletic contests, cafeterias, facilities fees, club dues, vending machine proceeds that are not deposited in the school nutrition program account, and from any and all activities of the school involving personnel, students or property are considered school activity funds.

C. Each school keeps an accurate record of all receipts and disbursements of school activity funds so that a clear and concise statement of the condition of each fund may be determined at all times. It is the duty of each principal to see that such records are maintained in accordance

with regulations of the Virginia Board of Education and the rules of the School Board. The principal or principal's designee performs the duties of school finance officer. The school finance officer is bonded, and the School Board prescribes rules governing such bonds for employees who are responsible for school activity funds.

D. The School Board receives monthly statements of the funds available for division operating purposes and year-to-date expenditures. Such report is also made available to the public on the school division website.

E. All public funds will be audited annually by the state auditor of public accounts or by an outside firm performing this service under rules and regulations prescribed by the state auditor. All School activity funds (internal accounts) shall be audited at least once a year by a qualified accountant or accounting firm approved by the School Board, and a copy of the audit report shall be filed in the office of the Superintendent. Monthly reports of such funds are prepared and filed in the principal's office and annual reports are filed in the office of the principal or division superintendent. The cost of such audits is a proper charge against the school activity funds.

F. At least once each year the School Board submits a report of all its expenditures to the appropriating body. Such report is also made available to the public either on the school division website or in hard copy at the central school division office on a template prescribed by the Board of Education. (Adopted July 13, 1995; Revised May 12, 2016; Ordinance Number 15/16-31; Effective Date: July 1, 2016; Ordinance 23/24-6, Revised/Effective: August 10, 2023; Ordinance 25/26-23, Revised/Effective: September 25, 2025)

Legal Authority – Virginia Code §§ 22.1-16, 22.1-90, 22.1-115, 8 VAC 20-240-10, 8 VAC 20-240-20, and 8 VAC 20-240-40.

Section 4-4.2. Reporting pupil costs. — A. Upon preparing the estimate of the amount of money deemed to be needed during the next fiscal year for the support of the schools, the superintendent also prepares and distributes, within a reasonable time prescribed by the Board of Education, notification of the estimated average per pupil education in the school division for the coming school year in accordance with the budget estimates provided to the appropriating body. The notification includes actual per pupil state and local education expenditures for the previous school year. The notice may also include federal funds expended for public education in the school division.

B. The notice is made available in a form provided by the Department of Education and shall be published on the school division's website or in hard copy upon request. (Adopted July 13, 1995; Revised July 12, 2012; Effective: July 12, 2012; Adopted July 1, 2013)

Legal Authority - Virginia Code § 22.1-92 (1950), as amended.

Article 5 - Tuition Rates

Section 4-5.1. Tuition rates for non-residents. — Tuition rates shall be charged to all students who are non-residents of the City of Suffolk, and/or who are not of school age in accordance with state law. Such students must be enrolled in accordance with School Board policy. (Adopted

July 13, 1995)

Legal Authority - Virginia Code §22.1-255 (1950), as amended.

Section 4-5.2. Tuition rates for out-of-state and in-state students. — The tuition charge for out-of state students shall be the estimated total per capita cost of education, exclusive of capital outlay and debt service, in accordance with state code. The tuition charge for in-state students shall be the estimated total per capita cost of education, exclusive of capital outlay and debt service, less the estimated state funds per capita. (Adopted July 13, 1995)

Legal Authority - Virginia Code §§22.1-5, 22.1-255 (1950), as amended.

Section 4-5.3. Payment of tuition charges. — Tuition charges shall be payable monthly in advance (September through May) to the school attended. The school will, in turn, remit the collections to the School Board by the end of the fiscal year. (Adopted July 13, 1995)
Legal Authority - Virginia Code §§22.1-5; 22.1-255 (1950), as amended.

Article 6 - Purchasing of Goods and Services

Section 4-6.1. Statement of Policy; contractual authority of school superintendent; contracts not requiring sealed bids or competitive negotiation. — A. The School Board is of the opinion that Suffolk Public Schools should seek to obtain a high quality of goods and services and that goods and services should be obtained at a reasonable cost. Furthermore, the School Board is of the opinion that the procurement of goods and services should be conducted in a fair and impartial manner with avoidance of any impropriety or the appearance of impropriety, and that all qualified vendors should have access to public business and that no offeror should be arbitrarily or capriciously excluded.

B. The school superintendent or his/her duly authorized designees shall execute all contracts, including cooperative procurement agreements, on behalf of the School Board subject to the federal and state codes and school board policies. All public contracts entered into by the school superintendent with non-governmental contractors, for the purchase or lease of any such good and/or service, shall be in accordance with the Virginia Public Procurement Act (hereinafter "Act"). In addition, prior to awarding a contract for the provision of services that require the contractor or its employees to be in the presence of students during regular school hours or during school-sponsored activities, the school superintendent will require the contractor and, when relevant, any employee who will have direct contact with students, to provide certification:

(1) that they have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child; and

(2) that they have not been convicted of a crime of moral turpitude.

C. Pursuant to written procedures not requiring competitive sealed bids or competitive

negotiation, the school superintendent may enter into single or term contracts for goods and services other than professional services and non-transportation related construction if the aggregate or sum of all phases is not expected to exceed $100,000, and transportation-related construction if the aggregate amount is not expected to exceed $25,000; however, such small purchase procedures shall provide for competition wherever practicable. Such small purchase procedures may allow for single or term contracts for professional services without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed $80,000. Where small purchase procedures are adopted for construction, the procedures shall not waive compliance with the Uniform State Building Code. (Adopted September 14, 2000; Ordinance #00/01-02; Revised: February 14, 2008; Ordinance Number 07/08-6; Effective Date: February 14, 2008; Revised: May 12, 2016; Ordinance Number 15/16-32; Effective July 1, 2016; Revised: October 11, 2018, Ordinance Number 18/19-26, Effective Date: October 11, 2018; Ordinance 20/21-1, Effective Date: October 8, 2020).

Legal Authority - Virginia Code §2.2-4300 *et seq.* (1950), as amended.

Section 4-6.1:1. Other Professional Services and Non-Transportation Related Construction Costs Exception. Deleted (Adopted September 8, 2016; Ordinance Number 16/17-6; Effective Date: July 1, 2017; Ordinance Number: 20/21-2; Effective Date: October 8, 2020)

Section 4-6.2. Appointment of Purchasing Manager and duties of the school superintendent; spot purchases by employees; department purchases; full and open competition required. — A. The superintendent, with the School Board's approval, will designate a qualified employee to serve as the purchasing manager for Suffolk Public Schools. In this capacity, the manager will prepare requests for proposals, bids, certain responses, analyze and tabulate proposals and bids for the superintendent to enter into contracts and/or make bid awards. Any contract entered into and/or bid awarded by the superintendent must not exceed funds available in the School Board's Adopted Budget in any fund or category. The procurement process will be in accordance with the Virginia Public Procurement Act and policies of the School Board. Once the superintendent approves a contract and/or bid, the purchasing manager will then purchase the required supplies, materials, equipment and contracted services subject to federal and state laws and School Board policies.

B. Individuals whose work requires frequent small purchases may be authorized to make spot purchases of supplies and equipment in accordance with established procedures. All personnel of Suffolk Public Schools who desire to purchase equipment and supplies must follow the established procurement procedures within their departments or schools for the issuance of a requisition or purchase order. All purchase orders must be forwarded to the superintendent or superintendent's designee for approval and processing.

C. All personnel in the division who desire to purchase equipment and supplies shall follow the established procurement procedures within their departments or schools for the issuance of

a requisition or purchase order. All purchase orders must be forwarded to the superintendent or superintendent's designee for approval and processing.

D. School Board encourages full and open competition whenever practicable among potential contractors and suppliers by competitive bidding practices; to centralize purchasing and contracting within the school division to realize the economies resulting therefrom; and to seek maximum educational value for every dollar expended. (Adopted July 13, 1995; Revised/Effective Date: June 9, 2022; Ordinance 21/22-39; Ordinance 24/25-26; Revised/Effective: September 12, 2024)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 4-6.3. Certification; Exceptions; Unauthorized Aliens; Discrimination Prohibited. — A. As a condition of awarding a contract for the provision of services that require the contractor or employees of the contractor to have direct contact with students on school property during regular school hours or during school-sponsored activities, Suffolk Board requires the contractor to provide certification that any individual who will provide such services have not been convicted of ~~a~~ any violent felony set forth in the definition of a barrier crime in subsection A of Virginia Code Section 19.2-392.02; any offense involving the sexual molestation or physical or sexual abuse or rape of a child, or the solicitation of any such offense, or any crime of moral turpitude.

B. The School Board will not award a contract for the provision of services that require the contractor or employees of the contractor to have direct contact with students on school property during regular school hours or during school-sponsored activities when any individual who provides such services has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense.

C. The School Board may award a contract for the provision of services that require the contractor or employees of the contractor to have direct contact with students on school property during regular school hours or during school-sponsored activities when any individual who provides such services has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense, provided that in the case of a felony conviction, the Governor has restored the individual's civil rights.

D. This requirement does not apply to a contractor or employees of the contractor providing services to Suffolk Public Schools in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed on an urgent basis to ensure that school facilities are safe and habitable, when it is reasonably anticipated that the contractor or employees of the contractor will have no direct contact with students.

E. The School Board provides in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in Virginia, knowingly

employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

F. The School Board includes the following provisions in every contract of more than $10,000:

(1) During the performance of this contract, the contractor agrees as follows:

(a) The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

(b) The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

(c) Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

(2) The contractor will also include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over $10,000, so that the provisions will be binding upon each subcontractor or vendor.

(Adopted March 12, 2009; Ordinance Number 08/09-31; Effective Date: July 1, 2009; Revised September 8, 2011; Ordinance Number 11/12-11; Effective Date: September 9, 2011; Revised May 12, 2016; Ordinance Number 15/16-33; Effective Date: July 1, 2016; Revised April 15, 2021; Ordinance Number 20/21-20; Ordinance 23/24-30, Revised/Effective: December 14, 2023)

Legal Authority — Virginia Code §§22.1-296.1, 2.2-4311, and 2.2-4311.1 (1950), as amended.

Article 7 - Petty Cash Funds and Special School Accounts

Section 4-7.1. Established by resolution; bond and audit requirements. — A. The School Board may by resolution establish one (1) or more petty cash funds in accordance with state law. Petty cash funds will be available at locations recommended by the superintendent and approved by the School Board. The person designated by the superintendent to be responsible for the petty cash funds may pay claims without prior approval by the School Board. Reimbursement of the petty cash fund will be subject to the normal disbursement procedures.

B. A bond in an amount required by state law will be procured for each person distributing petty cash funds, provided that additional bond shall not be required of any agent or person

already bonded in the required amount.
C. These funds are subject to audit and all records must conform with state law. (Adopted July 13, 1995)

Legal Authority - Virginia Code §22.1-123 (1950), as amended.

Section 4-7.2. Accounts to purchase certain materials and supplies; management of account; remaining funds returned to School Board. — A. In accordance with state law, the School Board may by resolution establish one (1) or more accounts in each of its departments and schools committed solely for the purchase of instructional materials and office supplies. The School Board may authorize the transfer of a percentage of funds budgeted for a school or department into such account, but such transfer shall not exceed thirty-five (35) percent of the total amount budgeted for such a school or department.
B. The account provided for herein shall be managed by the principal of the school or the department head, who shall file a monthly accounting of the funds with the superintendent. No additional funds shall be transferred into any such account unless the monthly accounting has been filed. The funds in the account may be disbursed for payment of obligations by issuing a negotiable check signed by the principal or department head, and the director of finance for Suffolk Public Schools.
C. At the close of the fiscal year, all funds remaining in the accounts shall be returned to the School Board simultaneously with a full accounting of disbursements. All such accounts shall be subject to audit and the relevant provisions of the Virginia Public Procurement Act. (Adopted July 13, 1995)

Legal Authority - Virginia Code §22.1-122.1(1950), as amended.

Article 8 - Vendor Relations

Section 4-8.1. Solicitation by vendors and demonstrations prohibited; exception. — A. No vendor, agent, or sales representative may enter any school to advertise or sell goods or services to employees or students unless otherwise provided herein. Any person or persons found soliciting goods and services to students and employees in the schools or on school property during school hours will be subject to legal action. Vendors will not be permitted to make appointments with individual School Board employees without the permission of the superintendent or designee and the principal.
B. No vendor will be permitted to arrange demonstrations of products or services, take orders for goods or services to be used for a trial period, or take orders to be billed to the school or school division without prior authorization from the superintendent or designee and the principal.

C. This does not prevent authorized representatives of firms regularly supplying goods and services to Suffolk Public Schools from having access to the schools in the course of their routine business duties. (Adopted July 13, 1995)

Legal Authority - Virginia Code §§22.1-79 & 22.1-132 (1950), as amended.

Article 9 - Payment of bills

Section 4-9.1. Bill list required; disbursements between meetings. — A. The School Board will receive each month from Suffolk Public Schools, one (1) or more lists of bills for payment. The list(s) will be certified as correct and approved for payment by the School Board at its regularly scheduled monthly meeting.
B. The superintendent may prepare and disburse bill payments where such payment is necessary to continue responsible business practice and/or to take advantage of vendor discounts; however, all such payments must be subsequently approved by the School Board at its next regular meeting. (Adopted July 1995; Revised May 8, 2008, Ordinance 07/08-12; Effective May 8, 2008)

Legal Authority – Virginia Code §§22.1-89, 22.1-91 & 22.1-122.A (1950), as amended.

Article 10 - Payroll

Section 4-10.1. Pay dates. — The superintendent shall determine the pay dates for each type of employee in accordance with current standards and as possible with existing staff and computer capabilities. These pay dates will be communicated to all employees. (Adopted July 13, 1995)

Legal Authority - Virginia Code §22.1-70 (1950), as amended.

Section 4-10.2. Payroll Deductions; voluntary and involuntary; absent without pay deductions. — A. Statutory payroll deductions, such as federal and state income taxes, social security and Medicare (FICA) taxes, tax liens, garnishments, child support payments, and any other such involuntary deductions or withholdings, will be deducted from the employee's gross wages as required by federal, state and local law.
B. The following voluntary deductions may be made at the request of eligible employees only for the providing companies/organizations approved by the School Board:

1. Hospital insurance premiums
2. Dental insurance premiums
3. Supplemental insurance premiums
4. Education Association of Suffolk Dues

5. Suffolk Education Foundation Contributions
6. United Way Contributions
7. U.S. Savings Bond Purchases
8. Suffolk, Virginia City Employees Federal Credit Union Deductions
9. Tax Sheltered Annuity Plan Payments

C. Additional voluntary deduction requests must be recommended by the superintendent and approved by the School Board. The School Board shall determine annually the amount, if any, of these program costs which will be paid by the School Board.

D. Where the employee elected deductions cannot be supported by actual employee earnings for a particular pay period, the employee must provide the funds in the manner and by the dates prescribed by the superintendent, or else the employee must forfeit the benefit/program and may not be allowed to be reinstated at a later date.

E. Absence without pay will be deducted on the next available pay date in accordance with required payroll preparation cut-off dates for the receipt of absence notification. Absence deductions may not be delayed by employee request. (Adopted July 13, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 11 - Travel Expense Reimbursement

Section 4-11.1. Use of vehicles by employees; maintenance thereof. — The School Board maintains a limited number of vehicles for use by employees. The superintendent is authorized to assign such vehicles to selected twelve (12) month employees. Assignment of school vehicles to individual employees shall include the custodial responsibility, involving use only for public purposes, regular maintenance and necessary repairs in cooperation with the transportation department and operation in accordance with state law. (Adopted 13, 1995)

Legal Authority - Virginia Code §22.1-79 (1950), as amended.

Section 4-11.2. Travel necessary; superintendent to determine; efficiency required. — A. The School Board recognizes that travel is sometimes required by its employees to perform their duties completely and efficiently. Itinerant travel is required by some employees who work at more than one (1) location. It is necessary for some employees to travel to local, regional, state and/or national meetings, seminars, and/or conferences to gain additional knowledge of the latest developments in their respective fields which will benefit Suffolk Public Schools and its students.

B. The School Board authorizes the superintendent to determine what employee travel is beneficial to Suffolk Public Schools and to students and to set regulations to provide a system of approval and reimbursement and the required documentation necessary to support and

account for the related expenditures of School Board funds.

C. It is incumbent upon all School Board employees to make efficient travel arrangements and obtain the most economical rates while travelling on business. Employees travelling on official business for the School Board are expected to utilize reasonably priced lodging accommodations. When overnight stays are required while on travel status, first preference shall be given to selecting lodging in the economy class. In all cases, employees shall request government rates when making reservations for lodging. (Adopted July 13, 1995)

Legal Authority - Virginia Code §§22.1-78; 22.1-70 (1950), as amended.

Article 12 - Cash In School Buildings

Section 4-12.1. A system of receipts and deposits. — A. All funds collected will be properly receipted and promptly deposited in the school bank account in accordance with the Manual of Accounting Procedures for School Activity Funds.

B. All cash, checks and money orders collected by teachers and other employees will be remitted to the principal immediately, who will secure the funds and deposit them in accordance with the Manual of Accounting Procedures for School Activity Funds. (Adopted July 13, 1995)

Legal Authority - Virginia Code §22.1-68 (1950), as amended.

Section 4-12.2. School Activity Funds generally; accurate record of receipts and disbursements required; yearly audit required. — A. All funds derived from extracurricular school activities, including, but not limited to, entertainment, athletic contests, facilities fees, club dues, vending machine proceeds that are not deposited in the school nutrition program account, and from any and all activities of the school involving personnel, students or property are considered school activity funds.

B. Each school keeps an accurate record of all receipts and disbursements of school activity funds so that a clear and concise statement of the condition of each fund may be determined at all times. It is the duty of each principal to see that such records are maintained in accordance with regulations of the Virginia Board of Education and the School Board. The principal or principal’s designee performs the duties of school finance officer. The school finance officer is bonded, and the school board prescribes rules governing such bonds for employees who are responsible for school activity funds.

C. School activity funds are audited at least once a year by a duly qualified accountant or accounting firm approved by the school board. A copy of the audit report is filed in the superintendent’s office. Monthly reports of such funds are prepared and filed in the principal's office and annual reports are filed in the office of the principal or division superintendent. The cost of such audits are a proper charge against the school activity funds. (Adopted October 10, 2019, Ordinance 19/20-19)

Legal Authority - Virginia Code §§ 22.1-17, 8 VAC 20-240-10; 8 VAC 20-240-20; 8 VAC 20-240-40 (1950) as amended.

Article 13 - Disposal of Property

Section 4-13.1. Surplus real property. — Whenever the School Board determines that it has no use of some of its real property, the title to such real property shall be conveyed to the City of Suffolk, Virginia. To convey the title, the School Board shall adopt a resolution that such real property is surplus and shall record such resolution along with the deed to the property with the Clerk of the Circuit Court for the City of Suffolk. Upon the recording of the resolution and the deed, the title shall vest in the City of Suffolk. (Adopted July 13, 1995)

Legal Authority - Virginia Code §22.1-129 (1950), as amended.

Section 4-13.1:1. When buildings unsuitable for present use; viewpoints from community; other uses considered. — A. School division buildings may become unsuitable for their present use but may be used to benefit the school division or public in other ways. The superintendent reviews division schools and facilities on a continuing basis. The superintendent may recommend to the School Board that a particular school building should be retired, closed, or its use changed. In determining whether a school building is to be retired, the School Board will consider the following factors, among others in a report provided to the School Board from the school superintendent:

1. the adaptability of the building for continued use for its present purpos
2. the suitability of the site of the building
3. the maintenance and upkeep costs of the building and site
4. the historic value of the building to the community

B. The School Board may invite the viewpoints of community residents and staff in making its decision to retire a school building.

C. If the School Board determines to retire or close a school building permanently, it will first consider other uses that the school division might make of the building prior to considering relinquishing possession of the building.(Adopted: November 14, 2024; Ordinance 2024/25-53)

Legal Authority — Virginia Code §§ 22.1-79, 22.1-129, 22.1-135, 22.1-136, and 22.1- 138.

Section 4-13.2. Superintendent to declare surplus personal property; When attempt to

dispose of property is unsuccessful; certification required by officers and employees of school division; obsolete educational technology; deposit of funds; report to School Board. — A. Equipment, supplies and materials, including school buses, determined by the superintendent to be of no further benefit to Suffolk Public Schools shall be declared surplus property. The superintendent shall then determine the most efficient method of disposal, which could include:

(1) held for sale at public auction;
(2) sold by sealed bid;
(3) donated by gift as set forth in regulations governing the donation of surplus personal property; or
(4) destroyed (no value).

B. If reasonable attempts through the bidding or direct sales process to dispose of the items are unsuccessful, then the superintendent is authorized to arrange for disposal of the items in a manner as determined by the school superintendent.

C. If surplus school property is held for sale at public auction or sold by sealed bid, the bidder or purchaser shall certify whether the purchaser is an officer or employee of the school division or a member of the immediate family is an officer or employee of the school division. Officers and employees of the school division, and members of their immediate families, may purchase surplus property from the school division but only if (i) the property is being sold at uniform prices available to the public or (ii) if the goods are sold for less than $500.00.

D. Obsolete educational technology hardware and software that is being replaced pursuant to Va. Code § 22.1-199.1(B)(4) may be donated to other school divisions, to students, as provided in Board of Education guidelines, and to preschool programs in the Commonwealth.

E. All money received as a result of disposal will be deposited in the appropriate School Board revenue account.

F. The school superintendent, after declaring personal property surplus property and determining the most efficient method for disposal, shall immediately report his actions to the School Board. (Adopted July 13, 1995; Revised October 10, 1996; Revised and Adopted: March 8, 2007; Ordinance #06/07-12; Effective: March 8, 2007; Revised: October 9, 2008; Ordinance Number 08/09-18; Effective: October 10, 2008; Ordinance 25/26-12, Revised/Effective: August 14, 2025)

Legal Authority - Virginia Code §§ 2.2-3108, 2.2-3109, 2.2-3110, 22.1-68, 22.1-78, 22.1-71, 22.1-129, 22.1-199.1.

Section 4-13.3. A system of inventory required; reporting loss of or damage to school property. — A. The superintendent is responsible for implementing a system of inventory of school property to identify items for the purpose of insurance and to control the loss of property. The inventory shall include, but not be limited to the following: buildings, movable equipment, vehicles and all other items of significant value. Each school shall keep a complete inventory of

all equipment, listing make, source, date of purchase, model, serial number, and other identifying data.

B. All loss of or damage to school property shall be promptly reported to the superintendent or superintendent's designee. (Adopted September 12, 2024, Ordinance 24/25-28)

Legal Authority — Virginia Code § 22.1-78.

CHAPTER 5 - SUPPORT SERVICES

Article 1 - Support Services Generally

Section 5-1.1. Essential support services necessary. — The School Board recognizes that certain support services are essential to the primary function of Suffolk Public Schools, which is education. To fulfil this function, it is the intention of the School Board to:

(i) ensure the proper operation and maintenance of school buildings, vehicles, equipment, and services; to set high standards of safety; to promote the health of pupils and staff; to reflect the aspirations of the community and to support environmentally the efforts of the staff to provide good instruction;

(ii) establish efficient and business like procedures for the management of buildings and grounds, offices, vehicles, equipment, supplies and the food program;

(iii) establish a thorough, effective, and economical maintenance program, including preventive maintenance, that will ensure a useful life of school property, vehicles, buildings and equipment;

(iv) ensure the adherence to generally accepted management principles, applicable laws and regulations when establishing policies and regulations in these areas.

(Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-79 (1950), as amended.

Section 5-1.2. Non-Instructional Operations; Efficient and cost-effective. **—** A. The non-instructional operations of the school division are an important component of the educational process and support the instructional program.

B. The School Board provides support services necessary for the efficient and cost-effective operation of its schools. (Adopted May 12, 2016; Ordinance Number 15/16-34; Effective Date: July 1, 2016)

Legal Authority – Virginia Code §§ 22.1-78, 22.1-79(3), 22.1-253.13:2 (1950), as amended.

Article 2 - School Crisis and Emergency Management Plan

Section 5-2.1. Written school crisis and emergency plan required; safety audits required. — A. Each school shall develop a written school crisis, emergency management and medical emergency plan as defined in this Article. The School Board includes the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the regional emergency medical services council, and the emergency management official of the locality, or their designees, in the development of such plans. The School Board and the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the regional emergency medical services council, and the emergency management official of the locality, or their designees, annually reviews each school's plan. The Department of Education and the Virginia Center for School and Campus Safety (VCSCS) will provide technical assistance to the school division in the development of the plans. In developing these plans, schools may consult the model school crisis, emergency management, and medical emergency response plan developed by the Board of Education and the VCSCS. Suffolk Public Schools has designated the Chief of Administrative Services as emergency manager.

B. Each school annually conducts school safety audits as defined herein and in collaboration with the chief law-enforcement officer of the locality or with that officer's designee. The results of such school safety audits will be made public within 90 days of completion. The School Board may withhold or limit the release of any security plans, walk-through checklists and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. The completed walk-through checklist will be made available upon request to the chief law-enforcement officer of the locality or his designee.

Each school maintains a copy of the school's safety audit, which may exclude such security plans, walk-through checklists and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon request.

C. Each school submits a copy of its school safety audit to the superintendent. The superintendent collates and submits all such school safety audits, in the prescribed format and manner of submission, to the VCSCS and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits for the officer's review and recommendation. The superintendent includes the designation of the division safety official, which includes a current mailing address, a current working daytime phone number, a current functional email address, and a current functional fax number, with the school safety audits when they are submitted to VCSCS.

D. The superintendent establishes a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards and judicial and public safety personnel. The school safety audit committee reviews the completed school safety audits and submits any plans, as needed, for

improving school safety to the superintendent for submission to the School Board.

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

"School safety audit" means a written assessment of the safety conditions in each public school to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses include recommendations for structural adjustments, changes in school safety procedures and revisions to the Standards of Student Conduct. The audit is consistent with a list of items by the VCSCS to be reviewed and evaluated. As part of each audit, the School Board creates a detailed and accurate floor plan for each school building or certifies that the existing floor plan is sufficiently detailed and accurate.

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

G. In addition, the school administration ensures that the school has:

a. written procedures to follow in emergencies such as fire, injury, illness, allergic reactions and violent or threatening behavior. The procedures include Policy 9-20.11: Administering Medicine to Students. The plan is outlined in the student handbook and discussed with staff and students during the first week of each school year;
b. space for the proper care of students who become ill;
c. a written procedure, in accordance with guidelines established by the School Board, for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and
d. written procedures to follow for the safe evacuation of persons with special physical, medical or language needs who may need assistance to exit a facility. Each school building evacuation plan includes provisions that seek to maximize the opportunity for students with mobility impairments to evacuate the school building alongside their non-mobility-impaired peers.

(Adopted October 14, 2004; Ordinance Number 04/05-8; Effective Date: July 1, 2005; Revised

May 12, 2016; Ordinance Number 15/16-35; Effective Date: July 1, 2016; Revised October 10, 2019; Ordinance Number 19/20-20; Effective Date: October 10, 2019; Revised April 15, 2021; Ordinance Number 20/21-21; Revised May 11, 2023, Ordinance 22/23-85; Ordinance 23/24-39, Revised/Effective Date: January 11, 2024; Ordinance 24/25-29; Revised/Effective: September 12, 2024).

Legal Authority - Virginia Code §§ 2.2-3705.2, 22.1-137.4, 22.1-279.8, and 8 VAC 20-131-260 (1950), as amended.

Section 5-2.1:1 Development of programs to prevent violence and crime on school property. — Suffolk Public Schools shall develop, in cooperation with the Suffolk Police Department, juvenile and domestic relations court judges and court personnel, parents, and the community at large, programs to prevent violence and crime on school property and at school-sponsored events. Activities designed to prevent the recurrence of violence and crime may include such interventions as school crime lines, peer mediation, conflict resolution, community service requirements, and any program focused on demonstrating the consequences of violence and crime. (Adopted November 11, 1999; Ordinance Number 99/00-12)

Legal Authority - Virginia Code § 22.1-280.1.E. (1950), as amended.

Section 5-2.1:2. General statement of policy; duties of teachers and administrative staff; assessment of suicide risk by qualified professionals; duties of qualified professionals. — A. The School Board is committed to protecting its students from the risk of suicide.

B. Any person licensed as administrative or instructional personnel by the Board of Education and employed by the School Board who, in the scope of the person's employment, has reason to believe, as a result of direct communication from a student, that a student is at imminent risk of suicide, contacts, as soon as practicable:

(i) a qualified professional;

(ii) at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student; and

(iii) a school administrator to inform the administrator of the student's direct communication and that at least one of the student's parents was contacted.

C. School Psychologists, school counselor, school nurse, or school social worker are designated as qualified professionals under this policy to assess suicide risks in students.

D. The qualified professional shall promptly meet with the student to determine whether the student is at imminent risk of suicide. The superintendent is responsible for developing procedures for such contact that are in accordance with the guidelines developed by the Board of Education in cooperation with the Department of Behavioral Health and Developmental Services and the Department of Health as required by Va. Code § 22.1-272.1. (Adopted September 14, 2006, Ordinance Number 06/07-2; Effective Date: September 14, 2006; Revised

May 12, 2016; Ordinance Number 15/16-36; Effective Date: July 1, 2016; Ordinance Number 19/20-21, Revised/Effective Date: November 14, 2019; Ordinance 22/23-40, Revised/Effective: February 9, 2023)

Legal Authority – Virginia Code §§ 22.1-272.1, 22.107.1:1, and 63.2-1509 (1950) as amended.

Section 5-2.1:3. Abuse and neglect allegations; contacting parent/guardian; inability to reach parent/guardian; duty to keep the child safe and secure; follow up; required documentation. — A. If a student is determined to be at imminent risk of suicide and has indicated that the reason for this risk relates to parental abuse or neglect, the qualified professional shall not contact the parent/guardian. Instead, the qualified professional shall immediately report the alleged abuse in accordance with School Board policy for reporting allegations of abuse and neglect. The qualified professional needs to emphasize that immediate action is necessary to protect the student from harm.

B. If a student is determined to be at imminent risk of suicide, and if the above section titled "Abuse and Neglect" does not apply, then the qualified professional shall immediately call at least one of the student's parents/guardians. When contacting a parent/guardian, the qualified professional should:

(1) Provide his/her name and position in the school;
(2) Tell the parent/guardian that in his/her professional judgment the student is at imminent risk of suicide; and
(3) Assure the parent/guardian that the student is currently safe;
(4) Ask the parent/guardian whether he or she is aware of the student's mental state;
(5) Ask the parent/guardian whether he or she wishes to obtain or has obtained mental counseling for the student;
(6) Provide names of community counseling resources if appropriate and offer to facilitate the referral; and
(7) Determine the parent's intent to seek appropriate services for the student.

C. If the qualified professional is unable to make contact with the parent/guardian by the end of the school day, then the professional shall seek treatment for a student without the parent's/guardian's authorization in accordance with local School Board policy.

If parental/guardian contact is made and, in the course of this contact, relevant issues of abuse or neglect are discovered (e.g., a parent acknowledges the child's suicidal intent but indicates no intent to act for the well-being of the child), the qualified professional shall report the abuse or neglect in accordance with School Board policy.

D. A student who is at imminent risk of suicide shall be monitored and supervised by a designated School Board employee, until a parent/guardian or other authorized individual accepts responsibility for the student's safety.

E. After a student has been identified or determined to be at imminent risk of suicide, the qualified professional shall make appropriate follow-up contact to ascertain the current status of

the student and facilitate any in-school support that may be required.
F. The qualified professional shall document the phone call to the parent/guardian by recording the: (a) time and date of the call; (b) parent/guardian response; (c) response plan agreed upon; and (d) anticipated follow-up. (Adopted October 12, 2006, Ordinance Number 06/07-3; Effective Date: July 1, 2007)

Legal Authority – Virginia Code §§ 22.1-272.1 and 63.2-1509 (1950), as amended.

Section 5-2.2. Annual inspection of buildings and grounds required; role of superintendent and building principal; record keeping requirements; record of pesticide application. — A. School buildings and grounds shall be inspected to ensure that they operate at maximum efficiency. A minimum of one (1) inspection of all school buildings and grounds shall be conducted each year.
B. The superintendent will have the general responsibility for the care, custody, inspection and safekeeping of all school property, and for establishing procedures and employing such means as may be necessary to discharge this responsibility.
C. At the building level, the principal will be responsible for overseeing the school building and grounds and for the proper care of school property by staff and students. School buildings and grounds must be maintained in a safe and attractive condition.
D. Each school maintains records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections is determined by the School Board in consultation with the local health and fire departments. In addition, the school administration equips all exit doors with panic hardware as required by the Uniform Statewide Building Code.
E. Suffolk Public Schools shall maintain documentation of any pesticide application that includes the target pest, the formulation applied and the specific location of the application. (Adopted August 10, 1995; Revised: July 12, 2018; Ordinance Number 18/19-6; Effective Date: July 12, 2018)

Legal Authority - Virginia Code §§ 22.1-70, 22.1-78, 22.1-79, 22.1-132.2, 22.1-293 (1950), as amended, 8 VAC 20-131-260.

Section 5-2.2:1. Written school safety audit required; safety audits defined; certification of safety, health and fire protection. — A. Each school shall annually conduct school safety audits as set forth in this policy. The results of such school safety audits shall be made public within 90 days of completion. The School Board may withhold or limit the release of security plans and specific vulnerability assessment components as provided for by the Virginia Freedom of Information Act. Each school shall maintain a written copy of the school safety audit which may exclude security plans and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon written request.

B. A “school safety audit” means a written assessment of the safety conditions in each Suffolk Public School to (i) identify and, if necessary, to develop solutions for physical safety concerns, including building security issues and (ii) identify and evaluate patterns of student safety concerns occurring on school property or at school sponsored events. Solutions and responses shall include recommendations for structural adjustments, changes in school safety procedures, and revisions to the School Board’s standards for student conduct.

C. Each school shall submit a copy of its school safety audit to the superintendent. The superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission to the Virginia Center for School and Campus Safety and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits.

D. The superintendent will establish a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards, and judicial and public safety personnel. The school safety audit committee will review the completed school safety audits and submit any plans, as needed, for improving school safety to the superintendent for submission to the School Board.

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

(1) Equip all exit doors with panic hardware as required by the Uniform Statewide Building Code; and

(2) Post Evacuation routes for students in each room.

At least one simulated lockdown and crisis emergency evacuation activity should be conducted within the first month of each school year, except during the periods of mandatory testing required by the Board of Education. (Adopted November 11, 1999; Ordinance Number 99/00-14; Revised December 11, 2003; Ordinance Number 03/04-6; Effective: July 1, 2005; Revised and Adopted: March 13, 2009, Ordinance Number 08/09-32; Effective Date: July 1, 2009; Revised March 14, 2013; Ordinance Number 12/13-24; Effective Date: July 1, 2013; Revised May 12, 2016; Ordinance Number 15/16-37; Effective Date: July 1, 2016)

Legal Authority - Virginia Code § 22.1- 278.1 (1950), as amended.

Section 5-2.2:2. Written school crises, management plan, and medical emergency response plan required; safety audits required; health and fire inspections required and

other safety requirements enumerated — A. Each school shall develop a written school crises, emergency management, and medical emergency response plan as defined below. The School Board will annually review each school's plan and will provide copies of such plans to the chief law-enforcement officer, the fire chief, the chief emergency medical services official, and the emergency management official of the locality. The Department of Education and the Virginia Center for School Safety will provide technical assistance to Suffolk Public Schools in the development of the plans. In developing these plans, schools may consult the model school crisis, emergency management, and medical emergency response plan developed by the Board of Education and the Virginia Center for School and Campus Safety. The school superintendent shall designate someone to serve as an emergency manager to ensure full implementation of this policy.

B. Each school will annually conduct school safety audits as defined below. The results of such school safety audits will be made public within 90 days of completion. The School Board may withhold or limit the release of any security plans, walk-through checklists and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. The completed walk-through checklist will be made available upon request to the chief law-enforcement officer of the locality or that officer's designee. Each school will maintain a copy of the school's safety audit, which may exclude such security plans, walk-through checklists and vulnerability assessment components, within the office of the school principal and will make a copy of such report available for review upon written request.

Each school shall submit a copy of its school safety audit to the superintendent. The superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission to the Virginia Center for School and Campus Safety and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits.

The superintendent will establish a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards and judicial and public safety personnel. The school safety audit committee will review the completed school safety audits and submit any plans, as needed, for improving school safety to the superintendent for submission to the School Board.

The "school crisis and emergency management, and medical emergency response plan" means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss of disruption of power, water, communications or shelter; bus or other accidents; medical emergencies; including cardiac arrest and other life-threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapon threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan shall include a provision that the Department of Criminal Justice Services and the

Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § Va. Code § 19.2-11.01, as well as current contact information for both.

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

C. Each school shall have contingency plans for emergencies that include staff certified in cardiopulmonary resuscitation (CPR) as required by state law, the Heimlich maneuver, and emergency first aid. In addition, the school administration shall ensure that each school has:

(1) written procedures to follow in emergencies such as fire, injury, illness, allergic reactions, administering medicine to students, and violent or threatening behavior. The plan shall be outlined in the student handbook for each school and discussed with staff and students during the first week of school each year;

(2) space for proper care of students who become ill shall be made available in each school;

(3) a written procedure for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and

(4) written procedures to follow for the safe evacuation of persons with special physical, medical, or language needs who may need assistance to exit a facility.

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

(1) equip all exit doors with panic hardware as required by the Uniform Statewide Building Code;

(2) conduct fire drills at least once a week during the first month of school and at least once each month for the remainder of the school term except during periods of mandatory testing as required by the Board of Education;

(3) post in each classroom evacuation routes for students; and

(4) conduct at least three lockdown drills per year.

(Adopted November 11, 1999; Ordinance Number 99/00-15; Revised October 9, 2003; Ordinance Number 03/04-04; Effective: July 1, 2004; Revised February 14, 2008; Ordinance Number 07/08-4; Effective: February 14, 2008; Revised March 14, 2013; Ordinance Number 12/13-25; Effective Date: July 1, 2013; Revised May 12, 2016; Ordinance Number 15/16-38; Effective Date: July 1, 2016; Revised July 12, 2018; Ordinance Number 18/19-7; Effective Date:

July 12, 2018; Revised April 15, 2021; Ordinance Number 20/21-22)

Legal Authority - Virginia Code § 22.1-279.8 (1950), as amended.

Section 5-2.2:3. Threat Assessment Team Required; Team Members; Principal may provide information; Report to superintendent; Report to Department of Criminal Justice Services; Responsibility of school superintendent. — A. The superintendent establishes a threat assessment team for each school. Teams may serve one or more schools as determined by the superintendent. The teams assess and intervene with students whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Virginia Center for School Safety including procedures for referrals to community services boards or health care providers for evaluation or treatment when appropriate.

B. Each team includes persons with expertise in counseling, instruction, school administration and law enforcement, and in schools in which a school resource officer is employed, at least one such school resource officer. New threat assessment team members complete an initial threat assessment training and all threat assessment team members complete refresher threat assessment training every three years. Each team:

(i) provides guidance to students, faculty and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school or self;

(ii) identifies members of the school community to whom threatening behavior should be reported; and

(iii) implements policies adopted by the School Board.

C. A principal who has received information that a juvenile is a suspect in or has been charged with certain violations of law pursuant to Va. Code § 16.1-301 may provide such information to a threat assessment team. No member of a threat assessment team may disclose any such information or use such information for any purpose other than evaluating threats to students and school personnel.

D. Upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the superintendent or superintendent's designee. The superintendent or superintendent's designee immediately attempts to notify the student's parent or legal guardian. Nothing in this policy precludes school division personnel from acting immediately to address an imminent threat.

E. Upon a preliminary determination by the threat assessment team that an individual poses

a threat of violence to self or others or exhibits significantly disruptive behavior or need for assistance, a threat assessment team may obtain criminal history record information, as provided in Va. Code §§ 19.2-389 and 19.2-389.1, and health records, as provided in Va. Code § 32.1-127.1:03. No member of a threat assessment team re-discloses any criminal history record information or health information obtained pursuant to this policy or otherwise uses any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

F. Each threat assessment team collects and reports to the Virginia Center for School and Campus Safety (the Center) quantitative data on its activities using the case management tool by the Center.

G. The superintendent may establish a committee to oversee the threat assessment teams or may assign the oversight of the teams to an existing committee. If such a committee is established, it will include individuals with expertise in human resources, education, school administration, mental health and law enforcement. (Ordinance Number 14/5-2; Adopted July 10, 2014; Revised May 12, 2016; Ordinance 15/16-39; Effective Date: July 1, 2016; Revised October 13, 2016; Ordinance Number 16/17-7; Effective Date; July 1, 2017; Ordinance Number 19/20-22; Revised/Effective: November 14, 2019; Ordinance 22/23-86, Revised/Effective: May 11, 2023; Ordinance 23/24-31, Revised/Effective: December 14, 2023)

Legal Authority - Virginia Code §§ 16.1-301, 22.1-79.4 (1950), as amended.

Section 5-2.3. Reporting of hazardous conditions; labeling of toxic materials. — A. It is the duty and responsibility of each employee of Suffolk Public Schools to assure that all equipment and grounds are free from hazardous conditions. Any perceived hazard shall be reported immediately to the employee's supervisor, the superintendent or designee for inspection and corrective action.

B. The superintendent will name a designee to evaluate all art materials used in Suffolk Public Schools to identify those which are toxic, in accordance with criteria established by the Department of Education. All material used in Suffolk Public Schools which meets the criteria as toxic shall be so labeled and the use of such art materials shall be prohibited in kindergarten through grade five (5). (Adopted August 10, 1995; Ordinance 24/25-5, Revised/Effective: July 11, 2024)

Legal Authority - Virginia Code §§ 22.1-274.1 (1950), as amended, 8 VAC 20-530-10. 8 VAC 20-530-20, 8 VAC 20-530-30, 8 VAC 20-530-40, 8 VAC 20-530-50, 8 VAC 20-530-60, 8 VAC 20-530-70, 8 VAC 20-530-80.

Section 5-2.4. Administering of first aid; principal charged with providing immediate care. — A. Schools are responsible for giving first aid or emergency treatment in case of sudden illness or injury to a student or member of the staff. Further medical attention to students is the

responsibility of the parents or guardian, or of someone the parents or guardian designate in case of emergency.

B. Each principal is charged with providing for the immediate care of ill or injured persons within the area of the principal's control. A school nurse or other assigned staff member will administer emergency aid.

C. In each school, procedures for the handling of such emergencies will be established and made known to the staff. Each school and school vehicle will be equipped with appropriate first-aid equipment. (Adopted August 10, 1995)

Legal Authority - Virginia Code §§22.1-253.13:2 & 22.1-274 (1950), as amended.

Section 5-2.5. Fire drills required; Lock-Down Drills; School Bus Emergency Drills; Tornado Drills. — A. All Suffolk Public Schools shall holds fire drills during school session in accordance with the requirements of the Statewide Fire Prevention Code (Virginia Code § 27-94, et seq.) Evacuation routes for students shall be posted in each room. Written results of each fire drill shall be submitted to the appropriate department. No fire drills are conducted during periods of mandatory testing required by the Board of Education.

B. All Suffolk Public Schools shall have a lockdown drill at least once during the first 20 school days of each school year. Each school shall hold at least one additional lock-down drill after the first 60 days of the school year. Each school provides the parents of enrolled students with at least 24 hours' notice before the school conducts any lock-down drill. Such notice is not required to include the exact date and time of the lock-down drill.

Pre-kindergarten and kindergarten students are exempt from mandatory participation in lock-down drills during the first 60 days of the school session. The superintendent develops procedures to implement such exemption. Each pre-kindergarten and kindergarten student participates in each lock-down drill after the first 60 days of each school session.

C. All Suffolk Public Schools shall hold a drill in leaving school buses under emergency circumstances at least once during the first 90 calendar days of each school year and more often if necessary.

D. All Suffolk Public Schools shall have at least three tornado drills every school year.

E. In addition to the drills mentioned above, the School Board provides training to each student and employee at least once each school year on safety procedures in the event of an emergency situation on school property. (Adopted: August 10, 1995; Revised: February 14, 2008; Ordinance Number 07/08-4; Effective February 14, 2008; Revised May 12, 2016; Ordinance Number 15/16-40; Effective Date: July 1, 2016; Revised October 13, 2016; Ordinance Number 16/17-8; Effective Date: July 1, 2017; Revised: August 16, 2018; Ordinance Number 18/19-9; Effective Date: August 16, 2018; Ordinance Number 19/20-23; Revised/Effective Date: November 14, 2019; Revised Effective April 12, 2021; Ordinance Number 20/21-23; Ordinance 22/23-41, Revised/Effective: February 9, 2023; Ordinance 24/25-30; Revised/Effective: September 12, 2024)

Legal Authority - Virginia Code §§ 27-94 through 27-101, 22.1-137, 22.1-137.1 through 22.1-137.3, 22.1-184 and Acts 2006, c. 164, 8 VAC 20-131-260 (1950), as amended.

Section 5-2.6. Emergency closings; notification thereof; parental involvement. — A. The superintendent or superintendent's designee may order the closing, the delay in opening or the early dismissal of any or all schools in order to protect the safety and welfare of the students and staff. When any or all schools are ordered to be closed for in-person instruction, the superintendent or superintendent's designee may declare an unscheduled remote learning day consistent with applicable laws and policies. In the event that an emergency arises making it impossible to open school, announcements will be made through the mass media as soon as possible. During adverse weather or emergency conditions, employees follow school division policy and regulations related to work schedules. The superintendent may establish any regulations necessary regarding employee work schedules during school closings. The guidelines may be reviewed by the School Board.

B. Should hazardous weather or conditions within a school building develop during the day, which would require closing school before the regular dismissal time, announcements will be made to the mass media as soon as possible. Parents will be encouraged to assure that in such emergencies, arrangements have been made for their children and that their children are aware of the arrangements.

C. Unless employees are notified that their work schedule is changed because of adverse weather or emergency conditions, it is expected that all employees will work according to the terms of their contract and division policy. (Adopted August 10, 1995; Ordinance Number 19/20-24, Revised/Effective: November 14, 2019; Ordinance 24/25-6, Revised/Effective: August 15, 2024.

Legal Authority - Virginia Code §§ 22.1-70 & 22.1-78, and 22.1-98 (1950), as amended.

Section 5-2.7. Vandalism of school property. — A. The School Board urges staff, students and the public to cooperate in the reduction of vandalism by reporting incidents of vandalism and the name of any person(s) believed to be responsible.

B. The School Board may institute legal action and recover from the parents of any minor living with them, up to $2,500 damages suffered by reason of the willful or malicious destruction of, or damage to public property by such minor. Only the amount allowed by state law may be recovered from the parents as a result of any incident or occurrence on which such action is based. In addition, the student is subject to whatever disciplinary action is deemed necessary and advisable by the school principal. (Adopted August 10, 1995; Revised December 9, 2004; Ordinance 04/05-10; Effective Date: July 1, 2005; Ordinance Number 19/20-25; Revised/Effective Date: November 14, 2019)

Legal Authority - Virginia Code §§ 8.01-43 & 22.1-78 (1950), as amended.

Section 5-2.8. Definitions; records to be maintained. — A. For the purpose of this article, the term "school crisis and emergency management plan" means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, or severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, student or staff member deaths; explosions, bomb threats; gun, knife or other weapon threats; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism and other incidents posing a serious threat of harm to students, personnel, or facilities.

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

B. Each school shall maintain records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections shall be determined by the School Superintendent in consultation with the local health and fire departments. In addition, the School Superintendent shall (i) ensure that all exit doors have panic hardware as required by the Uniform Statewide Building Code (13 VAC5-61-10 et. seq.); and (ii) ensure that evacuation routes for students are posted in each classroom. At least one simulated lockdown and crisis emergency evacuation activity should be conducted early in the school year. (Adopted: December 9, 2004; Ordinance Number 04/05-11; Effective Date: July 1, 2005)

Legal Authority—Virginia Code §22.1-279.8 (1950), as amended.

Section 5-2.9. Staff certified in cardiopulmonary resuscitation, the Heimlich and first aid required. — A. In school buildings with an instructional and administrative staff of ten or more, there shall be at least three employees who have a current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED). If one or more students diagnosed as having diabetes attend such school, there shall be at least two employees who have been trained in the administration of insulin and glucagon.

B. In school buildings with an instructional and administrative staff of fewer than ten, there shall be at least two employees who have a current certification or training in emergency first aid, CPR and the use of an AED. If one or more students diagnosed as having diabetes attend such a school, there shall be at least one employee who has been trained in the administration of insulin and glucagon.

C. When a registered nurse, advanced practice registered nurse, physician or physician assistant is present, no employee who is not a registered nurse, advanced practice registered nurse, physician or physician assistant shall assist with the administration of insulin or administer

glucagon. Prescriber authorization and parental consent shall be obtained for any employee who is not a registered nurse, advanced practice registered nurse, physician or physician assistant to assist with the administration of insulin and administer glucagon. (Adopted: December 9, 2004; Ordinance Number 04/05-12; Effective Date: July 1, 2005; Revised March 14, 2013; Ordinance Number 12/13-26; Effective Date: July 1, 2013; Revised May 12, 2016; Ordinance Number 15/16-41; Effective Date: July 12, 2016; Revised/Effective: July 11, 2024)

Legal Authority—Virginia Code §§ 22.1-274, and 22.1-274.4 (1950), as amended.
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Article 3 - Use of School-Owned Materials

Section 5-3.1. Unauthorized use prohibited; stolen or damaged equipment. — A. Equipment assigned to schools will not be loaned, rented, or used for non-school purposes, except at the discretion of the superintendent.
B. Equipment located at the Media Center will be used only for school purposes.
C. Equipment stolen or damaged while in a teacher's or other employee's possession will be reported immediately. If the item is not reported, the employee will be held responsible for equipment replacement. (Adopted August 10, 1995)

Legal Authority - Virginia Code §§22.1-131, 22.1-78, 22.1-79 (1950), as amended.

Article 4 - Student Transportation Services

Section 5-4.1. Transportation of students. — The School Board may provide for the necessary transportation of students. The School Board requires that all conditions stipulated by state and federal laws, and regulations of the Virginia Department of Education for transportation of students be met so that the School Board may receive state funds due for the transportation of students. (Adopted August 10, 1995)

Legal Authority - Virginia Code §§22.1-176, 22.1-223 (1950), as amended.

Section 5-4.2. Maximum Safety and Efficiency Required; Review of Bus Routes; Traffic Control Plan Required. — A. Suffolk Public Schools shall develop school bus schedules that maximize safety and efficiency.
B. Suffolk Public Schools shall review school bus routes, school sites and safety of students at designated school bus stops at least once each year and as changes occur. Routes shall be reviewed for safety hazards, fuel conservation and to assure the most efficient use of buses. School administrators evaluate the safety of pupils at bus stops periodically and, at the request of the School Board, shall report the results annually to the School Board.
C. Suffolk Public Schools will prepare a written vehicular and pedestrian traffic control plan

for each school which is reviewed annually for safety hazards. All new school site plans include provisions that promote vehicular and pedestrian safety. (Adopted August 10, 1995; Revised August 16, 2018; Ordinance Number 18/19-10; Effective Date: August 16, 2018)

Legal Authority - Virginia Code §§22.1-70, 22.1-78 (1950), as amended.

Section 5-4.3. School bus safety program; accident reporting requirement; superintendent to develop regulations. — A. All buses and other vehicles owned, leased and operated by Suffolk Public Schools are inspected for safety by the assigned driver and transportation supervisor on a regular basis. The transportation supervisor will develop and maintain a safety inspection record which will be filled out, and signed by the individuals conducting the inspection. In addition, all buses will be available for the regular state inspections. Any defects noted by local or state inspections will be remedied immediately.

B. All accidents, regardless of the damage involved, must be reported to the transportation supervisor. Crashes involving school buses resulting in property damage of $1,500 or more or personal injury are to be reported to the Virginia Department of Education at least once per month. The superintendent or superintendent's designee will notify the Virginia Department of Education of any school bus crash involving serious injuries, requiring professional medical treatment, or death within the next working day after the crash.

C. No person shall use any wireless telecommunications device, whether handheld or otherwise, while driving a school bus, except in the case of an emergency, or when the vehicle is lawfully parked and for the purposes of dispatching. Nothing in this policy prohibits the use of two-way radio devices or wireless telecommunications devices that are used hands free to allow live communication between the driver and school or public safety officials.

D. The school superintendent is hereby granted the authority to promulgate regulations to promote the safety and well being of all students and employees of Suffolk Public Schools who are being transported on public school buses or in public school vehicles. (Adopted August 10, 1995; Revised and Adopted: February 10, 2005, Ordinance Number 04/05-17; Revised September 8, 2011; Ordinance Number 11/12-9; Effective Date: September 9, 2011; Revised October 12, 2017; Ordinance Number 17/18-12; Effective Date: October 12, 2017)

Legal Authority - Virginia Code §§ 22.1-16, 42.2-919.1 (1950), as amended, 8 VAC 20-70-130, 8 VAC 20-70-140.

Section 5-4.4. Student conduct on school buses; riding privileges suspended; bus driver to maintain order. — A. The School Board requires that all students conduct themselves on the bus in a manner consistent with established standards for student behavior in school and at school activities.

B. The school principal will have the authority to suspend the riding privileges of students and/or take other disciplinary actions for students who constitute or cause disciplinary problems

on the bus. Parents or guardians of children whose behavior or misconduct on school buses violates the Standards of Student Conduct or otherwise endangers the health, safety and welfare of riders shall be notified that their child/children face the loss of school bus riding privileges and/or other disciplinary actions. In such cases, the parents or guardians of the student will be responsible for arranging for the safe transportation of their children to and from school safely.

C. The bus driver shall be responsible for maintaining the orderly behavior of students on school buses and shall report misconduct to the student's principal by using the form provided by Suffolk Public Schools, with a copy being provided to the transportation office. (Adopted August 10, 1995; Revised October 14, 2004; Ordinance Number 04/05-7; Effective Date: July 1, 2005; Revised April 15, 2021; Ordinance Number 20/21-24; Revised/Effective: July 10, 2025, Ordinance 25/26-1)

Legal Authority - Virginia Code §§ 22.1-78, 22.1-176, and 22-1-293 (1950), as amended.

Section 5-4.5. Special use of school buses. — A. The use of school buses for purposes other than transporting children to school for the regular school hours and for extracurricular activities is permitted with prior approval of the superintendent and in accordance with the superintendent's regulations pertaining to field trips.

B. In addition, the School Board may enter into agreements with any third-party logistics company, its appropriating body, or any state agency or any federal agency established or identified pursuant 42 U.S.C. § 3001 et seq. providing for the use of the school buses of the division by such company, body or agency for public purposes, including transportation for the elderly or private purposes, except that such third-party logistics company may not use the school buses to provide transportation of passengers for compensation or for residential delivery of products for compensation. Each such agreement shall provide for reimbursing the School Board in full for the proportionate share of any and all costs, both fixed and variable, of such buses incurred by the School Board attributable to the use of such buses pursuant to such agreement. Each such agreement must require the third-party logistics company, appropriating body, or agency to supply insurance on the school bus that meets the minimum requirements in Va. Code § 22.1-190. The third-party logistics company, appropriating body, or state or federal agency, shall indemnify and hold harmless the School Board from any and all liability of the School Board by virtue of use of such buses pursuant to an agreement. (Adopted August 10, 1995; Ordinance 22/23-42, Revised/Effective: February 9, 2023; Ordinance 22/23-87, Revised/Effective: June 8, 2023)

Legal Authority - Virginia Code §§22.1-176 & 22.1-182 (1950), as amended.

Section 5-4.6. Transportation of Children in Foster Care. **—** The superintendent collaborates with the local social service agency to develop and implement clear written procedures governing how transportation is to maintain children in foster care in their school of origin when in their best interest and will be provided, arranged and funded for the duration of time in foster care. The procedures must ensure that children in foster care in need of transportation to the

school of origin will promptly receive transportation in a cost-effective manner and in accordance with 42 U.S. C. § 675(4)(A) and if there are additional costs incurred in providing transportation to maintain children in foster care in their school of origin, the school division will provide transportation to the school of origin if the local social services agency agrees to reimburse the local school division for the cost of such transportation, the school division agrees to pay for the cost of such transportation or the school division and the local social services agency agree to share the cost of such transportation. (Adopted November 9, 2017: Ordinance 17/18-13; Effective Date: November 9, 2017)

Legal Authority — 20 U.S.C. § 6312; 34 C.F.R. 299.13; Virginia Code §§ 22.1-78, 22.1-176, 22.1-221, 22.1-254 (1950), as amended.

Article 5 - Food Service Management

Section 5-5.1. Planning of school lunch menus; purchasing of food, equipment etc. — A. The principal of a school will be responsible for the management of the school building, including the food service program. However, the planning of menus, purchasing of food, equipment and general administration of the food service program is the responsibility of the supervisor of food service.

B. Conflicts in administrative direction should be resolved between the supervisor for food service and the principal. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-293 (1950), as amended.

Section 5-5.2. Adequate nutrition program required; free breakfast and lunch programs; after school meal program; donations accepted to offset any meal debt; amendments to policy. — A. An adequate nutrition program is essential to a child's growth and development and influences a child's achievement in school. With this in mind, the School Board is of the opinion that every school age child should have an adequate lunch, and that the School Board should serve free breakfasts and lunches to all children. Free breakfast and lunches will be provided under the Community Eligibility Provision.

B. The School Board requires each public elementary and secondary school in the local school division to participate in the federal National School Lunch Program and the federal School Breakfast Program administered by the U.S. Department of Agriculture and to make lunch and breakfast available pursuant to such programs to any student who requests such a meal, regardless of whether such student has the money to pay for the meal or owes money for meals previously provided, unless the student's parent has provided written permission to the school board to withhold such a meal from the student.

C. In accordance with federal law and the revised regulations of the National School Lunch and Child Nutrition Acts, the School Board will carry out all statutory requirements and accepts responsibility for providing free meals to children in the schools. All students are provided

nutritionally acceptable meals if state and federal resources for school food programs are available. The superintendent or superintendent's designee establishes regulations or procedures as needed to implement this policy.

D. If any school in the division has a student population that qualifies for free and reduced-price meals at a minimum percentage of 50 percent in the prior school year and simultaneously offers educational or enrichment activities, the School Board applies to the Virginia Department of Education for such school to participate in the Afterschool Meal Program administered by the U.S. Department of Agriculture Food and Nutrition (FNS) Child and Adult Care Food Program (CACFP) to subsequently and simultaneously serve federally reimbursable meals and offer an afterschool education or enrichment program pursuant to FNS guidelines and state health and safety standards.

E. The School Board may solicit and receive any donation or other funds for the purpose of eliminating or offsetting any school meal debt at any time and will use any such funds solely for such purpose.

F. Any amendments or changes to this policy will be submitted to the State School Lunch Office for approval prior to it taking effect in Suffolk Public Schools. When changes occur during the school year, parents and the news media will be notified. (Adopted August 10, 1995; Revised November 9, 2017; Ordinance Number 17/18-14; Effective Date: November 9, 2017; Ordinance Number 19/20-26; Revised/Effective Date: November 14, 2019; Ordinance 20/21-25; Revised/Effective: May 13, 2021; Ordinance 22/23-88, Revised/Effective: June 8, 2023; Ordinance 23/24-32, Revised/Effective: December 14, 2023; Ordinance 24/25-48, Revised/Effective: October 10, 2024)

Legal Authority - Virginia Code §§ 22.1-79.7, 22.1-207.2:2, 22.1-207.3, 22.1-207.4, and 63.2-1509 (1950), as amended.

Section 5-5.3. Food sanitation program. — The personnel and the facilities used for food services in Suffolk Public Schools are subject to state laws regulating restaurants and other food establishments. School dining facilities are also governed by regulations promulgated and enforced by the State Board of Health. (Adopted August 10, 1995; Ordinance Number 19/20-27, Revised/Effective Date: November 14, 2019; Ordinance 25/26-2, Revised/Effective: July 10, 2025)

Legal Authority - Virginia Code §§ 35.1-1, 35.1-2, 35.1-11, 35.1-14. 12 VAC 5-421-10 *et seq*.

Section 5-5.4. Food service records and reports; superintendent reports. — A. The superintendent is authorized to develop and implement an efficient and effective food services system for the students and employees of Suffolk Public Schools.

B. The superintendent reports periodically to the School Board on the financial status of Suffolk Public School's food service operations. The superintendent also supervises the storage and distribution of all donated foods allocated by the U.S.D.A. for the school lunch program in such a manner as will ensure compliance with the terms and conditions of the agreement.

(Adopted August 10, 1995; Ordinance Number 19/20-28, Revised/Effective Date: November 14, 2019)

Legal Authority - Virginia Code §§ 22.1-70, 22.1-78, 22.1-89, 22.1-115 (1950), as amended.

Section 5-5.5. Nutrition Policy Statement; High Quality School Meals and Snacks Required; Promotes Good Health Environment; Nutrition and Physical Education; Minimum Requirement; Portable Water Made Available. — A. The School Board recognizes that students need adequate, nourishing food in order to learn, grow, and maintain good health. To reinforce Suffolk Public Schools' nutrition education program, foods sold to students during regular school hours on school premises will be:

(i) carefully selected so as to contribute to students' nutritional well-being and the prevention of disease;
(ii) prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits; and
(iii) served in age-appropriate quantities and at reasonable prices.

B. The School Board promotes high-quality school meals and snacks by:

(i) involving students in the selection, tasting, and marketing of healthy foods and beverages that appeal to students;
(ii) providing a variety of food options, such as fruits, vegetables, whole grains, and dairy foods, which are low in fat and added sugars;
(iii) offering a variety of healthy choices that appeal to students, including cultural and ethnic favorites;
(iv) restricting student access to unhealthy foods in vending machines, school stores, and other venues that compete with healthy school meals; and
(vi) ensuring that healthy snacks and foods are provided in vending machines, school stores, and other venues within the division's control. The healthy options should cost the same or less than unhealthy alternatives.

C. The School Board strives to provide an environment conducive to good health by:

(i) allowing an adequate amount of time and space for students to eat school meals;
(ii) scheduling lunch periods at reasonable hours around midday;
(iii) ensuring that drinking fountains are operable, clean, and convenient for use throughout the school day;
(iv) offering extracurricular physical activity programs, such as physical activity clubs, intramural programs, or interscholastic athletics;
(v) discouraging the promotion and advertising of unhealthy foods;
(vi) using non-food items rather than food items such as candy, cakes, soda, and foods high in fat, as incentives and rewards for good behavior or academic performance; and
(vii) encouraging parents to support the division's nutrition education efforts by

considering nutritional quality when selecting any snacks which they may donate for occasional class parties.

D. The School Board supports nutrition education and physical education by:

(i) ensuring that qualified nutrition education and physical education specialists focus on knowledge and skill development so students are able to learn and adopt healthy eating and physical activity behaviors;

(ii) offering nutrition education in the school dining area(s) and in the classroom, with coordination between food service staff and teachers; and

(iii) eliminating any stigma attached to, and preventing public identification of, students who are eligible for free and reduced-price meals.

E. Meals and snacks offered as part of the National School Lunch Program or the School Breakfast Program meet, at a minimum, the requirements established by state and federal law and regulation.

F. Schools will make portable water available and accessible without restriction to children at no charge in the place(s) where lunches are served during the meal service. (Adopted: November 9, 2017; Ordinance Number 17/18-15: Effective Date: November 9, 2017)

Legal Authority – U.S. Department of Agriculture, SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies, July 8, 2016. U.S. Department of Agriculture, SP 47- 2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments, July 8, 2016. Virginia Code §§ 22.1-78, 22.1-207.4. (1950), as amended; Virginia Board of Education, A Resolution to Establish and Define Exemptions for School-Sponsored Fundraisers Pending Incorporation in the Proposed Regulations Governing Nutritional Guidelines for Competitive Foods Available for Sale in the Public Schools (Nov. 19, 2015).

Section 5-5.6. When no money on account; parent notification; negative balances in excess of $15.00; federal child nutrition funds. — Deleted. (Adopted: November 9, 2017; Ordinance Number 17/18-16; Effective Date: November 9, 2017; Ordinance 20/21-26: Revised/Effective Date: May 13, 2021**;** Ordinance 23/24-33, Effective: December 14, 2023)

Section 5-5.7. Definitions; Sale of Competitive Foods; Responsible for maintaining records; superintendent establishes procedures for excess food distribution — A. The following definitions apply to this policy:

“Competitive food” means all food and beverages other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966 available for sale to students on the school campus during the school day.

"Excess food" means any remaining unexpired, unopened, and unconsumed food intended to be served as part of a reimbursable meal that was unable to be utilized for a current or future meal provision after a school has served breakfast and lunch to students during a school day.

"Fundraiser" means a school-sponsored activity where food or nonfood items are sold on

the school campus during regular school hours by a school-sponsored organization to raise money for a school-related program or activity. One fundraiser is defined as one or more fundraising activities by one or more school-sponsored organizations that last one school day. If multiple school-sponsored organizations conduct fundraisers on the same day, the combined activities are counted as one fundraiser. If a fundraising activity lasts more than one school day, each subsequent day's activity is considered as one fundraiser and counts toward the total number of permitted fundraisers.

"School campus" means all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

"School day" means the period from the midnight before to 30 minutes after the end of the official school day.

B. All competitive food sold to students on the school campus during the school day meets the nutrition standards specified by federal and state law and regulation. The superintendent is granted the authority to determine the number of school-sponsored fundraisers per school year during which food that does not meet the nutrition guidelines for competitive foods may be available for sale to students.

C. Suffolk Public Schools is responsible for maintaining records that document compliance with this policy. Those records include documentation used to assess the nutritional profile of food items and determine whether a food item is an allowable competitive food, such as recipes, nutrition labels and/or product specifications for the competitive food available for sale to students. Suffolk Public Schools is also responsible for:

1. Maintaining records documenting compliance with the competitive food nutrition standards for food available for sale in areas that are outside of the control of the school nutrition programs operations;

2. Ensuring any organization or school activity designated as responsible for food service at the various venues in the school, other than the school nutrition programs, maintains records documenting compliance with the competitive food nutrition standards;

3. Maintaining records each school year documenting the number of exempt fundraisers, if any, conducted at each school with the school division; and

4. Designating an individual at the division or school level to monitor and ensure compliance with this policy in all areas that are outside the control of the school nutrition program's operation. The person designated cannot be a school nutrition employee.

D. The superintendent is responsible for establishing procedures by which excess food may be distributed to enrolled students eligible for the School Breakfast Program or National School Lunch Program administered by the U.S. Department of Agriculture, saving excess food for later

consumption or donating food. The superintendent's procedures must identify which students are eligible to receive excess food. (Adopted November 9, 2017; Ordinance Number 17/18-17; Effective Date: November 9, 2017; Ordinance 20/21-27; Revised/Effective Date: May 13, 2021)

Legal Authority - U.S. Department of Agriculture, SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies, July 8, 2016. U.S. Department of Agriculture, SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments, July 8, 2016. Virginia Code §§ 22.1-78, 22.1-207.4., (1950) as amended; Virginia Board of Education, A Resolution to Establish and Define Exemptions for School-Sponsored Fundraisers Pending Incorporation in the Proposed Regulations Governing Nutritional Guidelines for Competitive Foods Available for Sale in the Public Schools (Nov. 19, 2015).

Article 6 - Computer Technology

Section 5-6.1. Unauthorized duplication of software prohibited. — A. Suffolk Public Schools recognizes and supports the limitation imposed by copyright laws. These laws specifically prohibit unauthorized duplication of software except to provide for archival backup copies. Therefore, the use of "pirated" or otherwise illegally obtained software on equipment owned by Suffolk Public Schools, whether for instruction, administrative or any other purpose is prohibited. Use of equipment owned by Suffolk Public Schools to make unauthorized copies of Suffolk Public School owned, privately owned, or illegally obtained software is also prohibited. In compliance with the Copyright Act of 1976, copyrighted materials shall not be duplicated by Suffolk Public School employees or on Suffolk Public School equipment in violation of the exclusive rights of the holder of the copyright on such materials.

B. The division is committed to working with software producers and distributors to encourage appropriate pricing, previewing, and replacement policies for software purchases. Furthermore, users of software, upon request, must be able to produce proper licensing documentation.

C. Suffolk Public Schools assumes no liability for infringement of computer software copyright by individual employees, or the infringement of any copyright whatsoever by individual employees.

D. The superintendent may develop administrative procedures to implement this policy. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 5-6.2. Educational technology; definitions; establishment of foundation permitted; purchases of educational technology. — A. As used in this section:

(i) "Educational technology" means any software, hardware, or other equipment or infrastructure or technical assistance or instruction in the use

of software, hardware or other equipment or infrastructure which may be required to implement Suffolk Public School's approved plan for educational technology or the Board of Education's Six Year Plan for Educational Technology.

(ii) "Educational technology foundation" means a non-stock, non-profit corporation, established for the express purpose of implementing a public/private partnership to expand access to and improve the quality of educational technology in Suffolk Public Schools.

(iii) "Public school foundation" means a non-stock, non-profit corporation, established for the express purpose of implementing a public/private partnership to implement public school improvement projects approved by the School Board.

B. The School Board supports the establishment of educational technology and public foundations either directly, or with other organizations or persons, or through a contract with a non-profit, non-stock corporation, in order to expand access to and improve the quality of educational technology in Suffolk Public Schools.

C. The School Board may also make purchases through its public school foundation or purchases of educational technology through its educational technology foundation, and such purchases shall be exempt from the provisions of the Virginia Public Procurement Act as provided for by law. (Adopted November 11, 1999; Ordinance Number 99/00-16)

Legal Authority - Virginia Code §11-35 (1950), as amended.

Section 5-6.3. Computer system provided; privilege not a right; superintendent to develop regulations; computer system not a public forum; execution of acceptable use agreement required; not responsible for information lost, damaged or unavailable. — A. The School Board provides a computer system, including the internet, to promote educational excellence by facilitating learning resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, interactive whiteboards/panels, audio-visual equipment, multimedia devices, workstations, remote network access, cloud services, the internet and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

B. All use of the Division's computer system must be (1) in support of education and/or research, or (2) for legitimate division business. Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including

electronic mail, social media posts, instant or text messages, tweets, and other files including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy and the Technology Use Guidelines established by the superintendent.

C. The school superintendent is responsible for establishing Technology Use Guidelines containing the appropriate uses, ethics and protocols for use of the computer system. The superintendent is also responsible for reviewing and updating, as necessary, the Guidelines at least every two years. It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The Guidelines include:

(1) a prohibition against the use of Suffolk Public Schools computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the internet by Suffolk Public School employees and students;

(2) provisions, including the selection and operation of a technology protection measure for Suffolk Public Schools' computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to:

a. child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;

b. obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and

c. material that Suffolk Public Schools deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;

(3) provisions establishing that the technology protection measure is enforced during any use of the computers;

(4) provisions establishing that all usage of the computer system may be monitored;

(5) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, chat rooms, and cyberbullying awareness and response;

(6) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful online activities;

(7) provisions requiring every user to protect the security of information necessary to access the computer system, such as usernames and passwords, and prohibiting the sharing of passwords;

(8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and

(9) a component of internet safety for students that is integrated in Suffolk Public Schools' instructional program.

D. Use of Suffolk Public Schools' computer system must be consistent with the educational or instructional mission or administrative function of Suffolk Public Schools as well as the varied instructional needs, learning styles, abilities and developmental levels of students. Suffolk Public Schools' computer system is not a public forum.

E. Users of the division's computer system have no expectation of privacy for use of the division's resources or electronic devices including non-division owned devices while connected to division networks or computer resources.

F. Software and/or services may not be installed or downloaded on the division's computer system without the prior approval of the superintendent or superintendent's designee. No employee or agent of the School Board or person or entity contracting with the School Board may download or use any application, including TikTok or WeChat, or access any website developed by ByteDance Ltd. or Tencent Holdings Ltd. (i) on any device or equipment issued, owned, or leased by Suffolk Public Schools, including mobile phones, desktop computers, laptop computers, tablets, or other devices capable of connecting to the Internet.

G. The failure of any user to follow the terms of the Agreement, this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action. Users of the system agree to indemnify the School Board for any losses, costs, or damages relating to or arising out of any violation of this policy or the Technology Use Guidelines.

H. The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board is not be responsible for any unauthorized charges or fees resulting from access to the computer system. The School Board School Board reviews and amends, if necessary, and approve this policy every two years. (Adopted March 10, 2005; Ordinance Number 04/05-19; Effective Date: July 1, 2005; Revised May 12, 2016; Ordinance Number 15/16-42; Effective Date; July 1, 2016; Ordinance Number 19/20-29, Revised/Effective Date: November 14, 2019; Ordinance 22/23-43, Revised/Effective: February 9, 2023; Ordinance 23/24-7, Revised/Effective: August 10, 2023; Ordinance 23/24-34, Revised/Effective: December

14, 2023)

Legal Authority – 18 U.S.C. §§ 1460, 2256. 47 U.S.C. §254; Virginia Code §§ 2.2-5514.1, 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-23.3, 22.1-70.2, and 22.1-78 (1950), as amended.

Section 5-6.4. Disclosure of Username or Password not required; Inadvertent disclosure of information; Public Information; Relevant to formal investigation. **—** A. The School Board does not require current or prospective employees to disclose the username or password to the employee's personal social media accounts or to add an employee, supervisor or administrator to the list of contacts associated with the employee's personal social media account.

B. If the School Board or a School Board employee inadvertently receives an employee's username and password, or other login information associated with, the employee's personal social media account through the use of an electronic device provided to the employee by the School Board or a program that monitors the School Board's network, the School Board will not be liable for having the information but will not use the information to gain access to the employee's social media account.

C. This policy does not prohibit the School Board and its agents from viewing information about a current or prospective employee that is publicly available.

D. This policy does not prohibit the School Board from requesting an employee to disclose the employee's username and password for the purpose of accessing a personal social media account if the employee's social media account activity is reasonably believed to be relevant to a formal investigation or related proceeding by the Board of allegations of an employee's violation of federal, state or local laws or regulations or of the Board's written policies. If the Board exercises its rights under this paragraph, the employee's username and password will only be used for the purpose of the formal investigation or a related proceeding. (Adopted May 12, 2016; Ordinance Number 15/16-43; Effective Date: July 1, 2016)

Legal Authority – Virginia Code § 40.1-28.7:5 (1950), as amended.

Section 5-6.5. Electronic or Digital Signatures Permitted; Definitions; Applicability; Electronic Records; Electronic Signatures; Acceptance, Use and Issuance of Electronic Records and Signatures. **—** A. Electronic Signatures or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in this division.

B. For the purpose of this policy, the following definitions apply:

(1) "Attribution" – An electronic record or electronic signature is attributable to a person

if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

(2) "Electronic Signature" – An electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

(3) "Electronic Record" – Any record created, generated, sent, communicated, received or stored by electronic means.

C. This policy applies to parents, guardians, and other persons having control or charge of a child enrolled in the division; and also to individuals affiliated with the division, whether paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

D. Electronic records created or received by the division shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The division shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the division may be given full force and effect of a paper communication if the following conditions are satisfied:

(1) The communication is an electronic filing or recording and the School Board agrees to accept or send such communication electronically; and

(2) If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

E. An electronic signature may be used if the law requires a signature unless there is a specific statute, regulation, or policy that requires records to be signed in non- electronic form. The issuance and/or acceptance of an electronic signature by the School Board may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

(1) The electronic signature identifies the individual signing the document by the individual's name and title;

(2) The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;

(3) The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;

(4) The electronic signature conforms to all other provisions of this policy.

F. The School Board shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such a system should include security procedures whereby the School Board can (a) verify the attribution of a signature to a specific individual, (b) detect changes or errors in the information contained in a record submitted electronically, (c) protect

and prevent access, alteration, manipulation or use by an unauthorized person, and (d) provide for non-repudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The School Board shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The School Board shall maintain a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature in connection with School Board business.

The School Board may receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic. (Adopted May 12, 2016; Ordinance Number 15/16-44; Effective Date: July 1, 2016)

Legal Authority: Virginia Code §§ 22.1-79.3, 59.1-479 et seq, (1950), as amended.

Section 5-6.6. Collection of personal information; information collected automatically; use of "cookies"; responsibility of school superintendent. — A. The School Board is committed to complying with the Government Data Collection and Dissemination Practices. The Suffolk Public Schools does not collect unnecessary personal information by means of its website, and collects only appropriate personal information to the extent necessary to serve its constituents and the community.

B. The email address ending in spsk12.net and all school websites collect communication protocol addresses from the personal computers accessing the website in order to facilitate communication. By itself, this information does not constitute personal information.

C. Suffolk Public Schools does not place 'cookies' on your computer and will not track your movements through the website.

D. The Superintendent is responsible for creating and updating, as necessary, an internet privacy policy statement. The statement is available on the division's website in a conspicuous manner. (Adopted: November 14, 2024; Ordinance 2024/25-54)

Legal Authority: Virginia Code Section § 2.2-3803.

Article 7 - Insurance

Section 5-7.1. Adequate insurance coverage required. — The School Board shall maintain adequate insurance coverage. The School Board may provide liability insurance, or may provide self-insurance, for certain or all of its officers and employees and for student teachers and other persons performing functions or services for any school in the school division, regardless of whether payment is made for such functions or services. Such insurance, including workers' compensation and all property and casualty insurance, is placed with insurance companies

authorized to do business in Virginia or provided by insurance pools, groups, or self-insured programs authorized by the state Bureau of Insurance. The terms of the coverage, or self-insurance plans, are reviewed at least annually by the superintendent. The superintendent may recommend to the School Board that there be a change in coverage when deemed necessary by the superintendent. (Adopted August 10, 1995; Ordinance Number 19/20-30, Revised/Effective Date: November 14, 2019)

Legal Authority - Virginia Code §§22.1-84, 15.2-2703, 15.2-2704, 15.2-2705, 22.1-188 through 22.1-198 (1950), as amended.

Section 5-7.2. Property insurance. — The School Board maintains insurance on school property, including vehicles, as it deems necessary or is required by law. The School Board may provide self-insurance on all vehicles, buildings and their contents owned by the School Board. The purchasing agent for Suffolk Public Schools will periodically solicit bids from insurance companies and/or self-insurance service companies to provide insurance, or self-insurance on vehicles, buildings, contents, and liability coverage. The superintendent may recommend to the School Board certain changes in insurance coverage. (Adopted August 10, 1995; Revised: October 14, 2004; Ordinance Number 04/05-6; Effective Date: July 1, 2005; Ordinance Number 19/20-31, Revised/Effective Date: November 14, 2019)

Legal Authority - Virginia Code §§22.1-84, 15.2-2703 – 15.2-2705, 22.1-188 – 22.1-198. (1950) as amended.

Article 8 - Contract with Service Provider

Section 5-8.1. Definitions; Required Contract Terms; Additional requirements; Policy Exceptions. — A**.** For the purpose of this policy the following definitions apply:

> "Elementary and secondary school purposes" means purposes that (i) customarily take place at the direction of an elementary or secondary school, elementary or secondary school teacher, or school division; (ii) aid in the administration of school activities, including instruction in the classroom or at home; administrative activities; and collaboration between students, school personnel or parents; or (iii) are otherwise for the use and benefit of an elementary or secondary school.

"Machine-readable format" means a structured format that can automatically be read and processed by a computer such as comma-separated values (CSV), JavaScript Object Notation (JSON) or Extensible Markup Language (XML). "Machine-readable format" does not include portable document format (PDF).

"Personal profile" does not include account information that is collected and retained by

a school service provider and remains under the control of a student, parent or elementary or secondary school.

"School-affiliated entity" means any private entity that provides support to the school division or a public elementary or secondary school. "School-affiliated entity" includes alumni associations, booster clubs, parent-teacher associations, parent-teacher-student associations, parent-teacher organizations, public education foundations, public education funds and scholarship organizations.

"School service" means a website, mobile application or online service that (i) is designed and marketed primarily for use in elementary or secondary schools; (ii) is used (a) at the direction of teachers or other employees at elementary or secondary schools or (b) by any school-affiliated entity; and (iii) collects and maintains, uses or shares student personal information. "School service" does not include a website, mobile application or online service that is (a) used for the purposes of college and career readiness assessment or (b) designed and marketed for use by individuals or entities generally, even if it is also marketed for use in elementary or secondary schools.

"School service provider" means an entity that operates a school service pursuant to a contract with the school division.

"Student personal information" means information collected through a school service that identifies a currently or formerly enrolled individual student or is linked to information that identifies a currently or formerly enrolled individual student.

"Targeted advertising" means advertising that is presented to a student and selected on the basis of information obtained or inferred over time from such student's online behavior, use of applications, or sharing of student personal information. "Targeted advertising" does not include advertising (i) that is presented to a student at an online location (a) on the basis of such student's online behavior, use of applications or sharing of student personal information during his current visit to that online location or (b) in response to that student's request for information or feedback and (ii) for which a student's online activities or requests are not retained over time for the purpose of subsequent advertising.

B. The contract between a school service provider and the School Board shall require the school service provider to do the following:

1. provide clear and easy-to-understand information about the types of student personal information it collects through any school service and how it maintains, uses or shares such student personal information;

2. maintain a policy for the privacy of student personal information for each school service and provide prominent notice before making material changes to its policy for the privacy of student personal information for the relevant school service;

3. maintain a comprehensive information security program that is reasonably designed to protect the security, privacy, confidentiality and integrity of student personal information and makes use of appropriate administrative, technological and physical safeguards;

4. facilitate access to and correction of student personal information by each student whose student personal information has been collected, maintained, used or shared by the school service provider, or by such student's parent, either directly or through the student's school or teacher;

5. collect, maintain, use and share student personal information only with the consent of the student or, if the student is less than 18 years of age, his parent or for the purposes authorized in the contract between the School Board and the school service provider;

6. when it collects student personal information directly from the student, to obtain the consent of the student or, if the student is less than 18 years of age, his parent before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service, and when it collects student personal information from an individual or entity other than the student, to obtain the consent of the school division before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service;

7. require any successor entity or third party with whom it contracts to abide by its policy for the privacy of student personal information and comprehensive information security program before accessing student personal information; and

8. require that, upon the request of the school or School Board, the school service provider will delete student personal information within a reasonable period of time after such request unless the student or, if the student is less than 18 years of age, his parent consents to the maintenance of the student personal information by the school service provider.

C. The contract will also prohibit the school service provider from knowingly:

1. using or sharing any student personal information for the purpose of targeted advertising to students;

2. using or sharing any student personal information to create a personal profile of a student other than for elementary and secondary school purposes authorized by the school division, with the consent of the student or, if the student is less than 18 years of age, his parent, or as otherwise authorized in the contract between the school division and the school service provider; or

3. selling student personal information except to the extent that such student personal information is sold to or acquired by a successor entity that purchases, merges with or otherwise acquires the school service provider.

D. Nothing in this policy shall be construed to prohibit school service providers from the following:

1. using student personal information for purposes of adaptive learning, personalized learning or customized education;

2. using student personal information for maintaining, developing, supporting, improving or diagnosing the school service;

3. providing recommendations for employment, school, educational or other learning purposes within a school service when such recommendation is not determined in whole or in part by payment or other consideration from a third party;
4. disclosing student personal information to (i) ensure legal or regulatory compliance, (ii) protect against liability or (iii) protect the security or integrity of its school service; or

5. disclosing student personal information pursuant to a contract with a service provider, provided that the school service provider (i) contractually prohibits the service provider from using any student personal information for any purpose other than providing the contracted service to or on behalf of the school service provider, (ii) contractually prohibits the service provider from disclosing any student personal information provided by the school service provider to any third party unless such disclosure is permitted by Va. Code § 22.1-289.01(B)(7) and (iii) requires the service provider to comply with the requirements set forth Va. Code § 22.1-289.01(B) and the prohibitions set forth in Va. Code § 22.1-289.01(C).

E. Nothing in this policy shall be construed to:

1. impose a duty upon a provider of an electronic store, gateway, marketplace, forum or means for purchasing or downloading software or applications to review or enforce compliance with this policy with regard to any school service provider whose school service is available for purchase or download on such electronic store, gateway, marketplace, forum or means;

2. impose liability on an interactive computer service, as that term is defined in 47 U.S.C. § 230(f), for content provided by another individual; or

3. prohibit any student from downloading, exporting, transferring, saving or maintaining his personal information, data or documents.

(Adopted: October 13, 2016; Ordinance Number: 16/17-23; Effective Date: July 1, 2017; Ordinance 22/23-89, Revised/Effective: June 8, 2023)

Legal Authority – Virginia Code §22.1-289.01 (1950), as amended.

CHAPTER 6 - SCHOOL FACILITIES

Article 1 - Goals

Section 6-1.1. Efficient and safe facilities required; specifications for new buildings. (Deleted) (Adopted February 9, 1995; Ordinance 20/21-28; Deleted/Effective Date: May 13, 2021)

Legal Authority - Virginia Code §22.1-135 *et seq.* (1950), as amended.

Section 6-1.1:1. Superintendent responsibilities; documentation of pesticide application required. — A. The superintendent will have the general responsibility for the care, custody, and safekeeping of all school property. The principal of each school will be responsible for the operation, supervision, care, and maintenance of the school plant.

B. The school division shall maintain documentation of any pesticide application that includes the target pest, the formulation applied, and the specific location of the application. (Adopted May 12, 2016; Ordinance Number 15/16-45; Effective Date: July 1, 2016)

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

Section 6-1.1:2 Electronic room partitions; annual safety review required. — A. No school employee opens or closes an electronic room partition in any school building unless (i) no student is present in such building; or (ii) no student is present in the room or area in which such partition is located and (a) such room or area is locked or otherwise inaccessible to students, or (b) such partition includes a safety sensor that automatically stops the partition when a body passes between the leading edge and a wall, and opposing partition, or the stacking area.

B. Any annual safety review or exercise for school employees includes information and demonstrations, as appropriate, regarding the provisions of the previous paragraph.(Adopted November 14, 2019, Ordinance Number 19/20-32)

Legal Authority — Virginia Code § 22.1-138 (1950), as amended.

Article 2 - Planning

Section 6-2.1. Capital Improvement Plan as a guide; Role of Superintendent; Capital Improvement Program designed to provide adequate facilities; Capital Improvement Plan modified as needed. — A. The School Board provides for the erecting, furnishing, equipping, and maintenance of all school facilities. The School Board will have before it a Capital Improvement Program to serve as a guide.

B. The superintendent presents to the School Board annually, or as necessary to coordinate with the planning process of the appropriating body, a Capital Improvement Program which includes recommendations regarding timing, location, costs and savings associated with:

(1) New building requirements and
(2) Restoration and renewal of existing school facilities.

The superintendent may make recommendations for new buildings and renovations after receiving input from the community concerning facilities utilization, development and closure. Recommendations provided to the School Board are supported by data that demonstrates the feasibility and necessity for construction and/or renovation.

The Capital Improvement Program will be subject to systematic study, revision, and extension. The respective projects will be acted upon individually when proposed for implementation. The Capital Improvement Plan, after approval by the School Board, will be submitted to the City of Suffolk for inclusion in the comprehensive City Plan.

C. The Capital Improvement Program will be designed to provide adequate facilities to conduct full-time elementary, middle and secondary education programs for all pupils residing in the City of Suffolk and such adult and interdivision and interagency programs as approved by the School Board.

D. The Capital Improvement Program will be planned and modified as needed to conform with changes in projected enrollments, demographic shifts, courses of study, and availability of construction funds. (Adopted February 9, 1995; Revised May 12, 2016; Ordinance Number

15/16-46; Effective Date: July 1, 2016, Ordinance 25/26-13, Revised/Effective: September 11, 2025)

Legal Authority - Virginia Code §§ 22.1-79, 22.1-78, and 22.1-141.1.

Section 6-2.2. Comprehensive plan development for use of school facilities. — The City Council for the City of Suffolk, in accordance with state law, periodically approves a comprehensive plan for the physical development of the City. Contained within this plan are sections which pertain to the number, location, and use of school facilities. Suffolk Public Schools employees shall participate with the City in planning and developing those portions of the plan which deal with school facilities. Prior to consideration of the plan by the City Council, the School Board may, at its discretion, forward a resolution to the City Council expressing the position of the School Board on the proposed plan. Following the adoption of the comprehensive plan by City Council, the plan becomes the official statement of policy by City Council regarding the location and use of public facilities in the City. The School Board recognizes the policy status of the plan, and will use it for guidance whenever it is not inconsistent with the educational objectives of the School Board. (Adopted February 9, 1995)

Legal Authority - Virginia Code §§22.1-79 & 15.2-2223 (1950), as amended.

Section 6-2.3. Enrollment projections; use of outside studies. — A. Enrollment projections will be prepared on a ten (10) year basis under the direction of the superintendent and will be reviewed and brought up to date annually. The projections will take into consideration the following: (1) figures from the latest available student data; (2) school registration figures; (3) review of forthcoming changes in planning and zoning; (4) review of current and planned community land development and housing projects.

B. Whenever construction of new school facilities or the closing of any school buildings is being contemplated, the School Board may authorize outside studies of population trends and school enrollment. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-79 (1950), as amended.

Section 6-2.4. Superintendent Must Approve Plans and Specifications — No public school building or addition or alteration thereto, for either permanent or temporary use, is advertised for bid, contracted for, erected or otherwise acquired until the plans and specifications therefore have been approved in writing by the superintendent and are accompanied by a statement by an architect or professional engineer licensed by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects that such plans and specifications are, in the professional opinion and belief of the architect or professional engineer, in compliance with the regulations of the Board of Education and the Uniform Statewide Building Code, and have been reviewed by an individual or entity with professional

expertise in building security and crime prevention through building design.

The superintendent's approval, architect's or engineer's statement, all reviewer's comments, and a copy of the final plans and specifications are submitted to the Superintendent of Public Instruction. (Adopted May 12, 2016; Ordinance Number 15/16-47; Effective Date: July 1, 2016; Ordinance Number 19/20-33, Revised/Effective Date: November 14, 2019)

Legal Authority - Virginia Code §22.1-140 (1950), as amended.

Section 6-2.5. Naming of School Facilities; **Living Individuals Prohibited; Renaming of Facility**. **—** A. It is the responsibility of the Suffolk School Board to determine the name of schools and school facilities in the division. The School Board will solicit and accept input from the public regarding the names of schools and school facilities but reserves the right to make the final decision regarding the name of any school or school facility. Suggestions regarding the name of a school or school facility must be in writing, must state the name of the person or group making the suggestion and must state the reasons supporting the suggestion. The School Board may create a committee to make recommendations to the Board on the naming of any school or school facility.

B. No school or school facility will be named for a living individual. Schools and school facilities may be named for individuals who have been deceased for at least 10 years.

C. The Board may rename a school or school facility upon a determination that it is appropriate to do so. The procedure for renaming a school or school facility will be the same as the procedure outlined above. (Adopted May 12, 2016; Ordinance Number 15/16-48; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 3 - Playground Equipment

Section 6-3.1. Appropriate playground equipment required; community involvement encouraged. — A. The School Board recognizes the value of having appropriate playground equipment located in school playgrounds and recognize the value of community participation in the development of these creative playgrounds.

B. Since the school playground is a part of the community, the development of the playground should be a community effort. Parents, teachers, and pupils can be expected to contribute to the planning and development of an active outdoor learning environment that is safe and fills the needs of both the community and the school. The creative playground must developed in accordance with the procedures and guidelines developed by the School Board and as amended from time to time. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-79 (1950), as amended.

Section 6-3.2. Ownership of playground equipment. — When equipment or facilities are installed on School Board property, the School Board assumes ownership of that equipment and facilities, unless specifically stated otherwise. For this reason, the maintenance of the playground equipment installed by a school or community group will be the responsibility of the School Board. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-125 & 22.1-126 (1950), as amended.

Section 6-3.3. Inspection requirement. — A. Once installed on School Board property, the principal of the school, or the principal's designee, will have the responsibility to inspect the equipment on a regular basis, not less than monthly, and the authority, if the equipment is unsafe in any way, to recommend its repair or removal from school property. The principal may also restrict or deny the use of such equipment until such time, in the principal's sole opinion, that the equipment is restored to a safe condition.

B. The School Board, under the direction of the Director of Facilities and Planning, will perform or have performed, an inspection of all playground equipment, not less than annually to ensure the safe and proper condition of the equipment. If as a result of any such inspection(s) or as a result of items brought to the attention of the School Board, any repairs or removal of any equipment be deemed necessary, in the sole opinion of the Director of Facilities and Planning, the School Board will perform, or have performed, the necessary repairs. (Adopted February 9, 1995; Ordinance 24/25-9, Revised/Effective: July 11, 2024)

Legal Authority - Virginia Code §§ 22.1-293, 22.1-78 & 22.1-79 (1950), as amended.

Article 4 - Educational Specifications

Section 6-4.1. Detailed education specifications provided by superintendent; consultation with local building official and state or local fire marshal. — A. To ensure that all new and remodeled facilities are designed to best implement the educational program, the superintendent will provide for the development of detailed educational specifications to apply to the design and construction of new buildings. Educational specifications are detailed descriptions of:

(1) all activities that will take place in the building;
(2) the curriculum to be housed in the building;
(3) specific architectural characteristics desired; and
(4) the facilities needed, their equipment requirements and their space relationship to other facility elements.

B. When educational specifications are prepared, an introductory section will also be included which will be devoted to a brief description of the community and the educational

philosophy of Suffolk Public Schools. Consultants may be used in the development of educational specifications when deemed necessary by the superintendent and approved by the School Board.

C, The School Board consults with the local building official and the state or local fire marshal to develop a procurement plan to ensure that all security enhancements to public school buildings are in compliance with the Uniform Statewide Building Code and Statewide Fire Prevention Code. (Adopted February 9, 1995; Ordinance 24/25-32; Revised/Effective: September 12, 2024)

Legal Authority - Virginia Code §§ 22.1-70, 22.1-79, 22.1-138. (1950), as amended.

Section 6-4.2. Persons involved in developing specifications; use of consultants. — A. The persons involved in developing educational specifications should include: the School Board which adopts policies, approves the final specifications, employs the architect, and provides the budget; the superintendent, who provides administrative leadership, interpretation, and evaluation; principals, teachers, and other certified staff members; student and citizen representatives and the architect.

B. Consultants may be used in the development of educational specifications when deemed necessary by the superintendent and the School Board. (Adopted February 9, 1995)

Legal Authority - Virginia Code §§22.1-79 & 22.1-140 (1950), as amended.

Article 5 - Energy Conservation

Section 6-5.1. Energy conservation in constructing new facilities. — Because the costs of energy are increasing and the supplies of conventional energy sources are decreasing, the School Board recognizes the importance and need for conservation in the construction of new school facilities. The use of energy-conserving measures can be an example for the students and the community. The use of energy-conserving construction will be held in high regard. The proposed project which contains the most efficient energy-saving plans within an acceptable budget will have highest architectural evaluation and will comply with educational specifications and cost control checklists as determined by the School Board upon recommendations from the superintendent. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-79 (1950), as amended.

Section 6-5.2. Continuous study required. — A continuous study of energy problems and energy sources will be maintained by the administration for future planning in new construction. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 6 - Accommodations For The Disabled

Section 6-6.1. Building must be accessible to the disabled. — Plans for new and remodeled buildings must offer such design, construction, and accommodations as to make them accessible to and usable by individuals with disabilities as required by law. The School Board will review construction plans to ensure that new and remodeled buildings will be made fully accessible. (Adopted February 9, 1995; Ordinance 24/25-33; Revised/Effective: September 12, 2024)

Legal Authority - 29 U.S.C. § 794, 42 U.S.C. §§ 12182, 12183.

Article 7- Construction Supervision

Section 6-7.1. Adequate supervision required; duties; assurance. — A. The School Board will give assurance that it will provide adequate supervision of each construction project by a qualified person during construction in accordance with the regulations of the State Department of Education. This person is to be known as a construction representative, project inspector, or clerk of the works, with duties to be commensurate with the magnitude of the project.

B. Duties include daily project surveillance; the preparation of a daily construction diary outlining the various disciplines of work being accomplished, weather conditions, numbers and types of mechanics on the job, materials delivered and delaying factors if any, and estimated weekly percentage of completion, interpretation of plans and specifications and interface with the architect/engineer and the project contractor; reports any and all matters requiring contract action to the purchasing agent; reviews all partial payments received from the architect/engineer upon substantial completion, coordinates punch list with architect/engineer for transmittal to contractor.

C. Assurance of this supervision will be furnished by the School Board to the state supervisor of school buildings prior to approval of plans and specifications for construction. (Adopted February 9, 1995)

Legal Authority - Virginia Code §§22.1-138 & 22.1-79 (1950), as amended.

Section 6-7.2. Authority to Execute Change Orders. — When consideration paid by the School Board under any fixed price contract is less than $400,000 or more, the school superintendent is hereby authorized to approve and execute change orders for any such contract provided the amount of any single change order does not exceed $100,000. When consideration paid by the School Board under any fixed price contract is less than $400,000, the school superintendent is hereby authorized to approve and execute change order for such contract provided the amount of the change orders does not increase the contract amount by more than

$50,000 or twenty-five percent, whichever is greater. The school superintendent shall report to the School Board, as soon as practicable, all change orders approved and executed by the school superintendent. (Adopted September 14, 2000; Ordinance Number 00/01-04; Revised March 14, 2002; Ordinance Number 01/02-03; Revised: May 11, 2006; Ordinance Number 05/06-4; Adopted: May 11, 2006; Effective Date: May 11, 2006)

Legal Authority - Virginia Code §§22.1-138 & 22.1-79 (1950), as amended.

CHAPTER 7 - PERSONNEL

Article 1 - Criminal Records Check Generally

Section 7-1.1. Condition of employment; Limited exception for felony conviction; reporting requirements; non-disclosure of information; applicant's right to review information. — A. As a condition of employment, any applicant who is offered or accepts employment with the Suffolk City School Board, whether full-time or part-time, permanent or temporary, shall submit to fingerprinting and shall also provide personal descriptive information to be forwarded along with the applicant's fingerprints through the Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such applicant. Any applicant for employment shall pay for such fingerprinting and criminal records check as provided for in regulations promulgated by Suffolk Public Schools.

B. Notwithstanding the requirements of the previous paragraph, the School Board may employ an individual who, at the time of the individual's hiring, has been convicted of a felony, provided that such individual:

(i) was employed in good standing by a school board on or before December 17, 2015;

(ii) has been granted a simple pardon for such offense by the Governor or other appropriate authority; and

(iii) has had his civil rights restored by the Governor or other appropriate authority.

However, the School Board may employ, until July 1, 2020, such an individual who does not satisfy the conditions set forth in clauses (ii) and (iii), provided that such individual has been continuously employed by the School Board from December 17, 2015 through July 1, 2018.

C. The Central Criminal Records Exchange, upon receipt of an applicant's record or notification that no record exists, shall report its findings to the Suffolk City School Board. If an applicant has been convicted of any of the following, then it will be reported to the School Board: (1) murder; (2) abduction for immoral purposes as set out in Virginia Code §18.2-48; (3) sexual assault as set out in Virginia Code §18.2-61; (4) failing to secure medical attention for a child; (5) pandering as set out in Virginia Code §18.2-355; (6) crimes against nature involving children

as set out in Virginia Code §18.2-361; (7) taking indecent liberties with children as set out in Virginia Code §18.2-370 or 18.2-370.1; (8) neglect of children as set out in Virginia Code §18.2-371.1; (9) obscenity offenses as set out in Virginia Code §18.2-247 *et. seq.*; (10) arson as set out in Virginia Code §18.2-77 *et. seq.*; or (11) use of a firearm in the commission of a felony as set out in Virginia Code §18.2-53.1, or an equivalent offense in another state.

D. The Central Criminal Records exchange shall not disclose information to the School Board regarding charges or convictions of any crimes not specified in this section.

E. If an applicant is denied employment because of information appearing on his or her criminal history record, the School Board shall provide to the applicant a copy of the information obtained from the Criminal Records Exchange. The information provided to the School Board shall not be disseminated except as provided for by law. (Adopted August 21, 1997; Revised: February 14, 2019; Ordinance Number: 18/19-63; Effective Date: February 14, 2019)

Legal Authority – Virginia Code §22.1-296.2 (1950), as amended.

Section 7-1.2. Certification requirement. — A. As condition of employment for any applicant who is offered or accepts employment with the Suffolk City School Board, whether full-time or part-time, permanent, or temporary, shall certify in writing to the School Board that the applicant has not been convicted of a felony, a crime of moral turpitude, or any offense involving the sexual molestation, physical or sexual abuse or rape of a child. Any person making a materially false statement regarding any such offense shall be guilty of a Class 1 misdemeanour and upon conviction, the fact of said conviction shall be grounds for the Board of Education to revoke such person's license to teach.

B. Notwithstanding the requirements of the previous paragraph, the School Board may employ an individual who, at the time of the individual's hiring, has been convicted of a felony, provided that such individual:

(i) was employed in good standing by a school board on or before December 17, 2015;

(ii) has been granted a simple pardon for such offense by the Governor or other appropriate authority; and

(iii) has had his civil rights restored by the Governor or other appropriate authority.

However, the School Board may employ, until July 1, 2020, such an individual who does not satisfy the conditions set forth in clauses (ii) and (iii), provided that such individual has been continuously employed by the School Board from December 17, 2015 through July 1, 2018.

C. Notwithstanding A or B above, as a condition of employment every applicant for employment that requires direct contact with students must also certify in writing to the School Board that the applicant has not been the subject of a founded case of child abuse and neglect. (Adopted August 21, 1997; Revised March 14, 2019; Ordinance Number 18/19-68; Effective Date: March 14, 2019)

Legal Authority - Virginia Code §22.1-296.2 (1950), as amended.

Article 2 - Personnel Policies and Goals

Section 7-2.1. Personnel policies and goals; review requirement. — A. The policies contained herein shall be administered by the superintendent, through the Human Resources Department for Suffolk Public Schools, which shall be responsible for the appropriate recruitment, staffing, and employee relations of personnel of Suffolk Public Schools, subject to the exclusive final authority of the School Board, and shall maintain a personnel file system for all employees of Suffolk Public Schools.

B. The personnel policies shall be reviewed annually. Suggestions will be sought from staff members in the revision of personnel policies. Revisions and additions shall be subject to approval by the School Board on the recommendation of the superintendent. (Adopted August 10, 1995; Revised October 14, 2004; Ordinance Number 04/05-5; Effective Date: July 1, 2005; Revised February 14, 2008; Ordinance Number 07/08-5; Effective Date: February 14, 2008)

Legal Authority - Virginia Code §22.1-295 (1950), as amended.

Section 7-2.2. Work schedules; working hours for employees not exempt; working hours less than and more than 40 hours. — A. The workday for full-time licensed and professional staff is a minimum of seven hours and thirty minutes and continues until professional responsibilities to the students and school division are completed. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Elementary school classroom teachers are provided at least an average of thirty minutes per day during the students' school week as planning time. Each full-time middle and secondary classroom teacher is provided one planning period per day, or the equivalent, as defined by the Board of Education, unencumbered of any teaching or supervisory duties. If a middle or secondary school classroom teacher teaches more than the standard load of students or class periods per week, as defined by the Board of Education, an appropriate contractual arrangement and compensation is provided.

Work schedules for other employees are defined by the superintendent or superintendent's designee consistent with the Fair Labor Standards Act and the provisions of this policy.

B. Working hours for all employees not classified as exempt under the Fair Labor Standards Act, including administrative assistants, bus drivers, cafeteria, janitorial and maintenance personnel, conform to federal and state regulations. The superintendent ensures that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors make every effort to avoid circumstances which require non-exempt

employees to work more than 40 hours each week. The School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of the employee's supervisor. All overtime work must be expressly approved in writing by the superintendent or superintendent's designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or superintendent's designee. Principals and supervisors monitor employees' work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a workweek. Accurate and complete time sheets of actual hours worked during the workweek must be signed by each employee and submitted to the finance officer. The finance officer reviews work records of employees on a regular basis to make an assessment of overtime use.

C. Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees are provided overtime pay as provided above for working more than 40 hours in a workweek. (Adopted: October 9, 2008; Ordinance Number 08/09-14; Effective: October 10, 2008; Ordinance 22/23-44, Revised/Effective: February 9, 2023)

Legal Authority − Virginia Code §§ 22.1-253.13:2, 22.1-253.13:3, 22.1-291.1, 40.1-29.2 (1950); as amended, and 8 VAC 20-131-240.

Section 7-2.3. Statement of School Board Policy; Protective Clothing or Device. —
A. All School Board employees are required to be appropriately dressed to perform their duties. The School Superintendent is hereby authorized to develop and implement dress regulations for School Board employees.
B. If any employee is required to wear protective clothing or a protective device as a condition of employment or for safety, such protective clothing or device shall be furnished to the employee by the School Board at no cost to the employee or on a cost-shared basis. The School Superintendent is hereby authorized to specify the conditions by which an employee shall be required to share the cost of protective clothing or protective devices. (Adopted: March 8, 2012; Ordinance Number 11/12-14; Effective: July 1, 2012)

Legal Authority − Virginia Code § 22.1-78 (1950); as amended.

Section 7-2.4 Lactation support. **—** The superintendent shall designate a non-restroom location in each school as an area in which any mother who is employed by the School Board or enrolled as a student in the Suffolk Public Schools may take breaks of reasonable length during the school day to express milk to feed her child until the child reaches the age of one.

The area must be shielded from public view. (Adopted June 9, 2016; Ordinance Number 15/16-49; Effective Date: July 1, 2016)

Legal Authority − Virginia Code § 22.1-79.6 (1950); as amended.

Section 7-2.5. Possession of weapons by school employees prohibited. — A. No one may possess or use any firearm or any weapon, as defined in Section 9-12.1 on school property (including school vehicles), on that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place, or on any school bus without authorization of the Superintendent or superintendent's designee.

B. Violation of this policy by an employee will result in appropriate personnel action up to and including dismissal. Violation of this policy by others will result in actions up to and including a prohibition against the violator returning to school property. In addition, illegal conduct will be reported as required by law. (Adopted June 9, 2016; Ordinance Number 15/16-50; Effective Date: July 1, 2016)

Legal Authority − Virginia Code §§ 18.2-308, 22.1-78, 22.1-279.3:1 (1950); as amended.

Section 7-2.6. Employment and retention of highly qualified personnel; school board employee offering assistance in obtaining a new job when prohibited; exclusions. — A. The goal of the employment policies and practices of the Suffolk School Board is to promote the employment and retention of highly qualified personnel to effectively serve the educational needs of students.

B. No employee, contractor or agent of the Suffolk School Board may assist a school board employee, contractor or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the employee, contractor or agent knows, or has probable cause to believe, that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of law.

C. This prohibition does not apply if:

(i) the information giving rise to probable cause has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct and has been properly reported to any other authorities as required by federal or state law, including Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.) and the regulations implementing it; or

(ii) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor or agent engaged in sexual misconduct regarding a minor in violation of law; or

(iii) the school employee, contractor or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

(iv) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor or agent within 4 years of the date on which the information was reported to a law enforcement agency.

(Adopted: October 11, 2018, Ordinance Number: 18/19-27)

Legal Authority – Virginia Code 22.1-295 (1950), as amended & Acts 2018, c. 513.

Article 3 - Equal Employment Opportunity

Section 7-3.1. Policy statement. — The policies contained in this section set forth provisions for initial and continuous employment of all personnel of the Suffolk Public Schools. In addition to policies established by the School Board, Suffolk Public Schools shall comply with all applicable state and federal laws and regulations relative to equal employment opportunities. (Adopted August 10, 1995; Revised March 11, 1999; Ordinance Number 98/99-09)

Legal Authority – Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII, 42 U.S.C. 2000 e-z, 29 C.F.R. 1604.11 (1987); Executive Order 11246, 1965, as amended by Executive Order 11375; Equal Employment Opportunity Act of 1972, Title VII; Education Amendments of 1972, Title IX (P.L. 92-318); 45 C.F.R., Parts 81, 86; Rehabilitation Act of 1973; Age Discrimination in Employment Act, P.L. 95-256; Constitution of Virginia, Americans with Disabilities Act of 1990.

Section 7-3.2. Equal Employment Opportunity for all employees. — A. The Suffolk School Board is an equal opportunity employer, committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, creed, religion, national origin, ancestry, political affiliation, sex, sexual orientation, gender, gender identity, age, pregnancy, childbirth or related medical conditions, marital status, status as a veteran, genetic information or disability is prohibited. Personnel decisions are based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation. The following statement shall be included on all employment application forms: *Suffolk School Board is an equal opportunity employer*. *Suffolk Public Schools does not discriminate on the basis of disabling conditions or gender in admission or access to, or treatment or employment in its programs and activities. The Chief of Administrative Services is designated as the responsible person regarding assurances of non-discrimination and may be reached at the following address: Post Office Box 1549, Suffolk, Virginia 23439.*

This policy is (1) posted in prominent areas of each school division building, (2) included in employee handbooks and (3) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination is included in employee in-service training. (Adopted August 10, 1995; Ordinance Number 20/21-30; Revised/Effective Date: May 13, 2021)

Legal Authority – Civil Rights Act of 1964, as amended in 1972, Title I, Title VII, 42 U.S.C. 2000 e-z, 29 C.F.R. 1604.11 (1987); Executive Order 11246, 1965, as amended by Executive Order 11375; Equal Employment Opportunity Act of 1972, Title VII; Education Amendments of 1972, Title IX (P.L. 92-318); 45 C.F.R., Parts 81, 86; Rehabilitation Act of 1973; Age Discrimination in Employment Act, P.L. 95-256; Constitution of Virginia, Americans with Disabilities Act of 1990.

Article 4 - Staff Health

Section 7-4.1. Certification free of tuberculosis; removal for failure to provide certification; rescreening for tuberculosis; School Board may require screening of all employees, volunteers and student teachers. — A. As a condition of employment every new employee of the School Board including teachers, cafeteria workers, janitors and bus drivers, must submit a certificate signed by a licensed physician, physician assistant, advanced practice registered nurse, or registered nurse stating the employee appears free of communicable tuberculosis, based on recorded results of x-rays, skin tests, and other examinations, singly or in combination, considered necessary by the physician. The x-rays, tests, and/or other examinations must have been performed within a twelve (12) month period immediately preceding the submission of the certificate.

B. Any employee who begins duty without having complied with this requirement will have violated the terms of employment and is not entitled to compensation. Any new employee or student teacher who begins his/her duties without having complied with this requirement shall be removed from that assignment until the requirement is fulfilled. (A new employee is designated as someone hired for the first time or rehired after a one year absence.)

C. The School Board may from time to time require a tuberculosis re-screening of all employees.

D. The School Board at its discretion may require a tuberculosis screening of all employees, including volunteers and student teachers. (Adopted August 10, 1995; Revised: September 9, 2004; Ordinance Number 04/05-1; Effective Date: July 1, 2005; Revised June 9, 2016; Ordinance Number 15/16-51; Effective Date: July 1, 2016; Ordinance 23/24-35, Revised/Effective: December 14, 2023)

Legal Authority - Virginia Code §§22.1-300 & 22.1-301, 54.1-2952.2, and 54.1-2957.02 (1950), as amended.

Section 7-4.2. General requirements for employment; health certifications; persons hired as bus drivers; registered as sex offender not eligible; annual documents required; first

aid training etc. required; drug and alcohol testing program for bus drivers; pre-employment query required; not allowed to perform safety sensitive functions in certain situations; Clearinghouse Query once a year; refusal to submit to testing. — A. As a condition of employment every new employee of the School Board including teachers, cafeteria workers, janitors and bus drivers, must submit a certificate signed by a licensed physician, physician assistant, advanced practice registered nurse, or registered nurse stating the employee appears free of communicable tuberculosis. Volunteers may be required to provide such a certificate.

B. After consulting with the local health director, the School Board may require the submission of such certificates annually, or at such intervals as it deems appropriate, as a condition to continued employment.

C. Any applicant for employment operating a school bus transporting pupils must:

(1) have a physical examination of a scope prescribed by the Board of Education and furnish a form prescribed by the Board of Education showing the results of such examination

(2) furnish a statement or copy of records from the Department of Motor Vehicles showing that the applicant, within the preceding five years, has not been convicted of a charge of driving under the influence of alcohol or drugs, convicted of a charge of refusing to take a blood or breath test, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to Va. Code § 18.2-271.1 or, within the preceding 12 months, has not been convicted of two or more moving traffic violations or required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to Va. Code § 46.2-498;

(3) furnish a statement signed by two reputable persons who reside in the school division or in the applicant's community that the person is of good moral character;

(4) exhibit a license showing the person has successfully undertaken the examination prescribed by Va. Code § 46.2-339; and

(5) have reached the age of 18 by the first day of the school year.

D. Persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required are not eligible for employment as a school bus driver.

E. Persons hired as school bus drivers must annually furnish the documents listed in (C)(1)&(2) above prior to the anniversary date of their employment as a condition of continued employment as a school bus operator.

F. The School Board requires proof of current certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator as a condition of employment to operate a school bus transporting pupils.

G. Suffolk Public Schools has a drug and alcohol testing program for school bus drivers and other employees who are required to hold a commercial driver's license (CDL) by U.S. Department of Transportation Regulations who perform safety-sensitive functions as required by federal and state law and regulations.

H. The School Board does not employ drivers subject to controlled substances and alcohol testing required by federal law without first conducting a pre-employment query of the federal Drug and Alcohol Clearinghouse (the Clearinghouse) to obtain information about the driver. Drivers must give specific consent for the query.

I. No driver is permitted to perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test; or that an employer has reported actual knowledge that the driver used alcohol on duty, used alcohol before duty, used alcohol following an accident, or used a controlled substance in violation of federal regulations, except where a query of the Clearinghouse demonstrated that the driver has successfully completed the substance abuse professional (SAP) evaluation, referral, and education/treatment process required by federal regulation; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP.

J. The School Board also conducts a query of the Clearinghouse at least once per year for information for any employee subject to controlled substance and alcohol testing required by federal law and regulation to determine whether information exists in the Clearinghouse about these employees.

K. Drivers are subject to drug and alcohol testing as required by state and federal law. Any driver who refuses to submit to a test shall not perform or continue to perform safety-sensitive functions. The division administers alcohol and controlled substance tests in accordance with federal laws and regulations. (Adopted: December 9, 2004; Ordinance Number 04/05-13; Effective Date: July 1, 2005; Revised June 9, 2016; Ordinance Number 15/16-52; Effective Date: July 1, 2016; Ordinance 21/22-16; Revised August 12, 2021; Ordinance 23/24-36, Revised/Effective: December 14, 2023; Ordinance 25/26-14, Revised/Effective: September 11, 2025)

Legal Authority – Virginia Code §§ 22.1-178, 46.2-339, 46.2-340. 49 C.F.R. §§ 40.305, 382.105, 382.113, 382.201, 382.205, 382.207, 382.209, 382.213, 382.217, 382.301, 382.303, 382.401, 382.405, 382.501, 382.503, 382.601, 382.605, 382.701. 49 U.S.C. § 31136.

Section 7-4.3. Prohibited conduct by bus drivers; required testing; notification; consequences for failed testing; record retention; test procedure; consequences for prohibited conduct. — A. Drivers are prohibited from alcohol possession and/or use on the job,

use during the four hours before performing safety-sensitive functions, having prohibited concentrations of alcohol in their systems while on duty or performing safety-sensitive functions, and use during eight hours following an accident or until after undergoing a post-accident alcohol test, whichever occurs first.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance does not adversely affect his ability to safely operate a commercial motor vehicle.

B. Drivers are subject to pre-employment/pre-duty drug testing, reasonable suspicion alcohol and drug testing, random alcohol and drug testing, post-accident alcohol and drug testing, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Any employee who refuses to submit to a test shall not perform or continue to perform safety-sensitive functions.

C. Each driver receives educational materials that explain the requirements of federal law and regulations together with a copy of the division's policy and procedures for meeting these requirements. Each driver must sign a statement certifying that he/she has received a copy of the above materials and the division maintains this signed copy. Before performing each alcohol or controlled substances test, Suffolk Public Schools will notify the driver that the test is required by federal law or regulation.

The superintendent or superintendent's designee is responsible for providing educational materials to drivers that explain the requirements of federal regulations and the divisions' policies and procedures with regard to meeting those requirements. The superintendent or superintendent's designee ensures that a copy of the materials is distributed to each driver prior to the start of testing and to each driver subsequently hired or transferred into a position requiring driving a commercial vehicle. Those materials contain at least the following information:

(1) the identity of the person designated by the school division to answer driver questions about the materials;
(2) the categories of drivers subject to this policy;
(3) sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the work day the driver is required for compliance;
(4) specific information concerning driver conduct that is prohibited;
(5) the circumstances under which a driver will be tested for alcohol and/or controlled substances, including post-accident testing;
(6) the procedures that will be used to test for the presence of alcohol and controlled substances, protect the driver and the integrity of the testing

processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver, including post-accident information, procedures and instructions;

(7) the requirement that a driver submit to alcohol and controlled substances tests;

(8) an explanation of what constitutes a refusal to submit to an alcohol or controlled substances test and the attendant consequences;

(9) the consequences for drivers found to have violated federal law or regulations, including the requirement that the driver be immediately removed from safety-sensitive functions;

(10) the consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04;

(11) information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management; and

(12) the requirement that the following personal information be reported to the Clearinghouse: a verified positive, adulterated, or substituted drug test result; an alcohol confirmation test with a concentration of 0.04 or higher; a refusal to submit to required tests; an employer's report of actual knowledge of on duty alcohol use, pre-duty alcohol use, post-accident alcohol use, and controlled substance use; a SAP report of the successful completion of the return-to-duty process; a negative return-to-duty test; and an employer's report of completion of follow-up testing.

D. If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-sensitive functions in accordance with the federal regulations. All drivers shall be advised of the resources available and before a driver is reinstated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with a negative urine sample.

E. Suffolk Public Schools maintains records in compliance with federal regulations in a secure location with controlled access. With the driver's consent, Suffolk Public Schools may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver is entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

F. Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.

G. Suffolk Public Schools administers alcohol and controlled substance tests in accordance with federal laws.

H. A driver who has engaged in conduct prohibited by federal regulation or for whom testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, is removed immediately from safety-sensitive functions. Before a driver is returned to the performance of safety-sensitive functions, if at all, the driver shall undergo an evaluation by a substance abuse professional, as defined by 49 C.F.R. § 40.281, comply with any required rehabilitation and undergo a return-to-duty test with negative drug test results and/or an alcohol test with an alcohol concentration of less than 0.02. (Adopted May 12, 2016; Ordinance Number 15/16-53; Effective July 1, 2016; Revised August 16, 2018; Ordinance Number 18-19-10; Effective Date: August 16, 2018; Ordinance 25/26-24, Revised/Effective: September 25, 2025).

Legal Authority − 49 U.S.C. 31136, 49 C.F.R. §§ 382.105, 382.113, 382.201, 382.205, 382.207, 382.209, 382.213, 382.217, 382.301, 382.303, 382.401, 382.405, 382.501, 382.503, 382.601, 382.605. Virginia Code §§ 22.1-178, 46.2-339, 46.2-340 (1950), as amended.

Article 5 - Unlawful Manufacture, Distribution, Dispensing, Possession and Use of a Controlled Substance

Section 7-5.1. Prohibited Conduct; discipline; distribution of policy; drug free awareness program required. — A. The Suffolk School Board is committed to maintaining a Drug-Free Workplace. Employees may not unlawfully manufacture, distribute, dispense, possess or use a controlled substance on school property, at any school activity or on any school-sponsored trip. It is a condition of employment that each employee of the School Board will not engage in such prohibited conduct and will notify the School Board of any criminal drug conviction for a violation occurring on school property, at any school activity or on any school-sponsored trip no later than 5 days after such conviction. An employee who is convicted of criminal drug activity for a violation occurring on school property, at any school activity or on any school-sponsored trip will be subject to discipline, as outlined below.

B. Within 30 days of receiving a notice of conviction, as described above, from a School Board employee, the superintendent and School Board will take appropriate personnel action, against the employee who is convicted up to and including dismissal or will require the employee

who is convicted to satisfactorily participate in a drug abuse assistance or rehabilitation program approved by a federal, state, or local health, law enforcement, or other appropriate agency.

C. All School Board employees are given a copy of this policy.

D. Suffolk Public Schools shall establish a drug-free awareness program to inform school employees about the dangers of drug use and abuse in the workplace, the School Board's policy of maintaining a drug-free workplace, the available drug counseling, rehabilitation, and employee assistance programs and the penalties that may be imposed upon employees for violations of laws and policies regarding drug abuse. (Adopted August 10, 1995; Revised November 11, 1999; Ordinance Number 99/00-17; Revised: September 9, 2004; Ordinance Number 04/05-3; Effective Date: July 1, 2005; Revised June 9, 2016; Ordinance Number 15/16-54; Effective Date: July 1, 2016; Ordinance Number 20/21-32; Revised/Effective Date: May 13, 2021; Ordinance 25/26-15, Revised/Effective: September 11, 2025)

Legal Authority – 41 U.S.C. §§ 8103, 8104 and Virginia Code § 22.1-78.

Section 7-5.2. Drug-Free Workplace Violations. — Any of the following constitutes a violation of Section 9-5.1.

(1) Any employee who enters upon school property or reports for duty while under the influence of illegal drugs or alcohol shall be immediately suspended until the School Board shall take such action as is advisable. The superintendent or designee shall make an investigation of all charges, protecting the employee's rights under due process.

(2) Conduct prohibited by the Omnibus Transportation Employee Testing Act of 1991, as amended, and United States Department of Transportation Regulations.

(3) The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance (including alcohol or anabolic steroids) by an employee on school property, at any school activity, or on any school-sponsored student trip is prohibited.

(4) Any employee convicted of any criminal drug statute for a violation occurring under the circumstances described in A (3) shall notify the superintendent within five (5) days after such conviction.

(5) Compliance with the above provisions is a condition of employment.

(Adopted August 10, 1995)

Legal Authority – Drug Free Schools and Communities Act of 1986; Elementary & Secondary Education Act of 1965; Drug Free Workplace Act of 1988; Drug Free Schools and Communities Act of 1989; Crime Control Act of 1990; Virginia Code §22.1-280.1 (1950), as amended; Virginia Code §18.2-255.2 (1950), as amended.

Section 7-5.3. Disciplinary Action. — The superintendent and School Board will take appropriate personnel action, up to and including dismissal of any employee found in violation of Sections 7-5.2(1) through (4). (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-315 (1950), as amended.

Section 7-5.4. Notification to granting agency; reporting acts of violence and substance abuse in school. — A. In compliance with the Drug-Free Workplace Act of 1988, the superintendent or the superintendent's designated representative shall notify the granting agency within ten (10) days after receiving notice that a School Board employee has been convicted of a drug related offense under Section 9-5.2(3).

B. The principal shall collect and maintain information on acts of violence and substance abuse that occur on school property, on school buses, or at a school sponsored activity. Any School Board employee who is the victim of an attempted or actual physical injury committed by a student will report that act to the principal or designee. The principal shall immediately report all such incidents to the superintendent. The superintendent shall annually report all such incidents to the State Department of Education for the purpose of recording the frequency of such incidents. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-280.1 (1950), as amended.

Section 7-5.5. Distribution of Drug Policy. **—** Employees engaged in the performance of any federal grant shall be given a copy of a notice entitled "Notice to Employees" which shall constitute notice that they agree to abide by the provisions set forth in this article as a condition of employment. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-5.6. Drug-Free Awareness Program. — Suffolk Public Schools shall establish a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace, the School Board's policy of maintaining a drug-free workplace, available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for violations of law and policies regarding drug use. (Adopted: September 9, 2004; Ordinance Number 04/05-3; Effective Date: July 1, 2005)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 6 - Tobacco-Free School for Staff and Students

Section 7-6.1. Tobacco products prohibited. All persons, including but not limited to staff, students, visitors, and guests of Suffolk Public Schools are prohibited from possessing, smoking, chewing, or using any tobacco products, nicotine vapor products, including electronic cigarettes, on school buses, school property, or at any school-sponsored activity.

B. Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

C. In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

D. The superintendent is responsible for developing a regulation, which contains: (1) provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and (2) referrals to resources to help staff and students overcome tobacco addiction. (Adopted August 10, 1995; Revised March 10, 2016; Ordinance Number 15/16-6; Effective Date: March 10, 2016; Ordinance 19/20-34; Revised/Effective Date: December 12, 2019)

Legal Authority - Virginia Code §§18.2-371.2, 22.1-79.5, 22.1-279.6 (1950), as amended.

Section 7-6.2. Definitions. — For the purpose of this policy, the following definitions shall apply:

1. “School Property” shall mean all property owned, leased, rented or otherwise used for instruction, administration, co-curricular activities, extra-curricular activities, support services, maintenance and storage, and all vehicles used by Suffolk Public Schools for transporting students, staff, visitors or other persons.
2. “Electronic cigarettes” means a device used to simulate the experience of smoking, having a cartridge with a heater that vaporize liquid nicotine instead of burning tobacco.
3. “Use” shall mean lighting, chewing, inhaling or smoking any tobacco product.
4. “Nicotine vapor product” means any non-combustible product containing nicotine that employs a heating element, a power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other forms. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.
5. "Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is

regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

(Adopted August 10, 1995; Revised March 10, 2016; Ordinance Number 15/16-6; Effective Date: March 10, 2016; Ordinance 19/20 35; Revised/Effective Date: December 12, 2019; Ordinance 23/24-40, Revised/Effective Date: January 11, 2024)

Legal Authority - Virginia Code §§ 18.2-371.2, 22.1-79.5, 22.1-279.6 (1950), as amended. 20 U.S.C. §§ 6083, 7183.

Section 7-6.3. Exemptions. — Deleted. (Adopted August 10, 1995; Ordinance 23/24-41; Deleted/Effective: January 11, 2024)

Section 7-6.4. Notice of policy required; policy enforcement. — A. This policy shall be published in student handbooks, posted on bulletin boards and announced in meetings.

B. Staff and students found to be in violation of this policy shall be subject to appropriate disciplinary action.

C. Visitors and guests who violate this policy are subject to removal from school property.

(Adopted August 10, 1995; Revised March 10, 2016; Ordinance Number 15/16-6; Effective Date: March 10, 2016)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-6.5. Authority to issue regulations providing for designated smoking areas. — (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 & 15.2-2802 (1950), as amended.

Article 7 - Staff Participation in Political Activities, Staff Gifts and Solicitations

Section 7-7.1. Statement of Policy; Definitions; Examples of Prohibited Activities; Curriculum discussions allowed; Role of the School Superintendent; Consequences for Violations; Protection of Employee Rights; Exemption of School Board Members. — A. Suffolk Public Schools is committed to maintaining a politically neutral educational environment that prioritizes instruction, student well-being, and professional conduct. Employees of Suffolk Public Schools must not engage in any political activity during work hours or while serving as a representative for Suffolk Public Schools. It is the opinion of the School Board that to engage in political activities during work hours or while serving as a representative for Suffolk Public Schools will interfere with school operations, disrupt instructional time, and is not consistent with the overall mission of Suffolk Public Schools.

B. The following definitions apply to this policy —

Political Activity means an activity directed toward the success or failure of a political party, candidate for partisan political office or partisan political group, or the formation, adoption, or changing of domestic or foreign policies of the United States or that of any state or local government. Providing information to the school community regarding laws enacted at the national, state, or local level that impacts the operations of Suffolk Public Schools is not considered political activity nor advocating for approval of the school division's operational budget considered political activity.

Work hours means any of the hours of a day during which work is being performed for Suffolk Public Schools whether work is being performed on or off school property.

Representative means someone who speaks or does something on behalf of Suffolk Public Schools whether on or off school property in an official capacity.

Official capacity means actions taken by a person in their role as an employee of the school division and not as an individual.

C. The following examples of political activities are strictly prohibited during work hours or by anyone serving as a representative in their official capacity:

(1) Supporting or opposing any political party, candidate, elected official, or legislative action.

(2) Distributing or displaying campaign materials, petitions, or political endorsements.

(3) Making public statements in support of or opposition to political candidates or policies.

(4) Using one's official title, position, or authority to influence political opinions or actions.

(5) Making statements that imply or suggest the school division's endorsement of or opposition to any candidate, party, or political issue.

(6) Suggesting the school division's endorsement in personal political advocacy or campaign materials.

(7) Use of school buildings, communication systems, email accounts, social media platforms, or other resources for political activity;

(8) Use of school events, meetings, or functions for political activity that has been funded in whole or in part by the school division.

D. Engaging in political discussions with students when teaching an approved curriculum that requires political discussion in an objective manner is allowed.

E. The Superintendent or the superintendent's designee is responsible for ensuring that this policy is strictly adhered to.

F. Employees found in violation of this policy may face disciplinary action, up to and including suspension or termination.

G. This policy does not restrict employees from engaging in political activities on their own time, outside of duty hours, as private citizens, provided they do not use their position with Suffolk Public Schools or school division resources in doing so.

H. This policy does not apply to elected School Board members, as they are public officials and have the right to engage in political activities while fulfilling their duties as elected representatives, except that members of the School Board are not to engage in political activity while on school property during the school day. (Adopted June 12, 2025, Ordinance 24/25-89)

Legal Authority - Virginia Code §§ 22.1-78 and 22.1-70

Section 7-7.2. Disclaimer required. — School employees engaging in political activity must make it clear that their views and actions are made as individuals and that they do not represent the views of Suffolk Public Schools. (Adopted August 10, 1995)

Legal Authority - Virginia Code §§ 22.1-78, and 22.1-70 (1950), as amended.

Section 7-7.3. Exchange of gifts not encouraged; solicitation prohibited except with written authorization. — A. Exchange of gifts between students and staff not to be encouraged.
B. No Suffolk Public Schools employee solicits money, property, goods or services for personal use by staff or students during school hours on school property without written authorization from the superintendent or superintendent's designee.
C. Solicitations for contributions to charitable organizations, dues for employee organizations, contributions for the benefit of professional organizations, or for school organizations may only be made outside school hours. Individual discussions between school division employees during school hours is not prohibited. (Adopted August 10, 1995; Ordinance 19/20-36; Revised/Effective Date: December 12, 2019)

Legal Authority - Virginia Code §§22.1-78, 22.1-70 (1950), as amended.

Article 8 - Personnel Records

Section 7-8.1. Personnel files required; Access allowed; Unfounded information; dispute resolution; Teacher Performance Indicators; Written release required except in limited situations. — A. The superintendent or superintendent's designee is responsible for maintaining a system of personnel records for all employees of the School Board. Personnel files of all School Board employees may be produced and maintained in digital or paper format. References, transcripts, placements folders, and other materials, which are received on the basis of pledged confidentiality as a part of pre-employment routine shall not be considered as part of the file material for purposes of the sections which follow.

B. Present and past employees shall have access to their personnel information maintained by the Department of Human Resources. When employment verification of a former employee of Suffolk Public Schools is requested by another school district, Suffolk Public Schools will respond within 10 working days of receiving such request. "Working days" applicable to this paragraph means every day except Saturdays, Sundays, and legal state and federal holidays.

C. Teacher performance indicators, or other data collected by or for the Department of Education or the School Board or made available to and able to be used to judge the performance or quality of a teacher, maintained in a teacher's personnel file or otherwise, is confidential but may be disclosed, in a form that does not personally identify any student or other teacher, (i) pursuant to court order, (ii) for the purposes of a grievance proceeding involving the teacher, or (iii) as otherwise required by state or federal law. Nothing in this policy prohibits the release of or limits the availability of non-identifying, aggregate teacher performance indicators or other data.

D. Information determined to be unfounded after reasonable administrative review shall not be maintained in any employee personnel file, but may be retained in a separate sealed file by the administration, if such information alleges civil or criminal offenses.

E. Any dispute over such unfounded information, exclusive of opinions retained in the personnel file or in a separate sealed file, notwithstanding the provisions of the Privacy Protection Act, shall be settled through the employee grievance procedure.

F. If information relative to employment is requested by banks or other establishments or individuals, written permission from the employee to release such information is required, except to comply with a judicial order, lawfully issued subpoena or the Virginia Freedom of Information Act (Va. Code § 2.2-3700 et seq.), or other law or court order. The employee will be notified of the request for records. (Adopted August 10, 1995; Revised and Adopted: March 10, 2005; Ordinance Number 04/05-18; Effective: July 1, 2005; Revised June 9, 2016; Ordinance Number 15/16-55; Effective Date: July 1, 2016; Revised October 13, 2016; Ordinance Number 16/17-14; Effective Date: July 1, 2017; Ordinance 22/23-46, Revised/Effective: February 9, 2023; Ordinance 24/25-34; Revised/Effective: September 12, 2024)

Legal Authority - Virginia Code §§ 2.2-3705.1, 2.2-3800 et seq., and 22.1-295.1 (1950), as amended.

Section 7-8.2. File contents; personnel data. — A. Following the date of employment, no material derogatory to an employee's conduct, service, character or personality shall be placed in the personnel file, unless the employee has had the opportunity to review the material. The employee shall acknowledge that he or she had the opportunity to review such material by affixing his or her signature. Such signature in no way indicates agreement with the contents thereof. The employee shall also have the right to submit a written answer to such material and his answer shall be reviewed by the superintendent or the superintendent's designee and attached to the file copy.

B. Employees shall, upon request, furnish the superintendent with information regarding age, education, experience and other personal data as may be deemed necessary for the effective administration of Suffolk Public Schools. If information relative to employment is requested by banks or other establishments, written permission from the employee to release such information is required. (Adopted August 10, 1995)

Legal Authority - Virginia Code §2.1-377 *et. seq.* (1950), as amended.

Section 7-8.3. Release of information to banks etc.; filed maintained in digital or paper format. — A. Whenever information relative to employment is requested by banks or other establishments or individuals, written permission from the employee to release such information is required, except to comply with a judicial order or a lawfully issued subpoena. However, the employee will be notified of the request for information, unless prohibited by law.

B. Personnel files of all School Board employees may be produced and maintained in digital or paper format. (Adopted: February 14, 2008; Ordinance Number 07/08-8; Effective Date: February 14, 2008)

Legal Authority – Virginia Code § 22.1-295.1 (1950), as amended.

Article 9 - Public Complaints

Section 7-9.1. Complaints regarding personnel. — A. Any parent or guardian of a student enrolled in Suffolk Public Schools or any resident of the city of Suffolk may file a complaint regarding an employee of Suffolk Public Schools. The complaint should be filed with the superintendent or the superintendent's designee. If the complaint involves allegations that an employee of Suffolk Public Schools has abused or neglected a child in the course of his/her employment, the complaint will be referred to the local department of social services to be investigated in accordance with Virginia Code Sections 63.2-1503, 63.2-1505, and 63.2-1516.1.

B. Information determined to be unfounded after a reasonable administrative review is not maintained in any employee personnel file, but may be retained in a separate sealed file by the administration if such information alleges civil or criminal offenses. Any dispute over such unfounded information, exclusive of opinions retained in the personnel file, or in a separate sealed file, notwithstanding the provisions of the Government Data Collection and Dissemination

Practices Act, Va. Code §§ 2.2-3800 et seq., is settled through the employee grievance procedure as provided in Va. Code §§ 22.1-306 and 22.1-308 through 22.1-314.

C. Individuals lodging a complaint are notified in writing that the complaint has been received and is being investigated.

D. The complaint should be filed as soon as possible after the alleged incident, usually within 15 school days, and should be processed after a reasonable period of time, normally within 60 days or less. (Adopted August 10, 1995; Ordinance 20/21-33; Revised/Effective Date: May 6, 2021)

Legal Authority - Virginia Code §§ 2.2-3800, et seq., 22.1-70, 22.1-78, 22.1-295.1 (1950), as amended.

Section 7-9.2. Complaint notification; time period for conducting investigation. — (Deleted) (Adopted: February 14, 2008; Ordinance Number 07/08-10; Effective: February 14, 2008; Ordinance 20/21-34; Deleted/Effective Date: May 13, 2021)

Legal Authority – Virginia Code § 22.1-79 (1950), as amended.

Article 10 - Procedure for Adjusting Grievances

Section 7-10.1. Preamble. — The School Board adopts employee grievance procedures that are consistent with the Code of Virginia, 1950, as amended, and applicable regulations. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-253.13:7, and 22.1-306 et seq., (1950), as amended.

Section 7-10.2 Definitions. — The following words and terms, when used in this Policy, shall have the following meanings, unless the context clearly indicates otherwise:

"Business day" means any day that the relevant School Board office is open.

"Day" means calendar days unless a different meaning is clearly expressed in this regulation. Whenever the last day for performing an act required by this regulation falls on a Saturday, Sunday, or legal holiday, the act may be performed on the next day that is not a Saturday, Sunday, or legal holiday.

"Dismissal" means the dismissal of any teacher during the term of such teacher's contract.

"Grievance" means a complaint or a dispute by a teacher relating to his or her employment, including but not necessarily limited to: 1) disciplinary action including dismissal; 2) the application or interpretation of: a) personnel policies; b) procedures; c) rules and regulations; d) ordinances; and e) statutes; 3) acts of reprisal against a teacher for filing or processing a grievance, participating as a witness in any step, meeting or hearing relating to a grievance; and 4) complaints of discrimination on the basis of race, color, creed, political affiliation, handicap, age, national origin, or sex. The School Board shall have the exclusive right to manage the affairs and operations of the School Division. Accordingly, the term "grievance" shall not include a complaint or dispute by a teacher relating to: 1) the establishment and revision of wages or salaries, position classifications, or general benefits; 2) suspension of a teacher or non-renewal of the contract of a teacher who has not achieved continuing contract status; 3) the establishment or contents of ordinances, statutes, or personnel policies, procedures, rules, and regulations; 4) failure to promote; 5) discharge, layoff, or suspension from duties because of decrease in enrollment, decrease in enrollment or abolition of a particular subject, or insufficient funding; 6) hiring, transfer, assignment, and retention of teachers within the School Division; 7) suspension from duties in emergencies; 8) the methods, means, and personnel by which the School Division's operations are to be carried on; or 9) coaching or extracurricular activity sponsorship. While these management rights are reserved for the School Board, failure to apply, where applicable, these rules, regulations, policies, or procedures as written or established by the School Board is grievable.

"Personnel file" means, for the purpose of Part III, any and all memoranda, entries, or other documents included in the teacher's file as maintained in the central school administration office or in any file on the teacher maintained within a school in which the teacher serves.

"Teacher" or "teachers" means, for the purpose of Part II, all employees of the School Division involved in classroom instruction and all other full-time employees of the School Division except those employees classified as supervising employees. "Teacher" means, for the purpose of Part III, all regularly certified/licensed professional public school personnel employed under a written contract as provided by Section 22.1-302 of the Code of Virginia by the School Board as a teacher or supervisor of classroom teachers but excluding all superintendents.

"Shall file," "shall respond in writing," or "shall serve written notice" means the document is either delivered personally to the grievant or office of the proper School Board representative or is mailed by registered or certified mail, return

receipt requested, and postmarked within the time limits prescribed by this procedure.

"Supervisory employee" means any person having authority in the interest of the School Board: i) to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees; and ii) to direct other employees; or iii) to adjust the grievance of other employees; or iv) to recommend any action set forth in (i), (ii), or (iii) above; provided that the authority to act as set forth in i), ii), iii), or iv) requires the exercise of independent judgment and is not merely routine and clerical in nature.

"Written grievance appeal" means a written or typed statement describing the event or action complained of or the date of the event or action, and a concise description of those policies, procedures, regulations, ordinances or statues upon which the teacher bases his or her claim. The grievant shall specify what he or she seeks through use of the grievance procedure. A statement shall be written upon forms prescribed by the Virginia Board of Education and supplied by the local School Board.
(Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Article 11 - Grievance for Other than Dismissal and Probation of Teachers

Section 7-11.1. Orderly Procedure for Resolving Disputes Other than Dismissals; Grievance must be initiated within fifteen business days; Steps to Resolving Grievance. — A. The purpose of this procedure is to provide an orderly procedure for resolving disputes concerning the application, interpretation, or violation of any of the provisions of local School Board policies, procedures, rules, and regulations as they affect the work of teachers, other than dismissal. An equitable solution of grievances should be secured at the most immediate administrative level. The procedure should not be construed as limiting the right of any teacher to discuss any matter of concern with any member of the school administration. Nor should the procedure be construed to restrict any teacher's right to seek, or the school administration's right to provide, review of complaints that are not included within the definition of a grievance. Nothing in this procedure shall be interpreted to limit a School Board's exclusive final authority over the management and operation of the School Division.
B. Recognizing that grievances should be begun and settled promptly, a grievance must be initiated within fifteen (15) business days following either the event giving rise to the grievance,

or within fifteen (15) business days following the time when the employee knew or reasonably should have known of its occurrence.

C. Grievances shall be processed as follows:

(a) **Step 1 - Informal**

The first step shall be an informal conference between the teacher and his or her immediate supervisor (which may be the principal). The teacher shall state the nature of the grievance, and the immediate supervisor shall attempt to adjust the grievance. It is mandatory that the teacher present the grievance informally prior to proceeding to Step 2. Teachers are not entitled to have lawyers or personal representatives present at the informal conference.

(b) **Step 2 - Principal**

If for any reason the grievance is not resolved informally in Step 1 to the satisfaction of the teacher, the teacher must perfect his or her grievance by filing said grievance in writing within fifteen (15) business days following the event giving rise to the grievance, or within fifteen (15) business days following the time when the employee knew or reasonably should have known of its occurrence, specifying on the form the specific relief sought. Regardless of the outcome of Step 1, if a written grievance is not, without just cause, filed within the specified time, the grievance will be barred.

A meeting shall be held between the principal (and/or his or her designee) and the teacher (and/or his or her designee) within five (5) business days of the receipt by the principal of the written grievance. At such a meeting, the teacher and/or other party involved shall be entitled to present appropriate witnesses and have a representative present other than an attorney. The principal (and/or his or her designee) shall respond in writing within five (5) business days following such meeting.

(c) **Step 3 - Superintendent**

If the grievance is not settled to the teacher's satisfaction in Step 2, the teacher can proceed to Step 3 by filing a written notice of appeal with the Superintendent, accompanied by the original grievance appeal form within five (5) business days after receipt of the Step 2 answer (or the due date of such answer). A meeting shall then be held between the Superintendent (and/or his or her designee) and the teacher (and/or his or her designee) at a mutually agreeable time within five (5) business days. At such meeting both the Superintendent and the teacher shall be entitled to present witnesses and to be represented by legal counsel and another

representative. A representative may examine, cross-examine, question, and present evidence on behalf of a grievant or the Superintendent without violating the provisions of Section 54.1-3904 of the Code of Virginia, as amended. If no settlement can be reached in said meeting, the Superintendent (or his or her designee) shall respond in writing within five (5) business days following such meeting. The Superintendent or designee may make a written request for more specific information from the teacher, but only if such was not requested in Step 2. Such request shall be answered within ten (10) business days, and the meeting shall be held within five business days of the date on which the answer was received. If the grievance is not resolved to the satisfaction of the teacher in Step 3, the teacher may elect to have a hearing as provided in Step 4.

(d) **Step 4 - Hearing Officer**

In the event the grievance is not settled upon completion of Step 3 the teacher may request that a further hearing on the grievance be held. If the teacher elects to proceed to Step 4, he or she must notify the Superintendent in writing of the intention to request a further hearing and enclose a copy of the original grievance form within ten (10) business days after receipt of the Step 3 answer (or the due date of such answer). The School Board elects to have all requests for further hearings be assigned to a hearing officer who will be appointed by the School Board as provided by law. The School Board authorizes the Superintendent or designee to maintain a list of eligible hearing officers and make all arrangements for the appointment of a hearing officer and necessary arrangements for conducting such further hearings. The School Board may choose to hear a specific grievance rather than directing the grievance to a hearing officer at its sole discretion If the School Board chooses to hear a specific grievance rather than have a hearing officer conduct the hearing, the School Board will follow the procedure set forth in subsection 7-11.2 below; however no report will be made other than the School Board's final decision. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-11.2. Further Hearing; Procedure for Hearing before Hearing Officer; Expenses; Witnesses; Right to Further Hearing before School Board. — A. The further hearing shall be set within fifteen (15) days of the request and the teacher shall be given at least five days' written notice of the time and place. Waiver of the time period to hold the hearing may only happen for unusual or emergency circumstances. At the hearing, the teacher may appear with or without a representative. Non-availability of legal counsel or personal representatives due to

scheduling issues will not constitute unusual or emergency circumstances for the purpose of waiving the time period.

B. The procedure for conducting a hearing before a hearing officer shall be as follows:

a. The hearing officer shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, provided that, at the request of the teacher, the hearing shall be private.

b. The hearing officer may ask for statements from the Superintendent and the teacher clarifying the issues involved at the beginning of the hearing and at the discretion of the hearing officer may allow closing statements.

c. The parties shall then present their claims in evidence. Witnesses may be questioned by the hearing officer, the teacher and the Superintendent, or their representatives. The hearing officer, in his discretion, may vary this procedure, but shall afford full and equal opportunity for all parties to present any material or relevant evidence and shall afford the parties the right of cross-examination.

d. The parties shall produce such additional evidence as the hearing officer may deem necessary to an understanding and determination of the dispute. The hearing officer will be the judge of the relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the hearing officer and of the parties.

e. Exhibits offered by the teacher or the Superintendent may be received in evidence by the hearing officer and, when so received, shall be marked and made a part of the record.

f. The hearing officer shall make a written recommendation to the School Board and the teacher as soon as practicable but no more than 10 business days after the close of the hearing.

g. The hearing officer shall create a recording of the hearing and transmit the recording along with the written recommendation to the School Board. The recording may be a stenographic record or tape recording. If the grievance concerns matters other than dismissal, the recording may be dispensed with entirely by mutual consent of the parties. If the recording is not dispensed with, the two (2) parties shall share equally the cost of the recording. If either party requests a transcript, that party shall bear the expense involved in preparing it. If the grievance concerns a dismissal, the recording may not be dispensed with.

C. The teacher shall bear his or her own expenses. The School Board shall bear the expenses of the Superintendent. The expenses of the hearing officer l shall be borne one-half by the School Board and one-half by the teacher. The Superintendent or superintendent's designee is authorized to set the per diem rate of the hearing officer.

D. Witnesses who are employees of the School Board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

E. Following a hearing by a hearing officer, the School Board may make its decision upon the record or recording of the hearing conducted before the hearing officer, or the School Board may elect to conduct a further hearing to receive additional evidence by giving written notice of the time and place to the teacher and the Superintendent within ten (10) business days after the School Board receives the record or recording of the initial hearing. Such notice shall specify each matter to be inquired into by the School Board. The School Board will give the teacher its written decision as soon as practicable and not more than thirty (30) days after receiving the record or recording of the hearing; however, should there be a further hearing before the School Board, such decision shall be furnished the teacher as soon as practicable and not more than thirty (30) days after such further hearing has concluded. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-11.3. **School Board's Attorney, etc. Excluded from Closed Meeting**. — The School Board's attorney, assistants, or representative, if he, she, or they represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative and, notwithstanding the provisions of Virginia Code § 22.1-69, as amended, the Superintendent shall be excluded from any closed meeting of the School Board which has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the School Board's attorney or representative and the Superintendent may join the School Board in closed session to assist in the writing of the decision. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-11.4. School Board has final authority. **—** The School Board shall retain its exclusive final authority over matters concerning employment and the supervision of its personnel. The School Board may alter, accept or reject any decision by the Superintendent, the School Administration or a hearing officer. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-11.5. Grievability Determination; Oral or Written Arguments; Decision of School Board — A. Decisions regarding whether a matter is grievable shall be made by the School Board at the request of the Superintendent or teacher. The School Board shall reach its decision only after allowing the Superintendent and the teacher the opportunity to present written or oral arguments regarding grievability.

B. The decision as to whether the arguments shall be written or oral shall be in the discretion of the School Board.

C. Decisions of the School Board shall be made within ten (10) business days of such request. Such determination of grievability shall be made subsequent to the reduction of the grievance to writing but prior to any hearing before a hearing officer or the School Board or the right to such determination shall be deemed to have been waived. Failure of the School Board to make such a determination within such a prescribed ten business-day period shall entitle the teacher to advance to the next step as if the matter were grievable. Parties are not entitled to a grievability determination regarding failure to comply with substantial grievance procedure requirements. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-11.6. Appeal of Determination on Grievability; Time Limitations and Failure to Comply; Substantial Compliance Decision made by School Board. — A. Decisions of the School Board regarding grievability may be appealed to the Suffolk Circuit Court as set forth by law.

B. The right of any party to proceed at any step of this section of the grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this procedure.

C. The failure of the teacher to comply with all substantial procedural requirements including initiation of the grievance and notice of appeal to the next step in the procedure shall eliminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown. The failure of the School Board or any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his or her option, to advance to the next step in the procedure or, at the final step, to a decision in his or her favor.

D. The determination as to whether the substantial procedural requirements of Section 7-11.1.C of this procedure have been complied with shall be made by the School Board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure to comply, the School Board shall have the option of allowing the grievant to proceed to the next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-11.7. Separability. **—** If any portion of this procedure, or the application thereof, shall be held invalid by a court of competent jurisdiction, the remainder of this procedure and the application thereof in all other circumstances where not expressly held invalid shall not be affected thereby. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Article 12 - Procedure for Dismissals of Teachers

Section 7-12.1. Statement of Purpose. **—** The purpose of this procedure is to provide an orderly procedure for the expeditious resolution of disputes involving the dismissal of any teacher or placement of any teacher on probation. Teachers may be recommended for dismissal in accordance with the Code of Virginia §22.1-307, as amended. School Board Policy Section 7-14.1 *et.seq*. provides the procedure for resolving recommendations for dismissal, suspension or other disciplinary action for non-instructional and classified employees. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-12.2. Notice to Teacher of Recommendation for Dismissal; Merits not to be considered; Reasons for recommendation to be provided upon request; Opportunity to Inspect and Copy Personnel File and Other Documents; Continuing Duty. — A. In the event the Superintendent determines to recommend dismissal of any teacher, written notice shall be sent to the teacher on forms to be prescribed by the Virginia Board of Education notifying him or her of the proposed dismissal and informing the teacher that within ten (10) business days after receiving the notice, the teacher may request a hearing before the School Board. The School Board elects to have all requests for further hearings be assigned to a hearing officer who will be appointed by the School Board as provided by law. The School Board authorizes the Superintendent or designee to maintain a list of eligible hearing officers and make all arrangements for the appointment of a hearing officer and necessary arrangements for conducting such further hearings. At its sole discretion, the School Board may choose to hear a specific grievance rather than directing the grievance to a hearing officer.

B. During such ten (10) business day period and thereafter until a hearing is held in accordance with the provisions of this section if one is requested by the teacher, the merits of the recommendation of the Superintendent or designee shall not be considered, discussed, or acted upon by the School Board except as provided for in this section.

C. At the request of the teacher, the Superintendent or designee will provide the reasons for the recommendation in writing or, if the teacher prefers, in a personal interview.

D. In the event that a teacher requests a hearing, the Superintendent or designee shall provide, within ten (10) days of the request, the teacher or his representative with the opportunity to inspect and copy his personnel file and all other documents relied upon in reaching the decision to recommend dismissal. Within ten (10) days of the request of the Superintendent or designee, the teacher or his representative shall provide the Superintendent or designee with the opportunity to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal.

E. The Superintendent or designee and the teacher or his representative shall be under a continuing duty to disclose and produce any additional documents identified later which may be used in the respective parties' cases-in-chief. The cost of copying such documents shall be paid by the requesting party. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-12.3. Holding of Hearing; Procedure for Hearing; Expenses; List of Eligible Hearing Officers. — A. The hearing shall be held within fifteen (15) calendar days from the date of the request for a hearing. The teacher and the Superintendent each may have present at the hearing and be represented at all stages by a legal counsel and another representative.

B. The procedure for conducting a hearing before a hearing officer shall be as follows:

a. The hearing officer or the School Board (if the hearing is before the School Board) shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, provided that, at the request of the teacher, the hearing shall be public.

b. At the beginning of the hearing, statements from the Superintendent and the teacher (or their representatives) clarifying the issues will be allowed and, at the discretion of the hearing officer or the School Board closing statements, also may be allowed.

c. The parties shall then present their claims in evidence. Witnesses may be questioned by the hearing officer or the School Board or by the teacher and the Superintendent, or their representatives. However, the hearing officer or the School Board may, at its discretion, vary this procedure, but shall afford full and equal opportunity to all parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination.

d. The parties shall produce such additional evidence as the hearing officer or the School Board may deem necessary to an understanding and determination of the dispute. The hearing officer or the School Board may

be the judge of the relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the hearing officer and the parties.

e. Exhibits offered by the teacher or the Superintendent may be received in evidence and, when so received, shall be marked and made a part of the record.
f. In hearings before a hearing officer, the written recommendations made by the hearing officer shall be based exclusively upon the evidence presented at the hearing.
g. The hearing may be reopened by the hearing officer at any time before the hearing officer's report is made or before the School Board has rendered a final decision. Upon its own motion, the hearing officer or the School Board, may reopen the hearing or may reopen upon application of the teacher or the Superintendent for good cause shown to hear after-discovered evidence.
h. If the recommendation for dismissal is heard before a hearing officer, the hearing officer shall make a written recommendation to the School Board, the Superintendent, and the teacher, not later than ten (10) business days after the completion of the hearing.
i. A stenographic record or tape recording of the proceedings shall be taken. In cases of dismissal, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the School Board requests that a transcript of the record or recording be made at any time prior to expiration of the six-(6) month period, it shall be made and copies shall be furnished to both parties. The School Board shall bear the expense of the recording and transcription.

C. The teacher shall bear his or her own expenses. The School Board shall bear the expenses of the Superintendent. The expenses of the hearing officer shall be borne one-half by the School Board and one-half by the teacher.

D. The School Board authorizes the Superintendent or designee to maintain a list of eligible hearing officers and make all arrangements for the appointment of a hearing officer and necessary arrangements for conducting such hearings. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-12.4. Decision by the School Board and Further Hearing; Representation Allowed; Record of Proceedings Required; Excluded from Closed Meeting. — A. At its sole discretion, the School Board may choose to hear a specific grievance rather than directing the grievance to a hearing officer. If the School Board hears the grievance, the School Board will

render its decision within ten (10) business days after the close of the hearing. If the hearing is held before a hearing officer, the School Board may make its decision upon the record or recording the hearing as well as the hearing officer's report or it may elect to hold a further hearing to receive additional evidence. In either circumstance, the School Board will reach its decision on the case by a majority vote of a quorum of the School Board If the School Board elects to hold a further hearing, it will give written notice to the Superintendent and the teacher within ten (10) business days after it receives the record or recording of initial hearing. Such notice shall also specify the matter to be inquired into by the School Board. In the case of a hearing before the School Board, the School Board shall give the teacher its written decision as soon as practicable but not more than thirty (30) days after the hearing. A teacher may be dismissed or suspended by a majority vote of a quorum of the School Board.

B. The teacher and the Superintendent may be represented by legal counsel and another representative. The hearing before the School Board shall be private, unless the teacher requests a public hearing. The School Board shall establish the rules for the conduct of any hearing before it. Such rules shall include the opportunity for the teacher and the Superintendent to make an opening statement and to present all material or relevant evidence and to cross-examine the witnesses. Witnesses may be questioned by the School Board.

C. A record or recording of the proceedings shall be made and preserved for a period of six (6) months. If either the teacher or the School Board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The School Board shall bear the expense of the recording and transcription.

D. The School Board's attorney, assistants, or representative, if he, she, or they represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative, and notwithstanding the provisions of Virginia Code Section 22.1-69, as amended, the Superintendent shall be excluded from any executive session of the School Board which has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the School Board's attorney or representative and the Superintendent may join the School Board in executive session to assist in the writing of the decision. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-12.5. Time Limitations and Failure to Comply; Decision regarding substantial compliance made by School Board. — A. The right of any party to proceed at any step of the grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this grievance procedure. The failure of the grievant to comply with all substantial procedural requirements shall terminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown.

The failure of the School Board or of any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his or her option, to advance to the next step in the procedure, or, at the final step, to a decision in his or her favor.

B. The determination as to whether the substantial procedural requirements of this subpart have been complied with shall be made by the School Board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure to comply, the School Board shall have the option of allowing the grievance to proceed to the next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Section 7-12.6. Separability. — If any portion of the procedure of this subpart, or the application thereof, shall be held invalid by a court of competent jurisdiction, the remainder of this procedure and the application thereof in all other circumstances where not expressly held invalid shall not be affected thereby. (Adopted: June 9, 2016; Ordinance Number 15/16-56; Effective July 1, 2016).

Legal Authority — Code of Virginia §§ 22.1-306, 22.1-307, 22.1-309, 22.1-311, 22.1-313, and 22.1-314 (1950), as amended.

Article 13 - Grievance Procedure for Suspension, Probation or Dismissal of Classified Personnel

Section 7-13.1. Classified Employee Defined. — A classified employee is any person employed by Suffolk Public Schools, who does not require licensure by the State Department of Education. (Adopted August 10, 1995)

Legal Authority – Virginia Code §22.1-79 (1950), as amended.

Section 7-13.2. Grievance Procedure; Investigation Requirement; Notice; Hearing before School Board. — A. The Suffolk City School Board adopts the following procedure in accordance with § 22.1-79(6) of the Code of Virginia, as amended. Nothing in this procedure is intended to create, nor shall it be construed as creating, a property right in employment, nor shall this procedure be interpreted to limit in any way whatsoever the School Board's exclusive final authority over the employment and supervision of its personnel.

B. The following words and terms are defined as indicated when used in this procedure, unless the context clearly indicates otherwise.

"Days" means calendar days unless a different meaning is clearly expressed in this procedure. Whenever any period of time fixed by this procedure shall expire on a Saturday, Sunday or legal holiday, the period of time for taking action under this procedure shall be extended to the next day that is not a Saturday, Sunday or legal holiday. "Working days" means those days that the School Board office is open for business.

"Dismissal" means the termination of employment of any covered employee with or without cause during the term of such employee's employment.

"Employee" or "employees" means all full-time employees of Suffolk Public Schools who have completed the required probationary period except the division superintendent and those employees covered under the provisions of Articles 2 and 3 of Chapter 15 of Title 22.1 of the Code of Virginia, as amended. "Employee" does not mean a part-time or temporary employee.

“Grievance” means a complaint or dispute involving the dismissal or other disciplinary action of an employee. A dismissal, reassignment or other action pursuant to a Reduction in Force (RIF) is not a disciplinary action and is not grievable. Employee evaluations are not disciplinary actions and are not grievable. “Grievance” does not mean a complaint or dispute regarding the suspension or probation of an employee.

C. Before recommending the dismissal of a classified employee, the division superintendent should first conduct an investigation to determine the factual basis of the charge or charges against the employee.

D. During this investigatory stage, the division superintendent should gather written statements from witnesses or other persons having pertinent information regarding the charge or charges being brought against the employee. All documentary evidence obtained during this investigation should be carefully preserved. During this investigatory stage, the employee may be called in and asked questions about the matter under consideration, but a face to face meeting with the employee is not required at this stage of the investigation. However, should the division superintendent be of the opinion that the most reliable information can only be obtained by meeting with the employee, then such a meeting is encouraged. At such a meeting, the division superintendent should have a third person of his/her choice present. While the matter is under investigation, the employee may be suspended with pay by the division superintendent or appropriate central office designee.

E. Following the investigation, if the division superintendent is of the opinion, based on evidence obtained through the investigation, that a recommendation for dismissal is warranted, then the employee shall be provided written notice by certified mail or hand delivery, setting forth the following:

(i) a statement of the charge or charges in sufficient detail to enable the employee to understand fully the violation, infraction, conduct or offense for which suspension, probation, or dismissal is being considered;

(ii) a statement outlining the factual evidence in support of the recommendation for dismissal. However, in order to protect the identity of witnesses and to

avoid disruption in the work environment to the extent possible, it is not required that the names of persons from whom this information was obtained be provided to the employee;

(iii) a statement that the employee's past work performance, including any employee evaluations prior to this disciplinary action, was reviewed and carefully considered;

(iv) that the employee has a right to appear in person before the School Board should the employee disagree with the division superintendent's recommendation for dismissal.

The request for hearing must be made in writing to the Clerk of the School Board within five (5) working days after receiving the notice required in this section. If the employee does not request a hearing before the School Board within five (5) working days after receiving the notice, the employee waives his/her right to right to a hearing and the proposed action will become final without a hearing or further notice.

F. The School Board will hold a hearing within fifteen (15) working days of receipt of the employee's request. Notice of the hearing shall be given orally or in writing to the employee at least five (5) working days before the hearing. The employee shall be notified of the date, time and place for the hearing. During this appeal period, the recommendation by the division superintendent for dismissal shall not be considered, discussed, debated or acted upon by the School Board until such time as the matter is heard by the School Board.

G. The employee shall be afforded the opportunity to explain his/her side of what took place, and to present any documentary evidence on his/her behalf, which may include statements from witnesses, and to argue the case.

H. After the hearing, the School Board shall then issue a written decision within 30 days, setting forth one of the following:

(i) affirm the recommendation for dismissal;

(ii) suspend the employee with or without pay;

(iii) return the employee to his/her position; or

(iv) take such further disciplinary action as may be appropriate under the circumstances.

I. The decision of the School Board shall be final. (Adopted August 10, 1995; Revised October 13, 2016; Ordinance Number 16/17-13; Effective Date: July 1, 2017; Ordinance 20/21-35; Revised/Effective Date: May 13, 2021)

Legal Authority - Virginia Code § 22.1-79(6) (1950), as amended.

Article 14 - Professional and Support Staff

Section 7-14.1. Licensure Requirements; Provisional License and Military Service; Provisional License for career and technical education teacher; Local license;

Definitions. — A. The State School Board of Education shall, by regulation, prescribe the requirements for licensure of teachers and other school personnel required to hold a license. No teacher shall be regularly employed by a School Board or paid from public funds, unless such teacher:

(i) holds a license issued by the Board of Education or a provisional license issued by the Board of Education, superintendent or School Board

(ii) holds a local eligibility license issued in accordance with Va. Code §§ 22.1-298.1 and 22.1-299

(ii) holds a three-year license to teach high school career and technical education courses in specified subject areas; or

(iv) is hired to teach in a trade and industrial education program and for whom the teacher licensure requirements have been waived by the Virginia Department of Education.

Requirements for classroom teachers, special education, vocational education, guidance counsellors, reading specialists, school psychologists, visiting teacher/social worker are stated in the Licensure Regulations for School Personnel adopted by the State School Board of Education and effective July 1, 1993.

B. If a teacher employed under a provisional license is activated or deployed for military service within a school year (July 1 - June 30), an additional year will be added to the teacher's provisional license for each school year or portion thereof during which the teacher is activated or deployed. The additional year shall be granted the year following the return of the teacher from deployment or activation.

The superintendent may request that the Board of Education extend the three-year provisional license of a teacher for at least one year but no more than two additional years. The request must be accompanied by the superintendent's recommendation for such extension and satisfactory performance evaluations for the teacher for each year during the original three-year provisional license that such teacher was actually employed and received a filed performance evaluation.

C. As specified in Va. Code § 22.1-298.1, the division's superintendent may issue a provisional teacher license to any individual the School Board seeks to employ as a career and technical education teacher who is also seeking initial licensure in Virginia with an endorsement in the area of career and technical education to allow the teacher time to attain the required credentials.

Upon an individual's completion of a local eligibility license, the School Board may issue a provisional license to such individual upon receiving from the superintendent (i) a recommendation for such license, and (ii) a satisfactory performance evaluation for such individual for the local eligibility licensure period.

D. In accordance with Va. Code § 22.1-298.1(M) and the Board of Education's regulations, a one-year nonrenewable local eligibility license may be issued to an individual who needs to take additional coursework but otherwise meets certain conditions for licensure and who may be

employed by the School Board with the intention of such individual, upon satisfaction of the applicable requirements set forth in Board regulations, receiving full licensure with a renewable license.

The superintendent or School Board may recommend for a local eligibility license any individual who received a baccalaureate degree from a regionally accredited institution of higher education and who has experience or training in a subject or content area as the School Board or the superintendent deems appropriate for the applicable teaching position or endorsement area.

Each local eligibility license is subject to regulations developed by the Board of Education and criteria established by law, including, but not limited to, the following:

(1) the School Board ensures that the number of its employed teachers who hold local eligibility licenses do not exceed five percent of the teachers employed by the School Board during the preceding school year;

(2) local eligibility licenses are not issued to any individual who is (i) seeking to provide instruction in special education or (ii) eligible for a collegiate professional license or postgraduate professional license;

(3) any individual issued a local eligibility license is required to complete, within the one-year of such licensure, all training requirements prescribed by law, the School Board and the superintendent;

(4) local eligibility licenses are only valid within the issuing school division;

(5) any individual issued a one-year local eligibility license is considered a probationary teacher and subject to the probationary terms of employment pursuant to Virginia law and School Board policies;

(6) when appropriate, before or by the expiration of such local eligibility license period held by an individual, the superintendent and School Board provide a recommendation to the Board of Education for such individual to be issued a collegiate professional or postgraduate professional license; and

(7) within a month of issuance to an individual, each local eligibility license is reviewed by the Department of Education's Office of Licensure to ensure compliance with all Board of Education regulations.

C. The following definitions shall apply in this policy:

(a) "Professional staff" shall include the following personnel:

(1) Licensed personnel by state education authorities: classroom teachers, speech/therapists, guidance, psychologists, assistant principals, principals, superintendent

(2) Support personnel (who need not hold a certificate issued by state education authorities in order to obtain their positions):

public relations, coordinators, assistant superintendents, directors.

(b) "Classified/Support personnel" are those employees who need not hold a license issued by the State School Board of Education in order to obtain their positions and shall include: non-certified administrative positions, clerical, maintenance, transportation, food service, teacher assistants, nurses, and print shop employees.

D. Employees may be placed into categories as follows:

(a) "Full-time" means full-time employment for six (6) hours or more daily under a contract as established by the School Board.

(b) "Part-time" means part-time employment for any period of time less than six (6) hours daily.

(c) "Temporary" means temporary employment for a specific short period of time or for programs of short or uncertain duration.

E. The number of days/hours employed shall be as specified in each contract and/or school calendar. Scheduled hours of employment shall be approved by the superintendent. (Adopted August 10, 1995; Revised October 13, 2016; Ordinance Number 16/17-12; Effective Date: July 1, 2017; Revised October 11, 2018, Ordinance Number 18/19-28, Effective Date: October 11, 2018; Ordinance 23/24-42, Revised/Effective: January 11, 2024; Ordinance 24/25-55; Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §§ 22.1-298.1, 22.1-299, 22.1- 299.5 and 22.1-299.6 (1950) as amended.

Section 7-14.2 Local License Permitted; Qualifications for; certain limitations; probationary status; duty of State Board of Education; limit on number of local licenses; application process; reporting requirement. (DELETED- Ordinance 16/17-11, Effective 10-13-16)

Article 15 - Professional and Support Staff Positions

Section 7-15.1. Application Required; Promotions and Demotions. — A. Application for employment in Suffolk Public Schools shall be in writing and on forms provided by the Personnel Department. A personal interview is required of all applicants as a prerequisite to employment. It shall be the responsibility of the applicant to furnish accurate information, and any falsification of either information or credentials shall be cause for dismissal or refusal to employ. It is the desire of the School Board to recruit and retain the best possible qualified applicants. Qualified applicants within the division will be given an opportunity to apply for vacancies for which they are qualified. Vacancies within the division will be advertised and notifications provided to each school and appropriate supervisors.

B. Opportunities for promotion shall be made known and all other things being equal, first consideration shall be given to all qualified applicants within the division. The superintendent or

designee shall develop procedures to assure (1) that promotion opportunities are publicized among employees and (2) that qualified applicants may have an opportunity to submit applications. Objective criteria shall be employed whenever possible during the process. Recommendations for promotion shall be made to the School Board by the superintendent.
C. Recommendation for demotion shall be made to the School Board by the superintendent. Due process shall be afforded any employee as set forth in Article 11, as it pertains to teachers, and in Article 13, as it pertains to classified employees. (Adopted August 10, 1995)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

Article 16 - Professional Staff Contracts and Compensation Plan

Section 7-16.1. Hiring by School Board; Emergency Situations. — A. The hiring of all employees of the School Board shall be made by the School Board upon recommendation of the superintendent, except where the School Board has delegated such authority to the superintendent, or in emergency situations set forth herein. Hiring recommendations for Central Office personnel that include chiefs, directors, and coordinators, and hiring of building administrators must be included in and made part of the monthly personnel report that is prepared for the regularly scheduled meeting of the School Board. The superintendent's recommendation should include a brief summary of the applicant's qualifications and relevant work experience.

B. In emergency situations, the superintendent may hire any employee without first obtaining School Board approval, provided the superintendent submits, in writing, to the School Board within forty-five (45) days after the superintendent has made the hiring decision, the name and address of the newly hired employee along with the reasons for the decision for School Board approval. Should the School Board not approve the hiring decision made by the superintendent, the new hire shall be relieved of his/her responsibilities and will be entitled to receive compensation for services rendered up until the time that the new hire is relieved of his/her job responsibilities. An emergency situation for the purpose of this section is deemed to exist whenever, in the superintendent's professional judgment, a position must be filled immediately because of a continued vacancy in the position will adversely affect the instruction, transportation and/or safety of students enrolled in Suffolk Public Schools. (Adopted August 10, 1995; Ordinance 25/26-25, Revised/Effective: September 25, 2025)

Legal Authority - Virginia Code §22.1-297

Section 7-16.1:1. Employment authority of school superintendent; report required. — A. The School Board delegates to the school superintendent the authority to employ school personnel and authorize payment of school personnel from school board funds, subject to final approval by the School Board.

B. Whenever the school superintendent exercises the authority granted by subsection A above, within sixty (60) days of employing personnel under this subsection, the school superintendent shall report any such employment decisions to the School Board at a regular or call a meeting of the School Board, for final School Board approval. Should the School Board vote not to approve an employment decision made by the school superintendent, the individual's employment shall end upon such terms and conditions as directed by the School Board. (Adopted June 12, 2003; Ordinance Number 02/03-27; Effective: June 12, 2003; Revised: December 9, 2004; Ordinance 04/05-16; Adopted: December 9, 2004; Effective Date: December 9, 2004)

Legal Authority – Virginia Code §22.1-297 (1950), as amended.

Section 7-16.2. Written contracts required; Definitions; Continuing contract status explained; Probationary Term; Mentors Required; Principal or Supervisor Continuing Contract; Supervisor Defined; Contracting Contracts — A. The School Board shall enter into written contracts with teachers, principals, assistant principals, and supervisors as defined in 8 VAC 20-441-10 before such employee assumes his or her duties except as noted below. Contracts will be in the form permitted by the State School Board of Education, with special covenants added by the School Board as appropriate. Contracts shall be signed in duplicate, with a copy thereof furnished to both parties.

B. The following definitions shall apply in this policy:

(i) "Teacher" shall mean instructional personnel who are required to hold a valid teacher license.

(ii) "Principal" shall mean a person who is regularly employed full time as a principal or assistant principal who holds a Postgraduate Professional license with certification in Administration and Supervision.

(iii) "Supervisor" shall mean a person who is regularly employed full time in a supervisory capacity.

Written contracts are not required with persons who are temporarily employed. A temporarily employed teacher, is 1) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or 2) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year.

C. Only persons regularly employed full time by the School Board as teachers, principals, or supervisors (qualifying through possession of a teaching license) shall be eligible for continuing contract status. "Continuing Contract" means the employment of teachers upon completion of their probationary period who are entitled to employment contracts during good behavior and competent service.

D. A probationary term of service of three (3) years in the same school division is required before a teacher is issued a continuing contract. Service under a local teacher license does not count towards satisfying this probationary requirement. Once a continuing contract status has been attained in a school division elsewhere in the state, a one (1) year probationary period shall be served in Suffolk Public Schools prior to the issuance of a continuing contract. A teacher holding probationary status in another school division in another state shall be required to serve a three (3) year probationary term in Suffolk Public Schools prior to issuance of a continuing contract.

E. A mentor teacher is provided to every first year probationary teacher to assist the teacher in achieving excellence in instruction. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the superintendent. Probationary teachers shall be evaluated at least annually. Any teacher in their first year of probation shall be evaluated informally at least once during the first semester of the school year. The superintendent shall consider such evaluations as one factor in making recommendations to the School Board regarding nonrenewal of the teacher's employment contract. If a probationary teacher's evaluation is not satisfactory, the School Board shall not reemploy the teacher.

F. A person employed as a principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve three (3) years in such position in Suffolk Public Schools before acquiring continuing contract status as a principal or supervisor. Continuing contract status acquired by a principal or supervisor shall not be construed as (i) as prohibiting the School Board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the School Board by June 15 of any year or (ii) as entitling any such principal, assistant principal or supervisor to the salary paid him as principal, assistant principal or supervisor in the case of any such reassignment to a teaching position. No such salary reduction and reassignment, however, shall be made without first providing such principal, assistant principal or supervisor with written notice of the reason for such reduction and reassignment and an opportunity to present his or her position at an informal meeting with the superintendent, the superintendent's designee or the School Board.

G. Before recommending such reassignment, the superintendent shall consider, among other things, the performance evaluations for such principal, assistant principal or supervisor. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the superintendent, the superintendent's designee or the School Board. The School Board, superintendent or superintendent's designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be at the sole discretion of the School Board.

The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for such salary reduction and reassignment with the superintendent, his designee or the School Board, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require cause for the salary reduction and reassignment of a principal, assistant principal or supervisor.

H. As used in this policy, "Supervisor" means a person who holds an instructional supervisory position as specified in the regulations of the Board of Education and who is required to hold a license as prescribed by the Board of Education.

I. Coaching contracts, department chairs, and contracts for extracurricular activity sponsorship assignments where a monetary supplement is paid shall be separate from the employee's primary contract. Such contracts are in a form permitted by the Board of Education. Termination of the separate contract shall not constitute cause for the termination of the primary contract.

The School Board must approve all athletic coaching and other extracurricular activity sponsorships for which supplemental pay will be provided. The School Board will also establish the amount of compensation for employees who coach or supervise such activities. A separate contract in a form permitted by the Board of Education shall be executed by the School Board with an employee who receives supplemental pay for any athletic coaching assignment or extracurricular activity sponsorship assignment. This contract shall be separate and apart from the contract for teaching. All such contracts will require a party intending to terminate the contract to give reasonable notice to the other party before termination thereof will become effective.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs. (Adopted August 10, 1995; Revised April 10, 2013; Ordinance Number 12/13-41; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-57; Effective July 1, 2016; Revised October 13, 2016; Ordinance Number 16/17-9; Effective Date: July 1, 2017; Revised August 16, 2018, Ordinance Number 18/19-12, Effective Date: August 16, 2018)

Legal Authority - Virginia Code §§ 22.1-78, 22.1-302 (1950), as amended.

Section 7-16.3. Probationary term explained; When Probationary Period Required Following Separation from Service; Mentor Required in Limited Circumstances; Certain Trained Required; Notice of Re-Employment; Continuing Contract Status; Notice After Budget Approval. — A. In calculating probationary terms of service for teachers, principals and supervisors, employment for 180 or more teaching days during one school year shall constitute a single year of service. A probationary term of service of three years in Suffolk Public Schools shall be required before a teacher is issued a continuing contract. Service under a local teacher licensure shall not count towards satisfying this probationary requirement.

B. If a teacher, principal, or supervisor separates from service during his or her probationary period and does not return to service in the same school division by the beginning of the year following the year of separation, such person shall be required to begin a new probationary period.

C. Once a continuing contract status has been attained in a school division in this state, another probationary period need not be served unless such probationary period, not to exceed two years, is made a part of the contract of employment. If a teacher separates from service and returns to teaching service in Virginia public schools by the beginning of the third year, the teacher shall be required to begin a new probationary period, not to exceed two years, if made part of the contract. Teaching service outside of the Virginia Public School System shall not be counted as meeting in whole or in part the required probationary term.

D. Each probationary teacher, except probationary teachers who have prior successful teaching experience, as determined by the School Board, shall be assigned a mentor teacher as described by guidelines adopted by the Board of Education. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the Superintendent. A teacher in his first year of the probationary period is evaluated informally at least once during the first semester of the school year. The Superintendent shall consider such evaluations as one factor in making recommendations to the School Board regarding the employment of probationary teachers. If a probationary teacher's evaluation is not satisfactory, the School Board shall not re-employ such teacher.

E. In order to achieve continuing contract status, every teacher must successfully completed training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. Suffolk Public Schools will provide this training at no cost to teachers employed by the School Board. If such training is not offered in a timely manner, no teacher will be denied continuing contract status for failure to obtain such training.

F. If a teacher who has not achieved continuing contract status receives notice of re-employment, the teacher must accept or reject in writing within 15 calendar days of receipt of the notice. Unless a conference with the Superintendent is requested as specified in the Code of Virginia, written notice of non-renewal of the contract must be given by the School Board on or before June 15 of each year. If the teacher requests a conference with the Superintendent, then written notice of non-renewal by the School Board must be given within thirty days after the Superintendent notifies the teacher of his intention with respect to the recommendation.

G. Teachers employed after completing the probationary period shall be entitled to continuing contracts during good behavior and competent service. Written notice of non-continuation of the contract by either party must be given by June 15 of each year; otherwise the contract continues in effect for the ensuing years. A School Board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of the decrease in enrollment or abolition of particular subjects. Furthermore, nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available.

H. As soon after June 15 as the school budget is approved by City Council, the School Board shall furnish each teacher a statement confirming continuation of employment, setting forth assignment and salary. Within two weeks of the approval of the School Budget by City Council, but no later than June 1, the school board will notify any teacher who may be subject to a

reduction in force due to a decrease in the school board's budget as approved by the appropriating body. (Adopted August 10, 1995; Revised November 11, 1999; Revised April 10, 2013; Ordinance Number 12/13-42; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-58; Effective July 1, 2016)

Legal Authority - Virginia Code §§ 22.1-302 and 22.1-303 (1950), as amended.

Section 7-16.4. Execution of continuing contracts. — Continuing contracts may be executed on behalf of persons holding a valid postgraduate, collegiate professional, or vocational license. The contractual period is that prescribed by the State Board. Compensation is provided for a ten (10) month contractual period and shall include a minimum of 180 teaching days, ten (10) days minimum for activities such as teaching, planning for the opening of school, evaluation, completing records and reports incident to the closing of each semester or school year, committee assignments, and conferences as defined by School Board policy, and ten days for the continuation of activities set forth herein and/or such other activities as may be assigned or approved at the discretion of the School Board. Supervisors and principals shall be given contracts for ten, eleven, or twelve months as determined by the School Board. (Adopted August 10, 1995)

Legal Authority – Virginia Code §22.1-302 (1950), as amended.

Section 7-16.5. Pay Periods; Payroll Deductions — A. The School Board establishes and approves salaries for all school employees. The School Board authorizes that bus drivers who complete the terms of their contracts with no preventable accidents will be eligible for an annual supplement.

B. The superintendent shall determine the pay periods and pay dates for each type of employee in accordance with current standards and as possible with existing staff and computer capabilities. These pay dates will be communicated to all employees efficiently and effectively.

C. Absence without pay will be deducted on the next available pay date in accordance with required payroll preparation cut-off dates for the receipt of absence notification. Absence deductions may not be delayed by employee request. Statutory payroll deductions as mandated by federal, state and local governments shall be made as required by law and in accordance with allowable exceptions. The School Board may also provide various programs, benefits and pre-tax plans where employee participation is elective, including, but not limited to: hospitalization, dental and other supplemental insurance plans, tax sheltered annuity plans, credit unions, U.S. savings bonds, Education Association of Suffolk dues, the United Way, the Suffolk Education Foundation and other programs as recommended by the superintendent. The School Board shall determine annually, the amount, if any, of these program costs which will be paid by the School Board. Where employee elected deductions cannot be supported by actual employee earnings for a particular pay period, the employee must provide the funds in the manner and by the dates prescribed by the superintendent, or else the employee must forfeit

the benefit and/or program and may not be allowed to reinstate at a later date. (Adopted August 10, 1995)

Legal Authority – Virginia Code §22.1-78 and 22.1-313 (1950), as amended.

Section 7-16.5:1. Placement on Salary Scale; Credit for Teaching Experience; Credit for Work Experience; Credit for Military Experience; Reserve Military Experience Not Included; Superintendent to Development Regulations. — A. Any employee hired by Suffolk Public Schools, beginning with employees hired for the 1999-2000 school year, will be placed on the salary scale in accordance with years of related experience and/or military experience as set forth in this policy effective July 1, 2000.

B. Any teacher employed by Suffolk Public Schools, who has previously worked as a teacher full-time for ninety (90) days or more under a teaching contract during any school year, shall be entitled to receive full credit for such teaching experience when:

(1) the teaching experience was in a public school in or out of the state; or
(2) the teaching experience was in an accredited institution of higher learning in or out of the state; or
(3) the teaching experience was at a school operated on a military installation supported by federal tax funds and for which academic credit is accepted for admission to the public schools of Virginia; or
(4) the teaching experience was in a public resident school such as the Virginia School for the Deaf and Blind; or
(5) the teaching experience was in an accredited private school for which teachers receive credit under the provisions of the Virginia Retirement System.

C. Any person hired by Suffolk Public Schools to fill a support position, who has six months or more of continuous full-time related work experience will be entitled to receive credit on the appropriate salary scale for such work experience, provided such work experience is verified by the previous employer(s) on an appropriate form provided by Suffolk Public Schools. However, any such credit for full-time related work experience shall be subject to the following:

(1) Any person hired by Suffolk Public Schools to fill a support position, who had been employed previously by Suffolk Public Schools but voluntarily resigned from employment and is subsequently rehired shall, at the time of their rehire, receive full credit on the appropriate salary scale for any previous full-time related work experience with Suffolk Public Schools; and
(2) When a person who is hired by Suffolk Public Schools to fill a support position and that person has full-time related work experience with an employer other than Suffolk Public Schools, the employee can be given credit on the appropriate salary scale for any such full-time related work experience.

(3) Support personnel employed by Suffolk Public Schools as of July 1, 2003, who voluntarily resigns from employment, seeks re-employment and is subsequently rehired by Suffolk Public Schools, will not be eligible to receive credit for full-time related work experience unless more than a full calendar year passes between the employee's voluntary resignation from employment and subsequent rehire by Suffolk Public Schools.

D. Any person hired by Suffolk Public Schools who has prior military service in the Armed Forces of the United States will be eligible to receive not more than four (4) years of credit for military service and in addition thereto may receive additional credit for any full-time related work experience while serving in the Armed Forces of the United States that is commensurate with the position for which they are being employed by Suffolk Public Schools.

E. Reserve military training will not be deemed military experience for the purpose of this policy.

F. The superintendent shall develop regulations deemed necessary for the effective implementation of this policy. (Adopted August 10, 1995; Revised May 13, 2004; Ordinance Number 03/04-15; Effective: May 13, 2004; Revised/Effective Date: June 9, 2022; Ordinance 21/22-40)

Legal Authority - Virginia Code §§ 22.1-78 & 22.1-296 (1950), as amended.

Section 7-16.6. Statement of policy; professional staff fringe benefits; retirement benefits paid by School Board; Continuation of group health insurance for retirees; payment of premiums. — A. The School Board recognizes the need for benefits in order to promote the employment and retention of high quality personnel and effectively serve the educational needs of students. Accordingly, benefits are provided and consistent with School Board policies and regulations promulgated by Suffolk Public Schools.

B. All professional staff and applicable support staff employees' fringe benefits shall be subject to School Board policy and regulations and promulgated by Suffolk Public Schools. The superintendent shall provide for the interpretation and application of Suffolk Public School's regulations regarding fringe benefits.

C. All School Employees, who are members of the Virginia Retirement System (VRS), either as Plan 1, Plan 2, or Hybrid members, shall be required to pay member contributions on a salary reduction basis in accordance with § 414(h) of the Internal Revenue Code in the amount of five percent of creditable compensation as follows:

(i) any employee who commences or re-commenced employment on or after July 1, 2012 shall be required to contribute five percent of their creditable compensation upon commencing or re-commencing employment and

(ii) any employee in service on June 30, 2012 shall be required to contribute five percent of their charitable compensation by no later than July 1, 2016.

Such employees described in subdivision (ii) shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employee's creditable compensation equals five percent.

D. All School Employees, who become members of the Virginia Retirement System (VRS) after January 1, 2014, will be considered Hybrid Retirement Plan employees. Hybrid Retirement Plan employees shall be required to pay member contributions on a salary reduction basis in accordance with § 414(h) of the Internal Revenue Code in the amount of 4 percent to the defined benefit portion and 1 percent to the defined contribution benefit portion of Hybrid Retirement Plan. Employees may also elect to contribute more to the defined contribution portion of the Hybrid Retirement Plan in accordance with rules and regulations set forth by the Virginia Retirement System (VRS) with a portion thereof being matched by the School Board as authorized by law and approved by the School Board.

E. Suffolk Public Schools employees, who are members of the Virginia Retirement System (VRS), either as Plan 1, Plan 2, or Hybrid members, and qualify for regular or disability VRS retirement prior to age 65, shall be eligible to continue on the School Board's group health insurance plan provided the following conditions are met:

(i) the employee has been employed by Suffolk Public Schools for a total of twenty years; and

(ii) has been enrolled in Suffolk Public Schools group health insurance plan for at least twenty-four months immediately preceding the effective date of retirement.

At the time of retirement the retiree can select the level of continual coverage, however the level of continual coverage selected by the retiree must be equal to or less than that which the retiree had during the last twenty-four months of employment with Suffolk Public Schools. The retiree cannot participate in the School Board's group health insurance plan at a level greater than that which the retiree had during the last twenty-four months of employment with Suffolk Public Schools.

F. All School employees, who are considered Hybrid Retirement Plan employees under the Virginia Retirement System (VRS), shall become participants in the sick and disability program of the Virginia Retirement System, unless the School Board adopts a resolution on or before January 1, 2014, which shall be submitted to the Board of Trustees of the Retirement System requesting that the School Board's eligible employees not participate in the sick and disability program of the Virginia Retirement System (VRS) because the School Board has or will establish, and continue to maintain, comparable disability coverage for such eligible employees. (Adopted August 10, 1995; Revised October 9, 2003; Ordinance Number 03/04-05; Effective: July 1, 2004; Revised September 13, 2012; Ordinance 12/13-1; Effective July 1, 2013; Revised October 13, 2013; Ordinance 1314-1; Effective October 13, 2013)

Legal Authority - Virginia Code §2.1-85 (1950), 8 VAC 20-460-10 as amended.

Section 7-16.6:1 Defined Contribution Plan Offered; Plan Provisions; Annual Notification. **—** A. The School Board offers its employees the opportunity to participate in a defined contribution retirement plan, also known as a tax sheltered annuity or 403(b) program. This program is maintained and operated pursuant to a written plan.

B. The written plan contains all the material terms and conditions for eligibility, benefits, applicable limitations, the contracts available under the plan and the time and form under which benefit distributions may be made. The written plan also addresses any optional features, including hardship withdrawal distributions, loans, plan-to-plan or annuity contract-to-annuity contract transfers and acceptance of rollovers to the plan, which are included in the Division's program. The written plan may (1) allocate responsibility for administrative functions, including functions to comply with the requirements of 26 U.S.C. § 403(b) and other tax requirements; (2) assign such responsibilities to parties other than the school division, but not to participants (unless the administration of the plan is a substantial portion of the duties of the participant); (3) incorporate by reference other documents which thereupon become part of the written plan; (4) address termination of the program.

C. Every employee in the school division is notified annually about the program. (Adopted June 9, 2016; Ordinance Number 15/16-59; Effective Date: July 1, 2016)

Legal Authority – Virginia Code §§ 51.1-603, 51.1-603.1, 26 U.S.C. § 403(b)., 26 CFR 1.403(b)-1,1.403(b)-3 and 1.403(b)-10. (1950), as amended.

Section 7-16.7. Professional and support staff leaves and absences; categories of leaves; extended leave, etc. — A. All professional and support staff employee leaves and absences shall be subject to the policies of the School Board and regulations of Suffolk Public Schools. The superintendent shall provide for the interpretation and application of Suffolk policies and regulations regarding leaves and absences. All leaves, whether paid or unpaid, shall preserve the right of continuing contract, retirement, annual leave with pay, salary increments, and other benefits provided by law for those employees who return from leave within the agreed time.

B. The following categories of leaves shall be recognized by the Suffolk School Board as applicable to Suffolk Public School personnel who are employed on a contractual basis:

(i) professional leave;
(ii) personal leave;
(iii) sickness and accident leave;
(iv) 30-day rule;
(v) family medical leave;
(vi) annual leave; and
(vii) leave of absence.

Employees are required to complete and submit the appropriate forms and applicable documentation for approval of the requested leave.

C. The term "Extended Leave" shall be used to define a period of time in which the employee shall be absent from his/her position exceeding ten (10) consecutive days by reason of one or

more of the types of leave listed above. The following schedule shall be used for deduction of leave time and/or salary as follows:

10-11 + Month Personnel
Personnel off less than 3.5 consecutive hours - - - - - deduct 1/2 day
Personnel off more than 3.5 consecutive hours - - - - -deduct 1 day

12 Month Personnel
Personnel off less than 4 consecutive hours - - - - - - - deduct 1/2 day
Personnel off more than 4 consecutive hours - - - - - - deduct 1 day
(Adopted August 10, 1995)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

Section 7-16.7:1. Leave without pay for debilitating or life threatening illness or injury; medical documentation and prior approval required; rights expire at end of first year; may not engage in other work. — A. A leave of absence without pay may be granted to School Board employees who have a debilitating or life-threatening illness or injury and who are not eligible for Family Medical Leave because they have not worked for Suffolk Public Schools for 12 months or have not worked at least 1250 hours according to the Fair Labor Standards Act.
B. Employees with a debilitating or life-threatening illness or injury who are entitled to leave under this policy may take up to 30 days unpaid leave during their first year of employment with Suffolk Public Schools. Leave may be taken only in full-day increments. Leave may be taken only when the employee has no other leave, such as sick leave, available.
C. Employees must submit medical documentation of their need for leave and whenever possible, documentation must be provided and approval must be obtained prior to leave being taken.
D. All rights under this policy expire at the end of the employee's first year of service.
E. Employees who are on unpaid leave pursuant to this policy or any other policy, except those on leave pursuant to the Uniformed Services Employment and Reemployment Rights Acts of 1994, may not engage in work for which they receive pay or any other type of remuneration without the prior written approval of the superintendent. (Adopted: August 21, 2008, Ordinance Number 08/09-2; Effective: August 21, 2008)

Legal Authority – Virginia Code § 22.1-296 (1950), as amended.

Section 7-16.7:2. Military reserves leaves of absences; notice required; availability of paid leave; supplemental pay; health benefits; no break in service; plan contributions; re-employment federal military reserves; re-employment Virginia military reserves; restored to same position; termination after re-employment; discrimination prohibited. — Any employee of Suffolk Public Schools who is a member of the state or federal military reserves is

entitled to leaves of absence from their duties on all days during which they are engaged in federally funded military duty, including training duty, or when called forth by the Governor.

B. Immediately upon receipt of official notice to report for duty, the employee will notify Human Resources of the need for military leave. A copy of the official orders must accompany the leave request.

C. All employees on military leave receive up to 15 days paid leave for federally funded tour of duty. When possible, military leave for employees on less than a 12-month contract should be arranged during non-duty hours. An employee who is scheduled for a physical examination for military service during working hours, including but not limited to pre-induction physicals, receives paid leave.

D. Employees of Suffolk Public Schools, whose active duty service with the regular armed forces of the United States or the National Guard or other reserve component has required their absence from full-time employment with Suffolk Public Schools, will have their military pay supplemented by Suffolk Public Schools in an amount that will enable the employee's total pay to be equal to the employee's base pay with Suffolk Public Schools, not including supplements and stipends, if the employee's military compensation is less than the regular salary paid to the employee by Suffolk Public Schools. Military leave is unpaid for all part-time, temporary and substitute employees of Suffolk Public Schools.

E. If the employee so desires, the employee and the employee's dependents may continue to participate in the division's group health plan for up to 24 months while the employee is on military leave. The employee must notify Human Resource Department if the employee wants to continue participation in the division's group health plan. Employees who elect to continue on the division's health plan will be responsible for the following payments: Employee deduction amount for the health and or dental care costs during leave of absence. Supplemental insurances would be billed separately by the benefiting company.

F. An employee reemployed after military leave will be treated as not having incurred a break in service. The period of military leave will be considered service to the division for purposes of vesting and benefit accrual. Vesting and accrual of benefits under retirement plans, particularly VRS and creditable service determinations are subject to the rules and regulations of the VRS and payment by the employee of their portion owed for service credit allowed. The division is responsible for its pension plan funding obligation. The division is not required to make its contribution until the employee is reemployed.

G. The employee is allowed, but not required, to make up the employee's contributions to a contributory plan. The employee may repay employee contributions for a period of up to three times the period of military service, but not to exceed five years. If the employee's retirement plan is contributory and the employee does not make up the employee's contributions, the

employee will not receive the employer match or the accrued benefit attributable to the employee's contribution because the employer is required to make contributions that are contingent on the employee's contributions. The employer and employee contribution will be calculated on the rate of pay the employee would have received but for the absence to serve military duty.

H. An employee who is entitled to military leave by reason of service in the federal military reserves is entitled to be reemployed by the School Board as long as the employee;

(1) has given advance notice of the need for military leave (unless notice is precluded by military necessity or is otherwise impossible or unreasonable);

(2) has not been absent for more than five years; and returns to work as outlined below;

(i) If the employee was absent from work for less than 31 days, the employee must report back to work by the beginning of the next regularly scheduled work period after a reasonable amount of time to arrive home, rest and report to work;

(ii) more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days after the completion of service;

(iii) more than 180 days, the employee must submit an application for reemployment within 90 days after the completion of service.

I. Employees who are entitled to military leave due to service in the Virginia military reserves must make written application for reemployment within (a) 14 days of release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services does not exceed 180 days; or (b) 90 days of release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services exceeds 180 days.

J. Upon returning from duty, an employee will be restored to the same job ~~he~~ the employee held before leaving or to a comparable job. The School Board is not obligated to reemploy persons returning from military leave in certain unusual situations specified by state and federal law.

K. A person who is reemployed after returning from more than 30 days of military duty will not be discharged except for cause (a) within one year after the date of reemployment, if the person's period of military service before the reemployment was more than 180 days; or (b) within 180 days after the date of reemployment, if the person's period of military service before the reemployment was more than 30 days but less than 181 days.

L. Members of the military reserves will not be denied initial employment, reemployment, retention in employment, promotion, or any benefit of employment on the basis of that membership. (Ordinance 23/24-8, Effective: August 10, 2023)

Legal Authority — 38 U.S.C. §§ 4312, 4313, 4316, 4317. 20 C.F.R. §§ 1002.259, 1002.261, 1002.262, 1002.267; §§ Virginia Code 22.1-289.2, 44-93, 44-93.1, 44-93.3, 44-93.4, 44-102.1, 1950, as amended.

Section 7-16.8. Jury duty encouraged; adverse employment action prohibited — A. The School Board supports its employees in fulfilling civic duties by serving on federal and state jury panels. Employees called for jury duty may be absent without loss of pay, subject to verification of actual days served by the clerk of court.

B. Upon giving reasonable notice to his/her immediate supervisor, any Suffolk Public School employee summoned to serve on jury duty or any employee, except a defendant in a criminal case, who is summoned or subpoenaed to appear in any court of law or equity when a case is to be heard, or having appeared, is required in writing by the court to appear at any future hearing, shall not be discharged from employment, nor shall any adverse personnel action be taken against the employee, including, but not limited to, requiring the employee to use sick leave, personal leave or vacation time as result of his/her absence from employment due to such jury duty or court appearance. (Adopted June 8, 2000; Ordinance Number 99/00-46; Revised January 9, 2003, Ordinance Number 02/03-5; Effective Date: July 1, 2003)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 17 - Transportation and Travel Expense Reimbursement

Section 7-17.1. Use of School Board vehicles; superintendent to determine; efficient use required. — A. The School Board maintains a limited number of vehicles for use by employees. The superintendent is authorized to assign such vehicles to selected twelve (12) month employees. Assignment of school vehicles to individual employees shall include the custodial responsibility, involving use only for public purposes, regular maintenance and necessary repairs in cooperation with the transportation department and operation in accord with state law.

B. The School Board recognizes that travel is sometimes required by its employees to perform their duties completely and efficiently. Itinerant travel is required by some employees who work at more than one location. It is necessary for some employees to travel to local, regional, state and/or national meetings, seminars, and/or conferences to gain additional knowledge of the latest developments in their respective fields which will benefit Suffolk Public Schools and its students. (Adopted August 10, 1995)

Legal Authority - Virginia Code §§22.1-78 & 22.1-70 (1950), as amended.

Section 7-17.2. Superintendent's Authority; efficient use requirement. — A. The School Board authorizes the superintendent to determine what employee travel is beneficial to Suffolk Public Schools and to students and to set regulations to provide a system of approval and reimbursement and the required documentation necessary to support and account for the related expenditures of School Board funds.

B. It is incumbent upon all School Board employees to make efficient travel arrangements and obtain the most economical rates while travelling on business. Employees travelling on official business for the School Board are expected to utilize reasonably priced lodging accommodations. When overnight stays are required while on travel status, first preference shall be given to selecting lodging in the economy class. In all cases, employees shall request government rates when making reservations for lodging. (Adopted August 10, 1995)

Legal Authority - Virginia Code §§22.1-67, 22.1-78, 22.1-122, 22.1-253.13:5 (1950), as amended.

Article 18 - Posting of Professional Staff Vacancies

Section 7-18.1. Posting of Employment vacancies required; limited exception. — A. Notices of available employment within Suffolk Public School shall be posted in every school and in the administrative office. Where applicable, notice will be mailed to placement services of colleges and universities, professional publications, and other school divisions.

B. However, the school superintendent is granted the authority to dispense with the notice requirement set forth above in the following situations:

(i) with the opening of a new school, the school superintendent may transfer existing school personnel to the new school and the requirement for posting employment vacancies under this section shall not apply to any such transfer; or

(ii) when an administrative vacancy occurs in the administrative offices of Suffolk Public Schools and the school superintendent is of the opinion that it would be in the best interests of Suffolk Public Schools to fill that vacancy by selecting an internal candidate who has:

(a) expressed in writing an interest in the position;

(b) the required educational background, relevant work experience, and skills to perform the job; and

(c) been certified as an eligible candidate for the position by the Human Resources Department.

(Adopted: August 10, 1995; Revised: July 14, 2006; Ordinance Number 05/06-5; Effective: July 1, 2007)

Legal Authority – Virginia Code 1950 §§22.1-70 & 22.1-78, as amended.

Article 19 - Professional Staff Hiring & Employment Relationships

Section 7-19.1. Best Possible Candidates; Advertising Procedures developed by Superintendent; Accurate Information Required on Application; Current Employees. — A. It is the desire of the Suffolk School Board to recruit, hire and retain the best possible qualified applicants. The applicant determined to be the best qualified shall be selected for a vacant or new position, regardless of whether the applicant is an internal or external candidate. Current division employees are given an opportunity to apply for positions for which they are qualified.

B. Vacancies and new positions within the division are advertised. The Superintendent is responsible for developing procedures for advertising vacancies and new positions. Those procedures will be designed to ensure that all openings are properly advertised to give all interested and qualified parties the opportunity to apply. While most positions will be filled using those procedures, the School Board may, at the request of the Superintendent, fill positions in other ways. For example, the School Board may authorize the filling of a position to accommodate the disability of an employee, to transfer an employee when it is determined to be in the best interest of the school division, to satisfy the rights of employees returning from leave, to move an employee whose performance is unsuccessful to a position in which the employee might be successful or to discipline an employee for conduct deficiencies.

C. It is the responsibility of the applicant to furnish accurate information. Any omission of pertinent information or falsification of either information or credentials is cause for dismissal or refusal to employ.

D. Application for employment in Suffolk Public Schools shall be made on forms provided by the Department of Human Resources. (Adopted August 10, 1995; Revised June 9, 2016; Ordinance Number 15/16-60; Effective Date: July 1, 2016; Ordinance 20/21-36; Revised/Effective Date: May 13, 2021; Ordinance 25/26-16, Revised/Effective: September 11, 2025)

Legal Authority - Virginia Code §§ 22.1-70 & 22.1-78 (1950), as amended.

Section 7-19.2. Employment of family members prohibited; family members previously employed as a substitute; employment in same organization unit discouraged. — A. The School Board may not employ or pay, and the superintendent may not recommend for employment, any family member of the superintendent or of a School Board member. This prohibition does not apply to the employment, promotion, or transfer within the school division of any family member who:

(i) has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of the superintendent or any School Board member;

(ii) has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the inception of the family relationship; or

(iii) was employed by the school board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school board prior to the taking of office of any member of the school board or division superintendent of schools.

B. A family member employed as a substitute teacher may not be employed to any greater extent than he was employed by the School Board in the last full school year prior to the taking of office of such board member or division superintendent or to the inception of such relationship.

C. No family member of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit will be discouraged.

D. Family members are defined as father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law.

E. Notwithstanding the rules stated in Subsection A above, the School Board may employ or pay, and the superintendent may recommend for employment, any family member of a School Board member provided that (1) the member certifies that he had no involvement with the hiring decision; and (2) the superintendent certifies to the remaining members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the Board had any involvement with the hiring decision. (Adopted August 10, 1995; Revised: November 9, 2017; Ordinance Number 17/18-18; Effective Date: November 9, 2017; Revised October 11, 2018; Ordinance Number 18/19-29, Effective Date: October 11, 2018)

Legal Authority - Virginia Code §2.1-639.16 (1950), as amended.

Section 7-19.3. Probable Cause Sexual Misconduct. **—** A. No employee, contractor or agent of Suffolk Public Schools may assist a School Board employee, contractor or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the employee, contractor or agent knows, or has probable cause to believe, that such a school employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of law.

B. This prohibition does not apply if the information giving rise to probable cause:

(i) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; or

(ii) has been properly reported to any other authorities as required by federal or state law, including Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.) and the regulations implementing it; and

(iii) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor or agent engaged in sexual misconduct regarding a minor in violation of law; or

(iv) the school employee, contractor or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor or agent within 4 years of the date on which the information was reported to a law enforcement agency.

(Adopted November 9, 2017; Ordinance Number 17/18-19; Effective Date: November 9, 2017)

Legal Authority — 20 U.S.C. § 7926; Virginia Code § 22.1-295 (1950), as amended.

Article 20 - Effect of Criminal Conviction

Section 7-20.1. Policy stated; disclosure of prior criminal convictions required; founded complaints of child abuse or neglect; when employment denied because of report from Social Services; grounds for termination of employment. — A. The School Board does not employ or to continue the employment of any part-time, full-time, temporary, or permanent personnel who may be deemed unsuited for service by reason of criminal conviction, or information appearing in the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

B. The School Board requires, as a condition of employment, that any applicant who is offered or accepts employment requiring direct contact with students, whether full-time or part-time, permanent or temporary, provide written consent and the necessary personal information for the School Board to obtain a search of the registry of founded complaints of child abuse and neglect. The registry is maintained by the Department of Social Services. The School Board ensures that all such searches are requested in conformance with the regulations of the Board of Social Services. In addition, where the applicant has resided in another state within the last five years, the School Board requires as a condition of employment that such applicant provide written consent and the necessary personal information for the School Board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The School Board takes reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. Such reasonable steps shall include, but not be limited to, contacting any central child abuse and neglect registry maintained by the relevant state. The Department of Social Services shall maintain a database of central child abuse and neglect registries in other states for use by local school boards. The applicant may be required to pay

the cost of any search conducted pursuant to this subsection at the discretion of the School Board. From such funds as may be available for this purpose, however, the School Board may pay for the search.

If the information obtained pursuant to the preceding paragraph indicates that the applicant is the subject of a founded case of child abuse and neglect, such applicant shall be denied employment, or the employment shall be rescinded.

C. If an applicant is denied employment because of information appearing on the applicant's record in the registry, the School Board upon request of the applicant, provides a copy of the information obtained from the registry to the applicant only. The information provided to the School Board by the Department of Social Services is confidential and is not disseminated by the School Board to anyone other than the applicant.

D. Individuals applying for employment with Suffolk Public Schools for any position shall be required to disclose prior convictions of law other than minor traffic violations (unless applicable to the position) or juvenile offenses. Information provided by applicants may be verified by work history, personal reference or criminal record inquiries to determine the applicant's acceptability for employment. Where a prior conviction is ascertained, Suffolk Public Schools will consider the nature of the offense, the date of the offense, and the relationship between the offense and the position for which the applicant has sought. Offenses which are incompatible with employment by the School Board include, but are not limited to, the following:

(i) conviction of sexual offenses;
(ii) conviction of crimes involving the taking of money or other property;
(iii) conviction of violent crimes;
(iv) conviction of drug-related offenses; and
(v) conviction of crimes of moral turpitude.

E. If an applicant makes any misrepresentation or willful omission of fact regarding a prior criminal history, such misrepresentation or omission shall be sufficient cause of disqualification of the applicant or termination of employment. (Adopted August 10, 1995; Revised September 8, 2011; Ordinance Number 11/12-6; Effective Date: September 9, 2011; Revised April 10, 2013; Ordinance Number 12/13-43; Effective Date: July 1, 2013)

Legal Authority - Virginia Code §22.1-296.1 (1950), as amended.

Section 7-20.2. Certification requirement; fingerprinting and descriptive information required; costs for fingerprinting; sharing of criminal record information; when employment denied information to be provided to applicant. — A. Applicants for any position with Suffolk Public Schools must certify that they have not been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02; or a misdemeanor involving (i) sexual assault; (ii) obscenity and related offenses; (iii) drugs; (iv) moral turpitude, or (v) the physical or sexual abuse or neglect of a child, or the solicitation of any such offense; or an equivalent offense in another state. Where a conviction relates to the

suitability of the individual to perform duties in a particular position, such a person may be denied employment.

B. The School Board does not employ any individual who has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code §19.2-392.02 or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense. The School Board may employ any individual who has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of § Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense; provided that in the case of a felony conviction, such individual's civil rights have been restored by the Governor.

C. As a condition of employment, any applicant who is offered or accepts employment, whether full-time, part-time, permanent or temporary with Suffolk Public Schools shall submit to fingerprinting and provide personal descriptive information. The information and fingerprints shall be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigations for the purpose of obtaining criminal history record information on applicants who offer or accept employment.

D. The applicant or employee pays the costs for the fingerprinting, criminal record check and for the search of the registry of founded complaints of child abuse and neglect.

E. To conserve the costs to applicants and the School Board in conducting criminal history record checks, upon the written request of the applicant, the School Board shall inform another school board with which reciprocity has been established and to which the applicant also has applied for employment, of the results of the criminal record information conducted within the previous ninety days that it obtained concerning the applicant. Criminal history record information pertaining to an applicant for employment by a school board shall be exchanged only between school boards in the Commonwealth in which a current agreement of reciprocity for the exchange of such information has been established and is in effect. Reciprocity agreements shall provide for the apportionment of the costs of the fingerprinting or criminal records check between the applicant and the School Board as provided by statute.

F. If an applicant is denied employment because of information appearing on the applicant's criminal history record, the Suffolk Public Schools provides a copy of the information received from the Central Criminal Records Exchange to the applicant. (Adopted August 21, 2008; Ordinance Number 08/09-7; Effective: August 21, 2008; Revised: November 8, 2018; Ordinance Number: 18/19-30; Effective: November 8, 2018; Ordinance 22/23-47, Revised/Effective: February 9, 2023; Ordinance 23/24-43, Revised/Effective: January 11, 2024)

Legal Authority – Virginia Code §§ 18.2-251, 19.2-83.1, 19.2-389, 22.1-78, 22.1-296.1, 22.1-296.2, 22.1-296.4, 22.1-307, 22.1-315, and 63.2-1515 (1950), as amended.

Section 7-20.3. Search of registry of founded child abuse complaints; when applicant has resided in another state; when applicant denied employment; providing false information. — A. The School Board requires, as a condition of employment, that any applicant who is offered or accepts employment requiring direct contact with students, whether full-time or part-time, permanent or temporary, certification that the applicant has not been the subject of a founded case of child abuse and neglect and provide written consent and necessary personal information for the School Board to obtain a search of the registry of founded complaints of child abuse and neglect. The registry is maintained by the Department of Social Services. The School Board ensures that all such searches are requested in conformance with regulations of the Board of Social Services.

B. The School Board ensures that all such searches are requested in conformance with the regulations of the Board of Social Services. In addition, where the applicant has resided in another state within the last five years, the School Board requires as a condition of employment that such applicant provide written consent and the necessary personal information for the School Board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The School Board takes reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. The Department of Social Services shall maintain a database of central child abuse and neglect registries in other states that provide access to out-of-state school boards for use by local school boards. The applicant may be required to pay the cost of any search conducted pursuant to this subsection at the discretion of the School Board. From such funds as may be available for this purpose, however, the School Board may pay for the search.

C. If the information obtained pursuant to the preceding paragraph indicates that the applicant is the subject of a founded case of child abuse and neglect, such applicant shall be denied employment. If an applicant is denied employment because of information appearing on the applicant's record in the registry, the School Board provides a copy of the information obtained from the registry to the applicant. The information provided to the School Board by the Department of Social Services is confidential and is not disseminated by the School Board.

D. Any person making a materially false statement regarding a finding of child abuse and neglect is guilty of a Class 1 misdemeanor and upon conviction, the fact of such conviction is grounds for the Board of Education to revoke such person's license to teach. (Adopted August 21, 2008; Ordinance Number 08/09-6; Effective: August 21, 2008; Revised April 10, 2013; Ordinance Number 12/13-44; Effective Date: July 1, 2013; Revised/Effective: April 11, 2024, Ordinance 23/24-73)

Legal Authority — Virginia Code §§ 18.2-251, 19.2-83.1, 19.2-389, 22.1-78, 22.1-296.1, 22.1-296.2, 22.1-296.4, 22.1-307, 22.1-315, and 63.2-1515 (1950), as amended.

Section 7-20.4. Notice of arrest; employee convictions; placement of employee on probation by court; information appearing on criminal record; founded complaints of child abuse and neglect. — A. The superintendent shall inform the School Board of any notification of arrest of a School Board employee received pursuant to state law. The School Board may require such employee, whether full-time or part-time, permanent, or temporary, to submit fingerprinting and to provide personal descriptive information to be forwarded along with the employee's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such employee. The contents of the employee's criminal record shall be used only to implement dismissal, suspension or probation in accordance with §§22.1-307 and 22.1-315 of the Code of Virginia.

B. If charged with the commission of a felony or of a misdemeanor involving (i) sexual assault; (ii) obscenity and related offense; (iii) drugs; (iv) moral turpitude; or (v) the physical or sexual abuse or neglect of a child, the employee may be suspended without pay and salary placed in an interest bearing escrow account as provided for by state law. If the employee is found guilty of the charge, and all appeals have been exhausted and the conviction is upheld, the employee shall be dismissed from employment with Suffolk Public Schools and all funds held in the escrow account shall be paid to the School Board. If the employee is found not guilty of the charge or upon dismissal of the charge, the employee shall be reinstated with all unpaid salary and accrued interest from the escrow account, less any earnings received by the employee during the period of suspension, but in no event shall such payment exceed one year's salary.

C. For the purpose of this policy, if a court places an employee on court ordered probation, it shall be treated as a conviction, and as a finding of guilt.

D. If a current employee is suspended or dismissed because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information provided by the Central Criminal Records Exchange to the employee.

E. Any employee of the School Board will be dismissed if he or she is or becomes the subject of a founded complaint of child abuse and neglect and after all rights to an appeal provided by Va. Code §63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for Suffolk Public Schools to recommend that the Board of Education revoke such person's license to teach. (Adopted: August 21, 2008, Ordinance Number 08/09-5; Effective: August 21, 2008; Revised April 10, 2013; Ordinance Number 12/13-44; Effective Date: July 1, 2013; Ordinance 23/24-45, Revised/Effective: January 11, 2024)

Legal Authority — Virginia Code § 22.1-315 (1950), as amended.

Article 21 - Substitute Staff Employment

Section 7-21.1. Approval by School Board required; absence from duty notification; principal to secure. — A. All substitutes shall have an appropriate application form completed and on file in the School Board office. All substitute employees shall be approved by the School Board before receiving payment for services.

B. Employees are required to notify the principal or immediate supervisor of their intention to be absent from their duties as far in advance as possible. The request to be absent from duty should be made in such time as to permit the principal or department head to make necessary arrangements for a substitute.

C. Principals or department heads shall secure a substitute from the list of substitutes approved by the School Board. Selection of a substitute and granting authority for the substitute to report to duty is vested only in the principal or department head. (Adopted August 18, 1995; Revised November 13, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-21.2. Principal to secure substitute teachers; substitute teachers defined; qualifications for substitutes; temporarily employed teachers defined; rate of pay; part-time teachers; summer school teachers; homebound teachers; interns; student teachers. — A. It shall be the responsibility of the principal or designee to secure an approved substitute to serve in the place of the regular teacher.

B. A substitute teacher, as used in this policy, is:

(i) one who is employed to substitute for a contracted teacher for temporary period of time during the contracted teacher's absence, or

(ii) one who is employed to fill a teacher vacancy for a period of time, but for no longer than ninety (90) teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year. However, during the 2023-2024 and 2024-2025 school years, the School Board may employ a substitute teacher to fill such a vacancy for a period not to exceed 180 days during one school year.

C. In addition to satisfying the general requirements for employment, substitute teachers shall:

(i) be at least 18 years old;

(ii) possess good moral character;

(iii) hold a high school diploma or have passed a high school equivalency examination approved by the Board of Education;

(iv) attend orientation to school policies and procedures; and

(v) having earned thirty (30) semester hours or more from an accredited institution of higher learning.

D. The superintendent or designee may also secure teachers on a temporary basis. A "temporarily employed teacher" is:

(i) employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence or

(ii) is employed to fill a teacher vacancy for a period of time, but for no longer than ninety teaching days in a school year. In order to qualify as a temporarily employed teacher, the employee must hold a valid Virginia teaching license with an endorsement in the area in which the employee will be temporarily employed to teach. A "temporarily employed teacher" will be compensated at the long-term rate of pay.

E. An employee working less than 180 days or less than six (6) hours per day or who is restricted to temporary or interim employment is considered part-time. Part-time teachers shall meet the certification requirements of the State Board of Education.

F. Summer school teachers shall meet all certification requirements.

G. Homebound teachers shall be employed on a part-time, hourly basis. They shall be selected from the active file of applicants in the Personnel Office or from the approved substitute teacher list and shall hold a valid teaching certificate.

H. Arrangements for the utilization of interns in the school division should be initiated through the superintendent.

I. Suffolk Public Schools shall accept student teachers only from accredited institutions. All student teachers shall meet the same health requirements as all other personnel. The superintendent shall have the responsibility for the assignment and placement of student teachers in Suffolk Public Schools. Student teachers shall not be used as substitute teachers. (Adopted August 18, 1995; Revised November 13, 1997; Revised November 11, 1999; Ordinance Number 99/00-19; Revised April 10, 2013; Ordinance Number 12/13-46; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-61; Effective Date: July 1, 2016; Ordinance 23/24-46, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §§22.1-70, 22.1-78 & 22.1-302 (1950), as amended.

Section 7-21.3. School of Practical Nursing. — DELETED (Deleted Ordinance Number 21/22-17; Effective August 12, 2021)

Section 7-21.4. Substitute Bus Drivers. — It shall be the responsibility of the Supervisor of Transportation to secure an approved substitute from the approved list of substitute bus drivers or bus assistants. In addition to satisfying the general requirements for employment, bus drivers shall meet all state and federal regulations necessary to drive a commercial vehicle. (Adopted August 18, 1995; Revised November 13, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-21.5. Substitute Food Service Workers. — It shall be the responsibility of the Cafeteria Manager or the Principal to secure substitutes from the approved substitute list to serve in the place of regular food service personnel. In addition to satisfying the general requirements for employment, the cafeteria worker shall hold a valid food service card issued by the Commonwealth of Virginia Health Department. (Adopted August 18, 1995; Revised November 13, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-21.6. Substitute Custodial Personnel. — It shall be the responsibility of the Maintenance Department upon notification by the Principal or Department Head, to secure substitutes from the approved substitute custodial list to serve in the place of the regular custodian. (Adopted August 18, 1995; Revised November 13, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-21.7. Substitute Clerical Assistants. — Any principal or immediate supervisor shall seek approval from the Assistant Superintendent for Personnel prior to the employment of substitute clerical assistants. Substitute clerical assistants provided on an "as needed" basis shall be obtained from an approved substitute list. (Adopted August 18, 1995; Revised November 13, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 22 - Part-time Professional Staff Employment

Section 7-22.1. Employment of Part-time Personnel. — The School Board may employ part-time personnel on a regular basis for a schedule of less than six (6) hours daily or for specific short periods of time, whenever such employment is recommended by the superintendent and is deemed necessary and expedient by the School Board. Part-time employees must meet requirements appropriate for assigned positions. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-22.2. Homebound Teachers. — In addition to satisfying the general requirements for employment, homebound teachers will be employed on a part-time hourly basis. All homebound teachers shall hold a valid teaching license. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-22.3. Summer School Employees; Rate of Pay Set by School Board. — A. Summer school employees will be employed through the School Board office from the regular staff, if available. Summer school teachers shall meet all licensure and health requirements of full-time teaching personnel. Summer school employees shall not be entitled to the benefits of full-time employees.

B. The salary paid instructional personnel, teacher assistants or other employees for summer school work shall be at a rate of pay established by the School Board. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-22.4. Interns. — Arrangements for the use of youth interns in Suffolk Public Schools shall be initiated through the superintendent. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-22.5. Teachers for Night Alternative Programs. — Teachers for the night alternative program shall meet all requirements applicable for this position. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-22.6. Student Teachers; Use as Substitutes Forbidden; Remuneration Prohibited. — A. Suffolk Public Schools will accept student teachers only from accredited institutions. All student teachers shall meet the same health requirements as all other personnel. The superintendent or designee shall have the responsibility for the assignment and placement of student teachers in the school system.

B. Student teachers shall not be used as substitute teachers.

C. No remuneration or salary is to be paid the student teacher by the School Board. However, fees from the college or university may be paid directly to the cooperating teacher. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-300 & 22.1-78 (1950), as amended.

Article 23 - Professional Staff, Probation and Continuing Contract Status

Section 7-23.1. Probationary Term for Teacher; Acceptance or Rejection of Employment; Good Behavior and Competent Service Required; Miscellaneous Requirements. — A. A probationary term of service of three (3) years in Suffolk Public Schools shall be required before a teacher is issued a continuing contract. A mentor teacher shall be provided to every first year

probationary teacher to assist him or her in achieving excellence in instruction. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the Superintendent. Probationary teachers shall be evaluated at least annually in accordance with school board policy. The superintendent shall consider such evaluations as one factor in making recommendations to the School Board regarding the employment of probationary teachers.

B. In order to achieve continuing contract status, every teacher must successfully completed training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. Suffolk Public Schools will provide said training at no cost to teachers it employs. If such training is not offered in a timely manner, no teacher will be denied continuing contract status for failure to obtain such training.

C. Except as provided for in School Policy 7-16.3.C, once a continuing contract status has been obtained in a school division in this state another probationary period need not be served unless such probationary period, not to exceed one year, is made a part of the contract of employment. If a teacher separates from service and does not return to teaching service in Virginia Public Schools by the beginning of the third year, the person shall be required to begin a new probationary period, not to exceed one year, if made a part of the contract.

D. If a teacher who has not achieved continuing contract status receives notice of reemployment, the teacher must accept or reject in writing within fifteen (15) calendar days of receipt of the notice. Unless a conference with the superintendent is requested as specified in the Code of Virginia, or in the case of reduction in force, written notice of non-renewal of the contract must be given by the School Board on or before June 15 of each year. If the teacher requests a conference with the superintendent, then written notice of non-renewal by the School Board must be given within thirty days after the superintendent notifies the teacher of his intention with respect to the recommendations.

E. Teachers employed after completing the probationary period shall be entitled to continuing contracts during good behavior and competent service. Written notice of recommendation of the contract by either party must be given by June 15 of each year; otherwise the contract continues in effect for the ensuing year.

F. The School Board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of a decrease in enrollment or abolition of particular subjects. Further, nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available. As soon after June 15 as the school budget is approved by the appropriating body, the school board shall furnish each teacher a statement confirming continuation of employment, setting forth assignment and salary. Within two weeks of the approval of the school budget by the appropriate body, but no later than June 1, the school board will notify any teacher who may be subject to a reduction in force due to a decrease in the school board's budget as approved by the appropriating body. (Adopted August 10, 1995; Revised January 15, 2004, Ordinance Number 03/04-12; Effective: July 1, 2004; Revised April 10, 2013;

Ordinance Number 12/13-47; Effective Date: July 1, 2013; Revised: November 8, 2018; Ordinance Number 18/19-31; Effective: November 8, 2018)

Legal Authority – Virginia Code §22.1-303 (1950), as amended.

Section 7-23.1:1. When notice of employment required generally; notice of reduction in force. — A. A decrease in enrollment, abolition of particular subjects, a decrease in the School Board's budget as approved by the appropriating body, a consolidation of schools, the phasing out of programs, departments or grade levels and other conditions may cause a reduction in the number of staff needed in a building, program or department or in the entire school division. General reduction in total personnel and redistribution of personnel within designated programs is done in accordance with Reduction in Force (RIF) Guidelines established by the superintendent and reviewed and approved by the School Board. The Guidelines will not provide for reductions to be made solely on the basis of seniority; they will include consideration of the performance evaluations of the teachers potentially affected by the reduction in workforce.

As soon after June 15 as the School Board's budget is approved by City Council, the School Board shall furnish each teacher a statement confirming continuation of employment, setting forth assignment and salary.

B. Within two weeks of the approval of the School Board's budget by City Council, but no later than July 1, the School Board will notify any teacher who may be subject to a reduction in force due to a decrease in the School Board's budget as approved by City Council. (Adopted December 11, 2003; Ordinance Number 03/04-7; Effective: July 1, 2004: Revised: November 8, 2018; Ordinance Number 18/19-32; Effective: November 8, 2018; Ordinance 22/23-48, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-304, 22.1-70, and 22.1-78 (1950), as amended.

Section 7-23.2. Compliance with State Board Regulations. — The teaching load of every teacher shall be in compliance with regulations of the State Board. The School Board shall comply with the standards of quality requirements pertaining to student/teacher ratio. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-253.13:1 (1950), as amended.

Article 24 - Professional Staff Assignment and Transfers

Section 7-24.1. Assignment and Reassignment of Personnel; school year reassignments; teachers may request change in assignment. — A. Principals and other supervisory personnel may submit recommendations to the superintendent for the appointment, assignment,

promotion, transfer and dismissal of all personnel assigned to his supervision. Upon recommendation of the superintendent, the School Board shall place all employees within the various schools and facilities located in the school division. The superintendent has the authority to assign such employees to their respective positions within the school or facility wherein they have been placed by the School Board.

B. The superintendent may also reassign any such employee for that school year to any school or facility within the school division, provided no change or reassignment during a school year shall affect the salary of such employee for that school year. However, no one will be employed in or reassigned to a situation where a family member, as defined in School Board Policy Section 2-9.3, subsection A, is directly responsible for that employee's supervision.

C. Teachers may request a change of assignment within the areas of their certification. The superintendent is responsible for developing procedures for the handling of voluntary transfer requests. Any employee seeking a transfer or assignment to another work location for the next school year must submit their request by such means as set forth in regulations promulgated by the school superintendent. This type of request, if granted, will be a voluntary transfer. A change of assignment within an immediate workstation is the responsibility of the immediate supervisor. (Adopted August 10, 1995; Revised June 9, 2016; Ordinance Number 15/16-62; Effective Date: July 1, 2016; Revised August 17, 2017; Ordinance Number 17/18-1; Effective Date: August 17, 2017; Ordinance 23/24-9, Revised/Effective: August 10, 2023; Revised/Effective: April 11, 2024; Ordinance 23/24-74)

Legal Authority − Virginia Code §§ 22.1-297 & 22.1-294 (1950), as amended.

Article 25 - Overtime/Compensatory Policy

Section 7-25.1. Overtime Compensation; superintendent to develop regulations. — A. All School Board employees shall be compensated for overtime work performed in accordance with the Fair Labor Standards Act.
B. The superintendent of schools shall develop regulations for overtime compensation for all School Board employees consistent with federal and state laws, rules and regulations. (Adopted August 10, 1995; Revised September 12, 1996; Revised June 14, 2012; Ordinance Number: 11/12-17; Effective: July 1, 2012)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 26 - Professional Growth

Section 7-26.1. Policy Statement; Expenses for Travel, etc. — A. The School Board supports an organized program of in-service education for all employees which shall be directed toward increasing knowledge, improving performance and services within the schools. Employees shall be encouraged to attend professional meetings, conferences, workshops and other such activities.

B. The School Board shall budget for expenses incurred by the staff, in travel and attendance to such conventions, conferences, and meetings as are recommended by the superintendent in accordance with the following:

1. The superintendent, with the approval of the School Board, may attend conventions which may prove beneficial to the superintendent and the school system. A detailed record of all expenses incurred by the superintendent shall be kept in the superintendent's office.

2. Personnel may attend conventions or meetings which may prove beneficial after first receiving approval from the superintendent.

3. Personnel shall be reimbursed for actual and reasonable expenses incurred when travel is done in performance of assigned duties and in attendance to approved conventions, conferences, and meetings. Mileage shall be based on a rate set by the School Board. Supporting bills, receipts, and other documentation shall be furnished as required by the superintendent and/or travel regulations.

(Adopted August 10, 1995)

Legal Authority − Virginia Code §22.1-78 (1950), as amended and Fair Labor Standards Act, 29 C.F.R., 785.33 *et. seq.*

Section 7-26.2. Professional Development Encouraged; Requests for Reimbursement. — A. The School Board encourages attendance and participation of school personnel in professional development activities in order to improve work skills and to maintain high morale.

B. Requests for reimbursement from School Board funds will be honored only for activities approved in advance by the superintendent or superintendent's designee and for which a statement of travel, with supporting documents, is submitted at the conclusion of the trip. (Adopted November 11, 1999; Ordinance Number 99/00-20; Revised June 9, 2016; Ordinance Number 15/16-63; Effective Date: July 1, 2016)

Legal Authority − Virginia Code § 22.1-253.13:5 (1950), as amended.

Section 7-26.3. Professional Staff Development; professional development for teachers and principals; training in science-based reading research; professional development in implementing Virginia IEP; required participation by instructional personnel. — A. Suffolk

Public Schools provides a program of high-quality professional development in the following areas:

1. In the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels;
2. As part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education;
3. In educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula;
4. For administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; and
5. Designed to educate School Board employees about bullying as defined in Va. Code § 22.1-276.01 and the need to create a bully-free environment.

B. In addition, the Suffolk Public Schools provides teachers and principals with high-quality professional development programs each year in the following areas:

1. Instructional content;
2. The preparation of tests and other assessment measures;
3. Methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives;
4. Instruction and remediation techniques in English, mathematics, science, and history and social science;
5. Interpreting test data for instructional purposes;
6. Technology applications to implement the Standards of Learning; and
7. Effective classroom management.

C. The School Board provides high-quality professional development and training in science-based reading research and evidence-based literacy instruction, from the list developed and the resources provided by the Virginia Department of Education (the Department) pursuant to subsection C of Va. Code § 22.1-253.13:5 or an alternative program that consists of evidence-based literacy instruction and aligns with science-based reading research approved by the Department, for:

1. Each elementary school principal and each teacher with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, special education blindness/visual impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a reading specialist that builds proficiency in evidence-based literacy instruction and science-based reading research in order to aid in the licensure renewal process for such individuals;
2. Each teacher with an endorsement in middle education grades six through eight who teaches English that builds proficiency in evidence-based literacy instruction and science-based reading research; and
3. Each middle school principal and teacher with an endorsement in middle education grades six through eight who teaches mathematics, science, or history and social science that builds an awareness of evidence-based literacy instruction and science-based reading research.

D. The Board provides high-quality professional development in implementing the Virginia IEP established pursuant to Va. Code § 22.1-214.4(11) and the referral, evaluation, reevaluation and eligibility forms and worksheets referenced in Va. Code §22.1-214.4(6), for each teacher with a provisional special education license or an endorsement in special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, and special education blindness and visual impairments preschool through grade 12.

The Board provides high-quality professional development in instructional practices to support specially designed instruction in inclusive settings for:

(1) each teacher with a provisional general education license or an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, and secondary education grades six through 12;
(2) each principal with an endorsement in administration and supervision preschool through grade 12;
(3) each teacher's aide or other paraprofessional; and
(4) any teacher with a provisional special education license for whom the School Board determines there is a need for such professional development.

E. All instructional personnel are required to participate each year in professional development programs. No elementary or secondary school teacher is required to participate more than once every five years in training regarding appropriate management of student conduct and student offenses in violation of School Board policies or relating to secure mandatory test violations as set forth in Va. Code §§ 22.1-19.1 and 22.1-292.1 unless the School Board or superintendent determines that additional training is necessary to comply with federal

or state law or to remediate misconduct. Each teacher who completes such training must sign a written attestation that the teacher has been trained in and understands the relevant subject matter.

All employees of Suffolk Public Schools including each teacher and counselor employed on a full-time basis, are required to complete a mental health awareness training or similar program. Every employee holding a license issued by the Board of Education is required to complete cultural competency training, in accordance with guidance issued by the Board of Education, at least every two years.

Suffolk Public Schools will annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division. (Adopted: October 9, 2008; Ordinance Number 08/09-18; Effective: October 10, 2008; Revised June 9, 2016; Ordinance Number 15/16-64; Effective Date: July 1, 2016; Revised September 20, 2018; Ordinance Number 18/19-13; Effective Date: September 20, 2018; Ordinance 22/23-49, Revised/Effective: February 9, 2023; Ordinance 23/24-47; Revised/Effective: February 8, 2024; Ordinance 24/25-56, Revised/Effective: November 14, 2024)

Legal Authority – Virginia Code §§ 22.1-78, 22.1-23.3, 22.1-253.13:5, 22.1-276.01, 22.1-291.4, 22.1-298.6, 22.1-298.7 and 22.1-298.8 (1950), as amended.

Article 27 - Supervision of the Evaluation Process

Section 7-27.1. Evaluation of Employees Required; Role of Superintendent. — A. Every employee of the School Board is evaluated on a regular basis at least as frequently as required by law.

B. The superintendent ensures that cooperatively developed procedures for professional staff evaluations are implemented throughout Suffolk Public Schools and included in regulations promulgated by Suffolk Public Schools. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the person being evaluated. Adopted August 10, 1995; Revised: August 21, 2008, Ordinance Number 08/09-4; Effective: August 21, 2008; Revised: April 10, 2013; Ordinance Number 12/13-48; Effective Date: July 1, 2013)

Legal Authority - Virginia Code §22.1-70, 22.1-78, 22.1-313, 22.1-253.13:7 (1950), as amended.

Section 7-27.2. Primary Purposes of the Evaluation Process; Guidelines for Uniform Performance Standards, etc., applicable; when teacher deficient in managing student behavior; unsatisfactory teacher performance evaluation. — A. The primary purposes of the evaluation are:

(a) to optimize student learning and growth;

(b) to contribute to the successful achievement of the goals and objectives of Suffolk Public Schools' educational plan;

(c) to provide a basis for leadership improvement through productive performance appraisal and professional growth;

(d) to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and

(e) to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

B. The procedures will be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals. Evaluations shall include student academic progress as a sufficient component and an overall summative rating. Teacher evaluations include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities.

C. Any teacher whose evaluation indicates deficiencies in managing student conduct may be required to attend professional development activities designed to improve classroom management and discipline skills.

D. If a teacher's performance evaluation during the probationary period is not satisfactory, the Board shall not reemploy the teacher. (Adopted August 10, 1995; Revised April 10, 2013; Ordinance Number 12/13-49; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-64; Effective Date: July 1, 2016; Revised September 20, 2018, Ordinance Number 18/19-14, Effective Date: September 20, 2018; Ordinance 22/23-50, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-70, 22.1-78, 22.1-313, and 22.1-253.13:7 (1950), as amended.

Article 28 - Reduction in Professional Staff Workforce

Section 7-28.1. Effect of Decrease in Enrollment; Budget Reduction or Adjustment; Consolidation of Schools; school superintendent to develop regulations. **—** A. When there has been a decrease in enrollment, abolition of particular subjects, a decrease in the School

Board's budget as approved by the appropriating body, a consolidation of schools, the phasing out of programs, departments or grade levels and other conditions, the School Board may reduce the number of staff needed in a building, program or department or in the entire school division.
B. General reduction in total personnel and redistribution of personnel within designated programs shall be done in accordance with regulations adopted by Suffolk Public Schools. The regulations will not provide for reductions to be made solely on the basis of seniority; they will include consideration of the performance evaluations of the teachers potentially affected by the reduction in workforce. (Adopted August 10, 1995; Revised February 5, 2009, Ordinance Number 08/09-26; Effective: February 5, 2009; Revised June 9, 2016; Ordinance Number 15/16-66; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §§22.1-70 & 22.1-78 (1950), as amended.

Article 29 - Resignation of Professional and Support Staff Members

Section 7-29.1. Resignation of Employees; Teacher resignations; other employees. — A. The superintendent is authorized to accept and approve resignations of employees. Any resignation must be in writing.
B. A teacher may resign after June 15 of any school year with the approval of the superintendent. The teacher shall request release from contract at least two weeks in advance of the intended date of resignation. Such request shall be in writing and state the cause of resignation. The teacher may, within one week, withdraw a request to resign. Upon the expiration of the one week period, the superintendent shall notify the School Board of the decision to accept or reject the resignation. The School Board, within two weeks, may reverse the decision of the superintendent. In the event that the Board or the division superintendent declines to grant the request for release on grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action, which may include written reprimand, suspension, or revocation of the teacher's license, may be taken pursuant to regulations prescribed by the Board of Education.
C. Other employees who wish to terminate their employment must give notice at least ten school days prior to their desired separation date. Notice should be given to the employee's immediate supervisor, who will inform the superintendent. The superintendent will inform the School Board of the resignation at its next regular meeting. (Adopted August 10, 1995; Revised April 10, 2013; Ordinance Number 12/13-52: Effective Date: July 1, 2013; Ordinance 23/24-10, Revised/Effective: August 10, 2023)

Legal Authority - Virginia Code §22.1-304 (1950), as amended.

Section 7-29.2. Release from Contract by Non-licensed Personnel. — Non-licensed personnel who desire a release from their contract shall give at least two (2) week notice to their

immediate superior. The request will be forwarded to the superintendent or designee who in turn will present to the School Board for action. (Adopted August 10, 1995)

Legal Authority - Virginia Code 22.1-304 (1950), as amended.

Article 30 - Retirement of Professional and Support Staff Members

Section 7-30.1. Employment Discretion; Eligibility for Termination Pay; Accumulated Annual Leave. — A. Retirement shall be at the discretion of the employee. Employees of the School Board who qualify are eligible for the benefits of the Virginia Retirement System.

B. Upon acceptance for retirement by the Virginia Retirement System, full-time personnel who have been employed for at least five (5) years by the School Board shall be eligible to receive terminal pay for all unused sick leave as set forth in regulations issued by Suffolk Public Schools. Such employee shall be responsible for verifying to the superintendent acceptance by the Virginia Retirement System.

C. Annual leave can be accumulated as provided for in regulations issued by Suffolk Public Schools. Persons retiring or leaving the system through resignation can receive pay for unused annual days up to the maximum provided for in regulations issued by Suffolk Public Schools. Pay shall be based on the employee's prevailing daily rate at the time of retirement or resignation. (Adopted August 10, 1995; Revised April 3, 2003; Ordinance Number 02/03-8; Effective July 1, 2003)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 31 - Suspension and Dismissal of Professional Staff Members

Section 7-31.1. Employment Contract Required. — A. All licensed personnel in Suffolk Public Schools shall be issued a written employment contract, except those temporarily employed as substitute teachers. Before such employee enters upon his or her duty, such contract, shall be signed in duplicate with a copy thereof furnished to both parties.

B. No teacher is regularly employed by the School Board or paid from public funds unless such teacher holds a local teacher license or a license or provisional license issued by the State Board of Education. If a teacher employed under a provisional license is activated or deployed for military service within a school year (July 1 - June 30), an additional year will be added to the teacher's provisional license for each school year or portion thereof the teacher is activated or deployed. The additional year or years shall be granted the following year or years after the return of the teacher from deployment or activation. The Board of Education prescribes, by regulation, the requirements for the licensure for teachers and other school personnel required to hold a license. (Adopted August 10, 1995; Revised June 9, 2016; Ordinance Number 15/16-67; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §22.1-302 (1950), as amended.

Section 7-31.2. Definitions. — As used in this policy, "supervisor" means a person who holds a supervisory position as specified in the regulations of the State Board of Education and who is required to hold a certificate as prescribed by the State Board of Education.

Unless a different meaning is apparent from the context, the term "teacher" shall mean all regular certified public school personnel such as curriculum specialist, principal, visiting teacher, classroom teacher, librarian and guidance counselor. "Support staff" personnel are those employees who need not hold a license issued by the Virginia Board of Education in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative, clerical, maintenance, transportation, food services, and paraprofessional positions. (Adopted August 10, 1995; April 10, 2013; Ordinance Number 12/13-53; Effective Date: July 1, 2013)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-31.3. Reassignment of Principals, Assistant Principals, Supervisors etc.; Salaried Reduction Prohibited except upon notice and opportunity for hearing; cause not required; supervisor defined. — A. A person employed as a principal, assistant principal or supervisor including a person who has previously achieved continuing contract status as a teacher shall serve three (3) years in such position in Suffolk Public Schools before acquiring continuing contract status as a principal, assistant principal or supervisor. Continuing contract status acquired by a principal, assistant principal or supervisor shall not be construed as (i) prohibiting the School Board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the School Board by June 15 of any year or (ii) as entitling any such principal, assistant principal or supervisor to the salary paid him as principal, assistant principal or supervisor in the case of any such reassignment to a teaching position.

B. No such salary reduction and reassignment however, shall be made without first providing such principal, assistant principal or supervisor with written notice of the reason for such reduction and reassignment and an opportunity to present his or her position at an informal meeting with the superintendent or designee or the School Board. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the superintendent, the superintendent's designee or the School Board. The School Board, superintendent or designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be at the sole discretion of the School Board.

C. The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for any such salary reduction and reassignment with the superintendent or the superintendent's designee or the School Board and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require

cause for the salary reduction and reassignment of a principal, assistant principal or supervisor. (Adopted August 10, 1995; Revised April 10, 2013; Ordinance Number 12/13-54; Effective Date: July 1, 2013; Revised: November 8, 2018, Ordinance 18/19-33; Effective: November 8, 2018)

Legal Authority - Virginia Code §22.1-294 (1950), as amended.

Section 7-31.4. Dismissal of Teachers generally; Dismissal of Teacher Required When Subject to Founded Complaint of Child Abuse and Neglect; Report to State Board of Education Required in Certain Situations; When Copy of Criminal History Record Required; Regulations Required for Dismissal and Placing on Probation. — A. Teachers may be dismissed for incompetency, immorality, noncompliance with school laws and regulations, disability when in compliance with state and federal law, conviction of a felony or a crime of moral turpitude or other good and just cause.

B. A teacher shall be dismissed if such teacher is or becomes the subject of a founded complaint of child abuse and neglect, pursuant to Va. Code § 63.2-1505, and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for the School Board to recommend that the Board of Education revoke such person's license to teach.

C. In those instances when licensed personnel are dismissed or resign due to a conviction of any felony; any offense involving the sexual molestation, physical or sexual abuse or rape of a child; any offense involving drugs; or due to having become the subject of a founded case of child abuse or neglect, the School Board shall notify the Board of Education within 10 business days of such dismissal or the acceptance of such resignation.

D. If a current employee is dismissed because of information appearing on the employee's criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee.

E. With the exception of school administrative personnel and employees who have the specific duty to deliver health-related services, no licensed instructional employee, instructional aide, or clerical employee shall be disciplined, placed on probation, or dismissed on the basis of such employee's refusal to (i) perform nonemergency health-related services for students or (ii) obtain training in the administration of insulin and glucagon. However, instructional aides and clerical employees may not refuse to dispense oral medications. "Health-related services" means those activities which, when performed in a healthcare facility, must be delivered by or under the supervision of a licensed or certified professional.

F. Regulations shall be developed by Suffolk Public Schools for the dismissal of placing on probation of continuing contract teachers and probationary teachers during the school year. No teacher shall be dismissed or placed on probation solely on the basis of the teachers' refusal to submit to a polygraph examination requested by the School Board. (Adopted August 10, 1995; Revised September 8, 2011; Ordinance Number 11/12-5; Effective Date: September 9, 2011; Revised April 10, 2013; Ordinance Number 12/13-55; Effective Date: July 1, 2013; Revised June

9, 2016; Ordinance Number 15/16-68; Effective Date: July 1, 2016; Revised November 9, 2017; Ordinance Number 17/18-20; Effective Date: November 9, 2017; Ordinance 21/22-3; Revised August 12, 2021)

Legal Authority - Virginia Code §§22.1-307, 18.2-251, 22.1-274, 22.1-296.2, 22.1-313, 22.1-315 (1950), as amended.

Section 7-31.5. Suspension of Staff Members; escrow requirements; suspension of insurance benefits prohibited. — A. An employee may be suspended for good and just cause

- when the safety or welfare of Suffolk Public Schools or the students therein are threatened or
- when the employee has been charged by summons, warrant, indictment or information with the commission of:
  - a felony; or
  - a misdemeanor involving
    - sexual assault as established in Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2, of the Code of Virginia,
    - obscenity and related offenses as established in Article 5 (§18.2-372 et seq.) of Chapter 8 of Title 18.2, of the Code of Virginia,
    - drugs as established in Article 1 (§18.2-247 et seq.) of Chapter 7 of Title 18.2, of the Code of Virginia,
    - moral turpitude, or
    - the physical or sexual abuse or neglect of a child; or an equivalent offense in another state.

Except when an employee is suspended because of being charged by summons, warrant, indictment or information with the commission of any of the above-listed offenses, the superintendent or appropriate central office designee shall not suspend ~~a~~ an employee for longer than sixty (60) days and shall not suspend a employee for a period of in excess of five (5) days, unless such employee is advised in writing of the reason for the suspension and afforded an opportunity for hearing before the School Board in accordance with Va. Code §§ 22.1-311 and 22.1-313, if applicable. No employee shall be suspended solely on the basis of the employee's refusal to submit to a polygraph examination requested by the School Board. Any employee so suspended shall continue to receive his or her then applicable salary unless and until the School Board after a hearing determines otherwise.

B. Any employee suspended because of being charged by summons, warrant, information or indictment with a felony, a crime of moral turpitude or any offense involving the sexual molestation, physical or sexual abuse or rape of a child may be suspended with or without pay. In the event a employee is suspended without pay an amount equal to the employee's salary while on suspension shall be placed in an interest-bearing demand escrow account. Upon being

found not guilty of any of the above-listed criminal offenses, the employee shall be reinstated with all unpaid salary and accrued interest from the escrow account less any earning received by the employee during the period of suspension. But in no event shall such payment exceed one (1) year salary.

In the event an employee is found guilty by an appropriate court of any of the above-listed criminal offenses and after all available appeals have exhausted and such conviction is upheld, all funds, including interest in the escrow account shall be repaid to the School Board.

If an employee is suspended because of information appearing on the employee's criminal history record, the School Board provides a copy of the information obtained from the Central Criminal Records Exchange to the employee.

C. No employee shall have his insurance benefits suspended or terminated because of such suspension in accordance with this section. The placing of a school employee on probation pursuant to the terms and conditions of Va. Code § 18.2-251 shall be deemed a finding of guilt. (Adopted August 10, 1995; Ordinance 22/23-51, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §22.1-315, 22.1-78, and 22.1-296.2 (1950), as amended.

Section 7-31.6. Authority of School Board. — Nothing in this article shall be construed to limit the authority of the School Board to dismiss a teacher pursuant to Chapter 15, Article 3 of §22.1-307 of the Code of Virginia and Section 7-31.5 herein. (Adopted August 10, 1995; Revised June 9, 2016; Ordinance Number 15/16-69; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §22.1-313 (1950), as amended.

Section 7-31.7. Non-license personnel employees at will. — Non-license personnel other than bus drivers shall be employed on a non-contract basis and shall serve at the pleasure of the School Board. Seniority shall be earned in the department or category to which the employee is assigned. (Adopted August 10, 1995)
Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 32 - Non-School Employment by Professional and Support Staff Members

Section 7-32.1. Outside employment permission required. — Employees may, during the hours not required of them to fulfill their responsibilities to Suffolk City School Board, engage in other employment as long as such employment does not detract from or interfere with their employment by Suffolk City School Board.

An employee who is on leave from the Suffolk City School Board, in a paid or unpaid status, may not be employed by the School Board or any other employer in any capacity during the period of leave except with the prior written authorization of the superintendent or superintendent's designee.

The School Board does not endorse, support, or assume liability for any activity conducted by School Board employees in which division students or employees participate which is not sponsored by the School Board. (Adopted August 10, 1995; Ordinance 22/23-53, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-70, and 22.1-78 (1950), as amended.

Section 7-32.2. Selling educational aids. — No employee shall take advantage of his or her position in Suffolk Public Schools to promote or sale any educational aids to students or parents of students. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-32.3. Acceptance of any commission, gift or other favor prohibited. — No employee may accept any commission, gift or other favor from any person or persons doing business with Suffolk Public Schools. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-32.4. Tutoring for pay. — Professional staff members may not be paid by anyone other than the School Board for tutoring students enrolled in a class under their direct supervision except for a student who has been approved for homebound instruction. (Adopted August 10, 1995; Revised April 10, 2013; Ordinance Number 12/13-56; Effective Date: July 1, 2013)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 33 - Professional, Staff, Research and Publishing

Section 7-33.1. Superintendent to establish procedures. — In order to encourage employee creativity and to protect the rights of both the employee and the public, the Administration shall establish procedures to clearly assign the rights of ownership of employee produced educational materials. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-70 (1950), as amended.

Article 34 - Suspension, Probation or Dismissal of Classified Employees

Section 7-34.1. Just cause required; authority to suspend; suspension of insurance benefits prohibited; escrow required. — A. Classified employees whether full-time or part-time, permanent or temporary may be dismissed, suspended or placed on probation for just cause when the safety or welfare of Suffolk Public Schools or students is threatened or when the school employee has been charged by summons, warrants, indictment or information with a commission of a felony; a misdemeanor involving:

(i) sexual assault as established in §18.2-61 of the Code of Virginia (1950), as amended;

(ii) obscenity and related offenses as established in §18.2-372 of the Code of Virginia (1950), as amended;

(iii) drugs as established in §18.2-247 of the Code of Virginia (1950), as amended;

(iv) moral turpitude, or

(v) a physical or sexual abuse or neglect of a child, or an equivalent offense in another state.

In case of reduction in force, classified personnel shall be notified of impending dismissal by their immediate supervisor at least thirty (30) days in advance of an anticipated separation date. Classified employees dismissed from employment for just cause by the School Board shall be ineligible thereafter for employment in any school or duty station within Suffolk Public Schools.

B. The Superintendent or appropriate central office designee can suspend a classified employee for up to sixty (60) days but in no event longer than five (5) days without first advising the school employee of the reason for the suspension and of the employee's right to a hearing before the School Board as provided for herein.

C. The Superintendent or appropriate central office designee can suspend a classified employee for up to five (5) days and the reasons for the suspension may not be in writing and the employee is not entitled to a hearing before the School Board.

D. Any school employee suspended pursuant to sections (b) or (c) above shall continue to receive his or her then applicable salary unless and until the School Board after a hearing determines otherwise. No school employee shall have his or her insurance benefits suspended or terminated when the employee has been suspended as provided for herein.

E. Any employee suspended because of being charged by summons, warrant, information or indictment with one of the offenses listed in subsection (a), may be suspended without pay. In the event the School Board elects to suspend without pay an amount equal to the employee's salary while on suspended status shall be placed in an interest bearing demand escrow account. Upon being found not guilty of one of the offenses listed in subsection (a) or upon the dismissal or *nolle prosse qui* of the charge, such school employee shall be reinstated with all unpaid salary and accrued interest from the escrow account, less any earnings used by the school employee during the suspension but in no event shall such payment exceed one year's salary.

F. In the event any school employee is found guilty by an appropriate court of one of the offenses listed in subsection (a) and after all available appeals have been exhausted and the conviction is upheld, all funds in the escrow account shall be repaid to the School Board.
G. If an employee is suspended because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee.
H. No employee will have his insurance benefits suspended or terminated because of suspension in accordance with this policy.
I. The placing of a school employee on probation pursuant to the terms and conditions of Va. Code § 18.2-251 shall be deemed a finding of guilt. (Adopted August 10, 1995; Revised October 13, 2016; Ordinance Number 16/17-10; Effective Date: July 1, 2017)

Legal Authority - Virginia Code §22.1-315 (1950), as amended.

Section 7-34.2. Polygraph examination. — No school employee shall be suspended solely on the basis of the employee's refusal to submit to a polygraph examination requested by the School Board. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-307 (1950), as amended.

Section 7-34.3. Suspension for refusal to provide certain health services prohibited. — With the exception of school administrative personnel and persons specifically employed by the School Board to deliver health-related services, no licensed instructional employee, instructional aide, or clerical employee, shall be disciplined, placed on probation or dismissed because of the employee's refusal (a) to perform non-emergency health-related services for students or (b) obtain training in the administration of insulin and glucagon. However, instructional aides and clerical employees may not refuse to dispense oral medications.

For the purpose of this policy, the term "Health-related services" means those activities which, when performed in a healthcare facility, must be delivered by or under the supervision of a licensed or certified professional. (Adopted November 11, 1999; Ordinance Number 99/00-21; Revised April 10, 2013; Ordinance Number 12/13-57: Effective Date: July 1, 2013)

Legal Authority - Virginia Code §22.1-274 (1950), as amended.

Section 7-34.4 Support staff and written contracts; three types of support staff; terminated with five calendar days' notice — A. Support staff are not issued written contracts unless such contracts are required by law.
B. The school division employs three types of support staff: (i) Temporary employees who are hired for short-term needs on a daily basis; these employees do not receive benefits and are paid only for hours worked; (ii) Probationary employees who are fully qualified new employees assigned to authorized positions; these employees are eligible for salary increases and receive

benefits; and (iii) Regular employees who have successfully completed the prescribed probationary period; regular employees receive all employment benefits available under School Board policy.
C. The employment of support personnel may be terminated with five calendar days' notice. Support personnel may also be subject to immediate dismissal for just cause. (Adopted April 10, 2013; Ordinance Number 12/13-58; Effective Date: July 1, 2013)

Legal Authority – Virginia Code § 22.1-78 (1950) as amended.

Section 7-34.5. Probationary period for support staff; when transferred to another position; assignment of; transfers — A**.** The probationary period for all support staff positions will be six months of uninterrupted service from the date of hire.
B. Employees who have successfully completed the probationary period for one position will serve another probationary period if they move to another position.
C. Support staff shall be assigned to positions for which their qualifications meet the needs for the efficient operation of Suffolk Public Schools.
D. Support staff personnel may request a transfer to a position within their area of competence and for which they are qualified. Support staff personnel may be transferred to positions for which their qualifications best meet the needs of the school division. (Adopted April 10, 2013; Ordinance Number 12/13-59; Effective Date: July 1, 2013)

Legal Authority - Virginia Code § 22.1-78 (1950) as amended.

Article 35 - Drug and Alcohol Testing for Employees

Section 7-35.1. Drug and Alcohol Testing Program required. — Suffolk Public Schools shall implement a drug and alcohol testing program for school bus drivers and other employees who are required to hold a commercial driver's license (CDL) or who performs safety sensitive functions as defined by federal and state law and regulations. (Adopted August 10, 1995)
Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-35.2. Prohibited Conduct. — Drivers shall be prohibited from (i) alcohol possession in or use on the job (ii) use during the four (4) hours before performing safety sensitive functions (iii) having prohibited concentrations of alcohol in their system while on duty or performing safety sensitive functions (iv) exhibiting behavior and/or appearance characteristic of alcohol misuse (v) use during eight (8) hours following an accident or until after he or she undergoes a post-accident alcohol test, whichever occurs first.
B. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any controlled substances, except when the use is

pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect his ability to safely operate a motor vehicle. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-35.3. Required Testing; pre-employment and pre-duty testing etc.; refusal to submit. — A. Drivers shall be subject to pre-employment/pre-duty drug testing, reasonable suspension alcohol and drug testing, random alcohol and drug testing, post accident alcohol and drug testing, return to duty and follow-up alcohol and drug testing pursuant to procedures set out in federal regulations. Pursuant to state law, drivers shall also be subject to pre-employment alcohol testing. Any employee who refuses to submit to a post accident, random, reasonable suspicion or follow-up test shall not perform or continue to perform safety sensitive functions.
B. Furthermore any act by an employee in refusing to submit to an alcohol and/or drug test or clearly obstructs the testing process or fails to provide sufficient breath or urine without a medical reason will be deemed an act of insubordination and the employee will be discharged. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-35.4. Notification of Requirement. — Each driver shall receive educational materials that explain the requirements of federal law and regulations. Together with a copy of Suffolk Public Schools Policy and Procedures for meeting these requirements. Each driver shall sign a statement certifying that he or she has received a copy of the above materials and Suffolk Public Schools shall maintain this signed copy. Suffolk Public Schools shall also notify employees as required by federal law. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-35.5. Consequence when employee test positive. — If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance the employee shall be removed immediately from safety sensitive functions in accordance with federal regulations. All drivers shall be advised that resources are available and before a driver is reinstated, if at all, the driver shall undergo an evaluation by his substance abuse professional and comply with any required rehabilitation and undergo a return to duty test with negative urine sample. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-35.6. Record retention; information released to subsequent employer. — A. Suffolk Public Schools shall maintain records in compliance with federal regulations in a secure location with controlled access. With the driver's consent, Suffolk Public Schools may obtain

any of the information concerning drug and alcohol testing from the driver's previous employer. A driver shall be entitled, upon request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug test.
B. Records shall be made available to a subsequent employer upon receipt of a written request from a driver only as expressly authorized by terms of the driver's request. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-35.7. Test procedure. — Suffolk Public Schools shall administer controlled substance tests in accordance with federal laws governing test procedure and testing sites. Suffolk Public Schools shall take steps to ensure proper training and testing procedures are provided. (Adopted August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-35.8. Statement of Policy. — By enacting this policy, the School Board recognizes (i) that children are a precious asset to our society and are active, unpredictable and in need of constant supervision; (ii) that even momentary in attention or delay in dealing with a potentially dangerous situation could have grievous consequences; and (iii) that the daily interaction between teachers and students enables teachers to influence the values and perceptions of children. (Adopted November 11, 1999)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-35.9. Prohibited conduct; reasonable suspension required. — A. Notwithstanding the provisions of section 7-35.1, the School Board strictly prohibits the following activities, and any employee having violated any of the following will be subject to immediate discipline, up to and including dismissal: (i) the buying, selling, transportation, possession, or use of intoxicants, including alcohol, or any controlled substance as defined by law while on school property, during work hours (including meal periods), while assigned to extra duty or special projects, including those held after or in addition to regular school hours and while driving between work sites during the work day in either a district-supplied vehicle or a vehicle supplied by the employee; (ii) reporting for work under the influence of alcohol, intoxicants or any controlled substance. An individual is considered *under the influence of alcohol, intoxicants and/or controlled substance* when, based upon testing conducted and interpreted by trained medical or law enforcement personnel, the controlled substance, alcohol or intoxicant is at a level that it may impair the individual's ability to safely and/or efficiently perform assigned work or prevent the employee from presenting a positive role model to students. If there exists reasonable grounds to believe that an employee is under the influence of intoxicants, including alcohol or any controlled substance, Suffolk Public Schools may require the employee to submit

to immediate testing by trained medical personnel. Refusal to submit immediately to such tests may result in disciplinary action, up to and including dismissal. *Reasonable grounds* may include, but are not limited to, such things as slurred speech, dilated pupils, peculiar odors and unsteady balance. (Adopted November 11, 1999)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 7-35.10. Searches on School Property Permitted in Limited Situations; Prior Notice and Reasonable Suspicion Required; Administration to Develop Regulations — A. Suffolk Public Schools, with prior notice and reasonable suspicion, may conduct searches on school property of employees and/or of their personal property which is also on school property.

B. Suffolk Public Schools also reserves the right, with prior notice and reasonable suspicion, to conduct searches of school property, including, but not limited to, vehicles, furniture or equipment at any time. A refusal by an employee to submit to a search may result in disciplinary action, up to and including dismissal.

C. The administration will develop appropriate regulations, procedures, consent forms and such notifications as are needed for an orderly implementation of this policy. (Adopted November 11, 1999; Ordinance Number 99/00-43)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

CHAPTER 8 - Instruction

Article 1 - Instructional Goals and Objectives

Section 8-1.1. Excellence in Education; environment conducive to learning; standards of quality applicable. — A. The School Board is committed to excellence in education, equality of educational opportunity and the recognition of each student's individuality. Students differ in their rate of physical, mental or emotional and social growth and vary in their needs and abilities. Every effort will be made to provide opportunities that are consistent with personal development and potential such that students become productive adult citizens in our society. The schools shall organize as follows: elementary schools (kindergarten through fifth grade); middle schools (sixth through eighth grade); high schools (ninth through twelfth grade).

B. The school environment should be responsive and conducive to learning. The physical environment facilitates and enhances the learning experiences available to each student. A responsive environment includes competent, dedicated teachers using a variety of techniques and a classroom atmosphere where students can function and develop according to their abilities. Safety, physical comfort, and appearance also are vital environmental components.

C. The School Board accepts the overall goals of public education as expressed by the Standards of Quality legislated by the Virginia General Assembly and implemented by State Board of Education regulations. The School Board reports its compliance with the Standards of Quality to the Board of Education annually. The report of compliance is submitted to the Board of Education by the chair of the School Board and superintendent.
D. The School Board commits itself to providing programs and services as stated in the standards of quality to the extent of funding thereof provided by the General Assembly. (Adopted January 12, 1995; Ordinance 19/20-37; Revised/Effective Date: December 12, 2019)

Legal Authority - Virginia Code §§ 22.1-23.3, 22.1-253.13:1 & 22.1-253.13:8 as amended.

Section 8-1.1:1. Instruction for Grades kindergarten through 12; Program of Instruction Emphasis; Other program requirements. — A. Suffolk Public Schools shall develop and implement a program of instruction for grades kindergarten through 12 that is aligned to the Standards of Learning established by the Board of Education and that meets or exceeds the requirements of the Board of Education.

B. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, computer science and computational thinking, including computer coding, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

C. The School Board shall also implement:
(1) programs in grades kindergarten through three that emphasize developmentally appropriate learning to enhance success;
(2) programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school; such programs shall include components that are research-based;
(3) career and technical education programs incorporated into the kindergarten through grade 12 curricula;

(4) educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to Va. Code § 22.1-200.03;
(5) early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law;
(6) early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs;
(7) educational alternatives for students whose needs are not met in programs prescribed elsewhere in the Standards of Learning;
(8) adult education programs for individuals functioning below the high school completion level;
(9) a plan to make achievements for students who are educationally at risk a division-wide priority that includes procedures for measuring the progress of such students;
(10) an agreement for postsecondary degree attainment with a community college in Virginia specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from a community college concurrent with a high school diploma; such agreement specifies the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher;
(11) a plan to notify students and their parents of the availability of dual enrollment and Advanced Placement classes, career and technical education programs, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the Advanced Placement and International Baccalaureate examinations; this plan includes notification to students and parents of the agreement with a community college in Virginia to enable students to complete an associate's degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma;
(12) identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs; which programs may include dual language programs whereby such students receive instruction in English and in a second language;
(13) early identification, diagnosis, and assistance for students with reading and mathematics problems and provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students;
(14) incorporation of art, music, and physical education as a part of the instructional program at the elementary school level;
(15) a program of physical fitness available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the

regular school year; such program may include any combination of:

(i) physical education classes,
(ii) extracurricular athletics,
(iii) recess, or
(iv) other programs and physical activities deemed appropriate by the School Board;

(16) a program of student services for grades kindergarten through grade 12 designed to aid students in their educational, social, and career development;

(17) the collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program; and

(18) a program of instruction in each government course in the school division on all information and concepts in the civics portion of the U.S. Naturalization test.

D. Timely written notification is provided to the parents of any student who:

(i) undergoes literacy and Response to Intervention screening and services;
(ii) does not meet the benchmark on any assessment used to determine at-risk learners in preschool through grade 12, which notification includes all such assessment scores and subs-cores and any intervention plan that results from such assessment scores or sub-scores; or
(iii) receives reading intervention services. Parents of each student who receives reading intervention services are notified before the services begin.

(Adopted October 12, 2017, Ordinance Number 17/18-21; Effective Date: October 12, 2017; Ordinance 21/22-4; Revised: August 12, 2021; Ordinance 22/23-7, Revised/Effective Date: November 10, 2022)

Legal Authority – Virginia Code §§ 22.1-78, 22.1-23.3, 22.1-253.13:1., and 22.1-215.2 (1950) as amended.

Section 8-1.1:2. Annual notification to parents of Advanced or Accelerated Mathematics for students in grades five through eight; Automatic Enrollment and Parental Opt-Out Option; Eligibility other than automatic enrollment. A. **—** The parents of each student in grades five through eight is notified annually of the following:

(1) Criteria and process for enrollment in advanced or accelerated mathematics, including automatic enrollment and parental opt-out, as set forth in this policy;

(2) The importance of middle school mathematics coursework;

(3) The impact of middle school mathematics coursework on the high school mathematics coursework sequence; and

(4) The mathematics courses available within the Suffolk Public Schools division.

B. Students in grades five through eight who earn a grade-level upper quartile scale score on the end-of-year Standards of Learning mathematics assessments will be automatically enrolled in an available advanced or accelerated mathematics course in the next school year. Parents of such a student may opt-out their student from such automatic enrollment.

C. Besides the automatic enrollment option referenced above, students may be eligible for enrollment in an available advanced or accelerated mathematics course upon teacher recommendation, parental recommendation, student preference, or student aptitude as demonstrated through other means of evaluation than the Standards of Learning mathematics assessment, such as grades, other standardized resting, portfolios, or observation. (Adopted: July 10, 2025, Ordinance 25/26-3)

Legal Authority – Virginia Code §§ 22.1-207.9, 22.1-253.13:1, and 22.1-253.13:3.

Section 8-1.2. Annual Notice of Learning Objectives; notice of credits needed for graduation; notice to parents of students with disabilities; notice to parents of students who fail to graduate. — A. At the beginning of each school year, each school within Suffolk Public Schools will provide to its students' parents or guardians information on the availability of and source for receiving:

(i) the learning objectives developed in accordance with the Standards of Accreditation to be achieved at their child's grade level, or, in high school, a copy of the syllabus for each of their child's courses;

(ii) the Standards of Learning (SOLs) applicable to the child's grade or course requirements and the approximate date and potential impact of the child's next SOL testing;

(iii) an annual notice to students in all grade levels of all requirements for Board of Education-approved diplomas; and

(iv) the School Board's policies on promotion, retention, and remediation.

The Superintendent will certify to the Department of Education that the notice required by this policy has been given.

B. Suffolk Public Schools will notify the parent of rising eleventh and twelfth grade students of:

(i) requirements for graduation pursuant to the standards for accreditation; and

(ii) the requirements that have yet to be completed by the individual student.

C. Suffolk Public Schools will notify the parents of students with disabilities who have an Individualized Education Program (IEP) and who fail to meet the graduation requirements of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Va. Code § 22.1-213 et seq.

D. Suffolk Public Schools will notify the parent of students who fail to graduate or who fail to achieve graduation requirements as provided in the standards of accreditation and who have not reached 20 years of age on or before August 1st of the school year of the right to a free public education. If the student who does not graduate or complete such requirements is a student for

whom English is a second language, the School Board will notify the parent of the student's opportunity for a free public education in accordance with Va. Code § 22.1-5. (Adopted April 10, 2013; Ordinance Number: 12/13-60; Effective Date: July 1, 2013; Revised October 13, 2016; Ordinance Number: 16/17-20; Effective Date: July 1, 2017)

Legal Authority – Virginia Code § 22.1-253.13:4 (1950), as amended.

Section 8-1.3. Career and Technical Education Programs K-12; plan required; High School to Work Partnerships; Agreements for Postsecondary Course Credit, etc. — A. The School Board will provide career and technical educational programs incorporated into the kindergarten through twelfth grade curricula that include:

(i) knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;

(ii) career exploration opportunities in the middle school grades.; and

(iii) competency-based career and technical education programs which integrate academic outcomes, career guidance and job-seeking skills for all secondary students based on labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school;

(iv) annual notice on its website to enrolled high school students and their parents of (a) the availability of the post-secondary education and employment data published by the State Council of Higher Education on its website; and (b) the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college or workforce center; and

(v) as part of each student's Academic and Career Plan lists of top professions in Virginia, skills required for each profession, and top degree programs at institutions of higher education in Virginia, as compiled annually by the Department of Education and provided to the School Board in accordance with Virginia Code § 22.1-253.13:1.

B. Suffolk Public Schools will develop and implement a plan to ensure compliance with this Policy. This plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.

C. The School Board may establish High School to Work Partnerships or delegate the authority to establish Partnerships to the division's career and technical education administrator or the administrator's designee, in collaboration with the guidance counselor office of each high school in the school division, and educate high school students about opportunities available

through such Partnerships.

D. The School Board may enter into agreements for postsecondary course credit, credential, certification, or license attainment, referred to as College and Career Access Pathways Partnerships, with comprehensive community colleges or other public institutions of higher education or educational institutions that offer a career and technical education curriculum. College and Career Access Pathways Partnerships must specify

(i) the options for students to take courses as part of the career and technical education curriculum that lead to course credit or an industry-recognized credential, certification, or license concurrent with a high school diploma;
(ii) the credit, credentials, certifications, or licenses available for such courses;
(iii) the industry-recognized credentials that are accepted as substitutes for certain credits required for high school graduation, consistent with the list developed and maintained by the Virginia Board of Education pursuant to Va. Code § 22.1-253.13:1(F); and
(iv) available options for students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community colleges concurrent with the pursuit of a high school diploma and receive college credit and high school credit for successful completion of any such program.

(Adopted April 10, 2013; Ordinance Number 12/13-1; Effective Date: July 1, 2013; Revised November 9, 2017; Ordinance 17/18-22; Effective Date: November 9, 2017; Revised November 8, 2018; Ordinance 18/19-34; Effective: November 8, 2018; Ordinance 24/25-57, Revised/Effective: November 14, 2024)

Legal Authority – Virginia Code §§ 22.1-227.1, 22.1-237.1, 22.1-237.2, 22.1-237.3, 22.1-237.4, 22.1-237.5, 22.1-227.1, and 22.1-253.13.1(1950), as amended.

Section 8-1.4. Early identification; occupation and career exploration; Academic Career Plan; courses in career investigation; high school students access to courses; counseling for certifications, etc.; information for high school students. — A. Each middle and secondary school provides for the early identification and enrollment of students in a program with a range of educational and academic experiences related to college and career readiness in and outside the classroom, including an emphasis on experiences that will motivate disadvantaged and minority students to prepare for a career or postsecondary education.

Each elementary, middle, and secondary school provides for the identification by all students of personal interests and abilities to support planning for postsecondary opportunities and career preparation. Such support includes provision of information concerning exploration of career cluster areas in elementary schools, and course information and planning for college preparation programs, opportunities for educational and academic experiences in and outside

the classroom, including internships and work-based learning, and the multiple pathways to college and career readiness in middle and high school.

B. Beginning in the elementary school years, students explore the different occupations associated with career clusters and select an area or areas of interest. Students begin the development of an academic and career plan portfolio (ACPP) in elementary grades to include information about interests, values such as dependability and responsibility, and skills supporting decisions about their future interests and goals. The information contained in the ACPP serves as the foundation for creating the Academic and Career Plan (ACP) in grade 7.

C. In middle school, students complete a locally selected career interest inventory and select a career pathway. To support development of the ACP, students complete at least one course in career investigation selected from the career and technical education state-approved list, or a school division-provided alternative means of delivering the career investigation course content, provided that the alternative is equivalent in content and academic rigor.

All schools continue development of a personal ACP with each seventh-grade student with completion by the end of the fall semester of the student's eighth-grade year. The components of the ACP include the student's program of study for high school graduation and a post-secondary career pathway based on the student's academic and career interests. In high school, a career-related learning experience is chosen by the student and documented in the ACP.

The ACP is developed in accordance with guidelines established by the Board of Education and signed by the student, student's parent or guardian, and school official or officials designated by the principal. The ACP is included in the student's record and is reviewed and updated annually. Lists, as compiled annually by the Department of Education and provided to the School Board of:

(1) the top 100 professions in Virginia by median pay and the education, training and skills required for each such profession and

(2) the top 10-degree programs at institutions of higher education in Virginia by median pay of program graduates are included as part of each student’s ACP.

D. The School Board may require such courses in career investigation at the high school level as it deems appropriate, subject to approval by the Board of Education. The School Board may require such courses in career investigation at the elementary school level as it deems appropriate.

E. Each qualified high school student is provided access to courses at each high school in the division that are sufficient to complete the Passport Program and the Uniform Certificate of General Studies Program at a public institution of higher education at no cost to such student pursuant to the College and Career Ready Virginia Program established by Va. Code § 22.1-237.1, et seq.

F. Beginning in the middle school years, students are counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities include access to at least three Advanced Placement (AP), International Baccalaureate (IB), or Cambridge courses or three college-level courses for degree credit pursuant to 8 VAC 20-131-100 and 8 VAC 20-131-140. Students taking advantage of such opportunities are not denied participation in school activities for which they are otherwise eligible. Wherever possible, students are encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:

(a) Written approval of the high school principal prior to participation in dual enrollment must be obtained;
(b) The college must accept the student for admission to the course or courses; and
(c) The course or courses must be given by the college for degree credits (no remedial courses will be accepted).

G. Information that assists high school students in making informed decisions about their futures after graduating from high school and ensures that such students are aware of the costs and benefits of different educational and certificate programs, as collected and compiled by the Virginia Department of Education in consultation with the State Council of Higher Education for Virginia, is readily available to each high school student. The information is distributed to each high school student who expresses an interest in attending an institution of higher education or completing a training program. (Adopted November 8, 2018; Ordinance: 18/19-35; Ordinance 21/22-5, Revised August 12, 2021; Ordinance 22/23-90; Revised/Effective: June 8, 2023; Ordinance 24/25-58, Revised/Effective: November 14, 2024)

Legal Authority — Virginia Code §§ 22.1.206.2, 22.1-237.1, 22.1-237.2, 22.1-237.3, 221.-237.4, 22.1-237.5, 22.1-253.13:1, 22.1-253.13:3 (1950) as amended and 8 VAC 20-131-140.

Article 2 - Academic Freedom

Section 8-2.1. Awareness of Respect for Constitution and Bill of Rights; Freedom of Conscience etc.; free from religious discrimination. — A. The School Board seeks to educate young people in the democratic tradition, to foster a recognition of individual freedom and social responsibility, to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

B. Freedom of individual conscience, association and expression will be encouraged in fairness and procedures will be observed to safeguard the legitimate interest of the schools and to exhibit by appropriate examples the basic objectives of a democratic society as set forth in the Constitution of the United States and the State Constitution.

C. Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their

submissions. Such home and classroom work shall be evaluated by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school. (Adopted January 12, 1995; Revised: September 8, 2011; Ordinance Number 11/12-4; Effective Date: September 9, 2011)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 3 - School Year and School Day

Section 8-3.1. School Year defined; Elementary School; Unstructured recreational time. — A. The length of the school year is at least 180 teaching days or 990 teaching hours. The School Board offers in-person instruction to each student enrolled in an elementary or secondary school in Suffolk Public Schools for at least 990 teaching hours per school year, except as otherwise permitted by Va. Code § 22.1-98.C.4 or Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia. Days on which schools are closed because of inclement weather or emergencies, are made up if necessary to meet the 180 teaching days requirement or 990 teaching hours.

B. Students are provided a minimum of 680 hours of instructional time in elementary school in the four academic disciplines of English, mathematics, science, and history and social sciences.

C. Unstructured recreational time that is intended to develop teamwork, social skills, and overall physical fitness may be included in the calculation of total instructional time or teaching hours for elementary school, provided that such unstructured recreational time does not exceed 15 percent of total instructional time or teaching hours. (Adopted January 12, 1995; Revised June 14, 2001; Ordinance Number 00/01-09; Effective: July 1, 2001; Revised November 8, 2018; Ordinance Number 18/19-35; Effective: November 8, 2018; Ordinance 22/23-91, Revised/Effective: July 13, 2023)

Legal Authority - Virginia Code §§ 22.1-26, 22.1-98 & 22.1-79.1, 22.1-200.2 (1950), as amended.

Section 8-3.2. School Calendar adoption process; First day of school. — A. The official school calendar for the following year shall be adopted no later than June 1 by the School Board upon the recommendation of the Superintendent. Any exceptions or revisions to the calendar must be approved in advance by the School Board. The Superintendent must ensure that the calendar conforms to the number of actual days of employment as required by law and School Board policy. An advisory committee composed of teachers, parents and administrators may be used to recommend a proposed calendar to the superintendent. The recommendation of this committee shall

be considered as advisory.
B. The first day of school shall be after Labor Day unless this requirement has been waived by the Board of Education pursuant to Virginia Code Section 22.1-79.1 (1950), as amended. (Adopted January 12, 1995; Revised June 15, 2001; Ordinance Number 00/01-10; Effective Date: July 1, 2001)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-3.3. Length of school day; time for dismissal; special education student exception. — Deleted Effective June 8, 2023 (Adopted January 12, 1995; Revised June 14, 2001; Ordinance Number 00/01-11; Effective July 1, 2001; November 8, 2018; Ordinance Number 18/19-37; Effective: November 8, 2018; Ordinance 22/23-93, Revised: June 8, 2023)

Section 8-3.4. Standard school day for grades K through 12; daily recess required for elementary grades; secondary class schedule; time for opening and closing school set by School Board. — Deleted Effective June 8, 2023 (Adopted August 21, 2008, Ordinance Number 08/09-10; Effective: August 21, 2008; Ordinance 22/23-93, Revised/Effective: June 8, 2023)

Legal Authority – Virginia Code § 22.1-79(5), (1950), as amended.

Article 4 - Curriculum Development and Adoption

Section 8-4.1 Curriculum requirements generally; goal based-process; evaluation of educational program by administration required; new courses and educational programs presented to the School Board. — A. The curriculum is a coherent and comprehensive plan for teaching and learning built upon a framework that promotes continuity and the cumulative acquisition and application of skills. The curriculum states clearly and specifically what students are expected to know and be able to do by grade level and course. Suffolk Public Schools curricula meets or exceeds the requirements of and or aligned with the Standards of Learning.
B. Curriculum development is a goal-based process. The process encompasses (1) identification of division goals, (2) identification of program goals and student learning results, (3) curriculum evaluation, and (4) curriculum improvement. The purposes of the process are to:

1. Respond to the division needs assessment.
2. Define desired student learning results in each curriculum area.
3. Evaluate the curriculum and its implementation.
4. Provide for continuous curriculum improvement.
5. Provide for curriculum coordination within, between and across grade levels.
6. Determine how well individual students accomplish program goals and

achieve expected learning results.

7. Provide a process for staff and community input in developing and implementing curriculum.

C. The School Board expects the administration and faculty to evaluate the educational program and regularly report findings and recommendations to the School Board. These recommendations shall include modifications of desired learning results, division or program goals, new courses or course content, resources, materials, and learning experiences.

D. The superintendent shall present new courses and new educational programs to the School Board for action, as well as programs and courses that have extensive revisions or additions. (Adopted January 12, 1995; Revised September 8, 2011; Ordinance Number 11/12-3; Effective Date: September 9, 2011; Ordinance 22/23-94, Revised/Effective: June 11, 2023)

Legal Authority - Virginia Code §§ 22.1-253.13:1 & 22.1-78 (1950), as amended.

Section 8-4.2. Curriculum to include study of documents of Virginia history and United States Constitution. — The Declaration of American Independence, the general principles of the Constitution of the United States, including the Bill of Rights, the Virginia Statute of Religious Freedom, the charters of April 10, 1606, May 23, 1609, and March 12, 1612, of the Virginia Company, and the Virginia Declaration of Rights shall be thoroughly explained and taught by teachers to students enrolled in Suffolk Public Schools. Emphasis shall be given to the citizenship responsibilities inherent in the rights included in these documents. Written examinations as to each of the documents shall be given. (Adopted November 11, 1999; Ordinance Number 99/00-22)

Legal Authority – Virginia Code §22.1-201 (1950), as amended.

Section 8-4.3. Textbook adoption; recommendations from superintendent required. — A. The School Board shall adopt textbooks, including print or electronic media, for student use that serves as a core instructional resource for a grade-level subject or course in accordance with regulations adopted by the State Board of Education.

B. The School Board will adopt textbooks for use in the local division upon the recommendation of the superintendent. (Adopted January 8, 2009; Ordinance Number 08/09-24; Effective July 1, 2009)

Legal Authority – Virginia Code §22.1-238 (1950), as amended.

Article 5 - Pilot Research or Experimental Projects

Section 8-5.1. Right to inspect instructional material; research or experimentation program defined; approval by Board of Education Required. — A. In addition to any other rights with respect to the inspection of instructional materials, the parent or guardian of a child enrolled or engaged in any research or experimentation program or project which is funded by the United States Department of Education shall be entitled to inspect all instructional materials which will be used in conjunction with such program or project.

B. As used herein the term "research or experimentation program or project" means any program or project designed to explore or develop new or improving methods or techniques. The designation of any program or project as a research or experimentation program or project shall be made by the superintendent.

C. Experimental and innovative programs that are not consistent with accreditation standards or other regulations promulgated by the Board of Education must be submitted to the Board of Education for approval prior to implementation. (Adopted January 12, 1995; Revised September 20, 2018, Ordinance Number 18/19-15, Effective Date: September 20, 2018)

Legal Authority - 20 U.S.C. §1232.h (a) and Virginia Code §22.1-78 (1950), as amended.

Section 8-5.2 Approval by School Board required; procedures for selection and evaluation of instructional materials generally. — A. The School Board is responsible for the selection, evaluation, approval, and use of instructional materials. The superintendent or his designee will periodically review guidelines and procedures for the selection of instructional materials and bring recommendations for changes to the Board.

B. The procedures for selection and evaluation of instructional materials shall offer a thorough and efficient approach which ensures that appropriate instructional materials are selected, and provide an opportunity for the professional staff and community to participate and be informed on the selection and use of instructional materials. The procedures will include (1) local criteria for selection of instructional materials; (2) evaluation of materials in relation to with instructional goals and objectives; (3) an evaluation committee which should include, when appropriate, parents, students, teachers, supervisors, and nonparent patrons; (4) opportunity for the examination of materials by appropriate committees and individuals; (5) notice to parents that materials under consideration for approval will be available at designated locations for review by any interested citizens. Provisions should be made for those reviewing such materials to present their comments and observations, if any, to the school board; (6) procedures for the reconsideration of challenged materials; and special emphasis on the thorough evaluation of materials related to controversial or sensitive topics such as Family Life Education. (Adopted January 8, 2009; Ordinance Number 08/09-23; Effective Date: July 1, 2009)

Legal Authority — Virginia Code §22.1-238 (1950), as amended.

Section 8-5.3. Approval, selection and adoption of supplementary materials by School Board; purpose of supplementary materials; teacher review required. — A. Selection and use of supplementary materials shall be in accordance with policies and regulations of the School Board and regulations promulgated by Suffolk Public Schools. The same care shall be exercised in the selection of supplemental materials as in the selection of other types of instructional materials.

B. Materials used by students under the guidance of teachers to extend, expand, and supplement-based materials constitute an integral part of the instructional program. Supplemental materials are those items which are used to assist the teaching and learning process and include such items as magazines, newspapers, charts, pictures, certain workbooks, kits, videos, electronic media, and games. Materials selected for supplemental use relate directly to the established objectives of the course or content area in which they are used.

C. The School Board delegates the responsibility for the selection and use of supplemental materials to the individual schools. Teachers must carefully review materials prior to use and exercise a high degree of professional judgment in their selection and use of supplemental materials, to ensure that the use of such materials serves to both support and complement the basic educational objectives within the specific subject areas and classrooms, but the use of supplemental materials must have prior approval of the building principal. (Adopted January 8, 2009; Ordinance Number 08/09-22; Effective Date: July 1, 2009; Ordinance 19/20-38; Revised/Effective Date: December 12, 2019)

Legal Authority— Virginia Code §§ 22.1-78, 22.1-238 (1950), as amended.

Section 8-5.4. General Statement of Policy; Guiding Principles; Only Approved Generative Artificial Intelligence Programs Allowed; Annual Review Required; Student, Teacher and Staff Use of Generative AI; Code of Student Conduct and Acceptable Use Policy Applicable; Superintendent to develop regulations. — A. The School Board is committed to providing students enrolled in Suffolk Public Schools with the most innovative and effective educational experiences to foster high levels of learning and opportunities for self-expression. In order to prepare students for a future that demands adaptability, critical thinking and digital literacy, the School Board recognizes the potential of Generative Artificial Intelligence (AI) and other related technology tools.

As with all technologies, users must be mindful of and adhere to all considerations ensuring responsible and ethical use, especially as it relates to mitigating bias, promoting transparency, and ensuring the benefits of AI are accessible to all students.

While ensuring the responsible use for those interacting with and creating content from Generative AI technologies, the School Board underscores its commitment to fostering a dynamic and engaging learning environment that leverages the advances in AI to enhance student learning outcomes and equip students with the skills and dispositions needed for

success in the digital age.

B. The following guiding principles ensures that Generative Artificial Intelligence integration supports Suffolk Public Schools' core values and strategic priorities to improve the instructional and workplace environments for students, teachers, and staff, while safeguarding the rights of its community.

1. Holistic Support: Generative AI should enhance the inclusivity and safety of the educational environment for all students and staff.
2. Equal Opportunity: Generative AI should ensure equal access to educational resources and opportunities for all students and staff.
3. Trust Through Listening: Suffolk Public Schools will foster trust in the use of Generative AI by prioritizing transparency, communication, and stakeholder engagement.
4. Rigorous Teaching and Learning: Suffolk Public Schools will leverage Generative AI to elevate the rigor of its curriculum and teaching effectiveness.
5. Individualized Success: Suffolk Public Schools will recognize and nurture each student's unique strengths through Generative AI supported flexible learning pathways, seamlessly integrating with Suffolk Public Schools current instructional framework.
6. Continuous Improvement: Suffolk Public Schools will commit to a culture of perpetual growth and sustainability in Generative AI use, assessing its impact and adapting over time.

C. Only approved Generative AI programs may be utilized in student instruction or in completing student work.

D. Generative AI programs approved for use by staff or students will be reviewed annually to ensure compliance with policies of the School Board and state and federal student data privacy laws.

E. 1. To ensure Generative AI is used in ways that support student learning, students must commit to:

a. Using tools to enhance their learning and creativity responsibly and ethically.
b. Working with peers and educators to explore and learn about Generative AI, fostering teamwork and sharing knowledge.
c. Practicing good digital citizenship habits, respecting privacy and online safety, and using Generative AI technologies responsibly for learning and collaboration.

2. To ensure Generative AI is used in ways that support safe learning, teachers will

commit to:

a. Evaluating Generative AI output to ensure that it is accurate and aligned with professional expectations and modeling a human-centered approach for students.
b. Transparency about how and why they are using Generative AI to support instruction to educate students, colleagues, and families.
c. Protecting the privacy of personally identifiable information about themselves or their students with any Generative AI tool.
d. Using only Generative AI tools that are provided by Suffolk Public Schools to ensure that adequate data and privacy protections are in place. This includes, but is not limited to, a Data Privacy Sharing Agreement.
e. Being mindful of potential bias in any output generated by Generative AI and ensuring that all students have equal opportunities to learn about Generative AI for learning.
f. Acknowledging there is much to learn about Generative AI and modeling a growth mindset for students and colleagues.

3. To ensure Generative AI is used in ways that support operation efficiency, staff will commit to:

a. Considering ways in which Generative AI can support innovation to solve complex problems.
b. Using Generative AI in ways that protect the privacy of staff, students, and families.
c. Ensuring the use of Generative AI is free from bias and results in outcomes that serve all students.
d. Being transparent about how and why Generative AI is being used.
e. Being mindful of the use of Generative AI in ways that protect Division information and uphold applicable laws and policies.
f. Using artificial intelligence in ways that further the mission and vision of Suffolk Public Schools.

F. Students are to adhere to the Code of Student Conduct and Acceptable Use Policy when making use of Generative AI.

G. The school superintendent develops regulations for the implementation of this policy.

Legal Authority — Executive Order Number 30 (January 18, 2024); Guidelines for AI Integration Throughout Education in the Commonwealth of Virginia.

Article 6 - Curriculum Development and Adoption

Section 8-6.1. Curriculum defined; compliance with state law; proposed changes; involvement by school personnel. — A**.** The curriculum is defined broadly as the total of social and educational experiences that occur as part of the school program. The curriculum may be changed as a result of new information, development and technology, community interests and needs and student interests and needs. The curriculum is designed to assist students in achieving their potential. School personnel promote the physical, mental and social development of each student through daily interaction.

B. The curriculum shall meet the requirements of the Code of Virginia and regulations of the State Board of Education.

C. Proposed curriculum and program changes shall be submitted in writing to the assistant superintendent for review with recommendations to the superintendent.

D. Curriculum guides shall be developed locally and shall include guidelines from the State Department of Education. Teachers, administrators, principals and central office staff shall be involved in the development of such guides. Copies of all curriculum guides will be located in each school. (Adopted January 12, 1995)

Legal Authority - Virginia Code §§22.1-199 through 22.1-202 (1950), as amended.

Section 8-6.2. Character education required; basic character traits listed; use of classroom instruction. — A. Suffolk Public Schools shall establish, within its existing programs or as a separate program, a character education program in its schools. The character education program may occur during the regular school year, during the summer in a youth development academy offered by Suffolk Public Schools, or both. The purpose of the character education program is to foster civic virtues and personal character traits so as to improve the learning environment, promote student achievement, reduce disciplinary problems, and develop civic-minded students of high character. The program shall be cooperatively developed with students, parents, and the community. Specific character traits emphasized may include trustworthiness, respect, responsibility, fairness, caring, and citizenship.

B. Character education is interwoven into the school procedures and environment so as to instruct primarily by example, illustration, and participation, in such a way as to complement the Standards of Learning. Classroom instruction may also be used to supplement the program. The program also addresses the inappropriateness of bullying, as defined in the Student Conduct Policy Guidelines adopted by the Board of Education pursuant to §22.1-276.01. Parents have the right to review any audio-visual materials that contain graphic sexual or violent content used in any anti-bullying program. Prior to the use of any such material, the parent of a child participating in such a program is provided written notice of the parent's right to review the material and the right to excuse the child from participating in the part of such program utilizing such material.

C. Suffolk Public Schools' character education program shall:

(i) specify those character traits to be taught, selecting from those which are common to diverse social, cultural, and religious groups;
(ii) be implemented at the elementary and secondary levels;
(iii) provide for relevant professional development and adequate resources; and
(iv) include a method for program evaluation.

D. Character education is intended to educate students regarding those core civic values and virtues, which are efficacious to civilized society and are common to the diverse social, cultural, and religious groups of the Commonwealth. It shall not include indoctrination in any particular religious or political belief. Consistent with this purpose, Virginia's civic values, which are the principles articulated in the Bill of Rights (Article I) of the Constitution of Virginia and the ideals reflected in the seal of the Commonwealth, as described in Va. Code § 1-500, may be taught as representative of such civic values. (Adopted November 11, 1999; Ordinance Number 99/00-24; Revised April 10, 2013; Ordinance Number 12/13-62; Effective Date: July 1, 2013; Ordinance 19/20-39; Revised/Effective Date: December 12, 2019)

Legal Authority – Virginia Code §§ 22.1-207.2.1, 22.1-208.01 (1950), as amended.

Article 7 - Instructional Program

Section 8-7.1. Purpose of educational program; serving needs of all children; reading, writing and arithmetic required. — A. Because education is a lifelong process, the educational program shall provide formal studies to meet the academic and career needs of all students and opportunities for individual students to develop specific talents and interests and grow toward independent learning.

B. The various instructional programs shall be developed with the view toward maintaining balance, integrated and sequentially articulated curricula which will serve the educational needs of all school age children enrolled in Suffolk Public Schools.

C. The School Board believes that well developed reading, computing and verbal and written communication skills are essential in our society. Specific requirements for student progress shall ensure that high school graduates are competent in these skills. (Adopted January 12, 1995)

Legal Authority - Virginia Code §§22.1-199 through 22.1-202 (1950), as amended.

Section 8-7.1:1. Employment of reading specialist; advisors and intervention services; training and licensure requirements. A. The School Board employs at minimum one reading specialist for each 550 students in kindergarten through grade five and one reading specialist for each 1,100 students in grades six through eight. The School Board, upon determination of greatest need, may assign reading specialists to specific grade levels.

B. Reading specialists serve as advisors on dyslexia and related disorders. Reading specialists can provide the reading intervention services required by Virginia Code § 22.1-253.13:1 and identified in Policy 8-7.1:2 entitled Reading Intervention Services.

C. Each reading specialist employed by the School Board has the necessary training, understanding, and knowledge required by Virginia law and, when applicable, the required licensure issued by the Department of Education. (Adopted: November 14, 2024, Ordinance 24/25-59)

Legal Authority – Virginia Code §§ 22.1-1, 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:6, 22.1-298.1, and 22.1-299.7:1. 1950, as amended.

Section 8-7.1:2. Reading intervention services; Reading Plan. — A**.** Reading intervention services are provided to students in kindergarten through grade eight who demonstrate substantial deficiencies based on their individual performance on the Standards of Learning reading assessment or a literacy screener provided by the Department of Education (the Department). Reading intervention services are consistent with evidence-based literacy instruction and aligned with science-based reading research and can be provided by reading specialists employed by the School Board. For each student who receives reading intervention services:

(1) the reading intervention services are documented in the student's reading plan;
(2) a reading specialist, in collaboration with the student's teacher(s), develops, overseeimplementation of, and monitors student progress on the student's reading plan;
(3) the student's parent is given the opportunity to participate in the development of the student's reading plan and is given notice of the student's reading plan;
(4) the student's parent is given notice before reading intervention services begin;
(5) the student's parent is given a copy of the student's reading plan; and
(6) the student is assessed again at the end of that school year using either the literacy screener provided by the Department or the grade-level reading Standards of Learning assessment.

B. Each Student Reading Plan:

(i) follows the template created by the Department;
(ii) documents the reading intervention services provided to the student;
(iii) includes, at a minimum:
  a. the student's specific, diagnosed reading skill deficiencies as determined or identified by diagnostic assessment data or the literacy screener provided by the Department;
  b. the goals and benchmarks for student growth in reading;
  c. a description of the specific measures that will be used to evaluate and

monitor the student's reading progress;

d. the specific evidence-based literacy instruction that the student will receive;
e. the strategies, resources, and materials that will be provided to the student's parent to support the student to make reading progress; and
f. any additional services the teacher deems available and appropriate to accelerate the student's reading skill development; and

(iv) may include, the following services for the student:

a. instruction from a reading specialist, trained aide, computer-based reading tutorial program, or classroom teacher with support from an aide;
b. extended instructional time in the school day or school year, or,
c. for students in grades six through eight, a literacy course, in addition to the course required by the Standards of Learning in English, that provides the specific evidence-based literacy instruction identified in the student's reading plan.

(Adopted: November 14, 2024, Ordinance: 24/25-60)

Legal Authority – Virginia Code §§ 22.1-1, 22.1-215.2, 22.1-253.13:1, 22.1-253.13:2, and 22.1-253.13:6. (1950), as amended.

Section 8-7.2 Remedial instruction required; annual evaluation required; compulsory school attendance applicable; state reporting requirement. — A. Suffolk Public Schools shall implement programs of prevention, intervention or remediation for students who are educationally at risk, including but not limited to those who fail to achieve a passing score on any Standard of Learning assessment in grades three through eight, or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program. Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of- course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. The remediation program shall be chosen by Suffolk Public Schools to be appropriate to the academic needs of the student.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation which has been selected by his parent, in consultation with the Superintendent or designee, and is either (i) conducted by an accredited private school or (ii) a special program which has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such

private school remediation program or other special remediation program shall be borne by the student's parent.

B. In designing Suffolk Public Schools' remediation program as required by the Standards of Quality, Suffolk Public Schools shall annually evaluate and modify, as appropriate, the remediation plan based on an analysis of the percentage of students meeting their remediation goals and consideration of the pass rate on the Standards of Learning assessments. The program shall include, when appropriate, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation. Such students shall be provided appropriate remediation activities.

C. When a student is required to participate in a remediation program pursuant to this policy, the Superintendent may seek immediate compliance with the compulsory school attendance laws if a reasonable effort to seek the student's attendance, including direct notification of the parents of such students of the attendance requirement and failure of the parents to secure the student's attendance, have failed and the superintendent determines that remediation of the student's poor academic performance, passage of the Standards of Learning Assessment in grades three through eight, or promotion is related directly to the student's attendance in the remediation program.

D. Suffolk Public Schools will annually report the following information to the Board of Education pertaining to students eligible for remediation: (1) the number of students failing a state-sponsored test required by the Standards of Quality or Standards of Accreditation; (2) a demographic profile of students attending state-funded remedial programs; (3) the academic status of each student attending state-funded remedial programs; (4) the types of instruction offered; (5) the length of the program; (6) the cost of the program; (7) the number of ungraded and disabled students, and those with limited English proficiency; (8) the pass rate on Standards of Learning assessments; and (9) the percentage of students at each grade level who have met their remediation goals. (Adopted: February 14, 2008; Ordinance Number 07/08-7; Effective Date: February 14, 2008; Revised: September 20, 2018, Ordinance Number 18/19-16, Effective date: September 20, 2018)

Legal Authority—Virginia Code §§ 22.1-253.13:1, 22.1-253.13:2, 22.1- 253.13:4, 22.1-254, 22.1-254.01 (1950), as amended.

Section 8-7.3. Online and virtual programs permitted; courses and program offerings posted on website; enrollment and residency requirement; teachers licensed by Board of Education and administrators must hold advance degree; definitions. — A. The School Board may enter into contracts, consistent with the criteria approved by the Board of Education, with approved private or nonprofit organizations to provide multi-division online courses and virtual school programs. Such contracts are exempt from the Virginia Public Procurement Act.

B. Information regarding online courses and programs that are available through the school division is posted on the division's website. The information includes the types of online courses

and programs available to students through the division, when the division will pay course fees and other costs for nonresident students, and the granting of high school credit.

C. Any student enrolled in any online course or virtual program offered by the school division must be enrolled in a public school in Virginia as provided in Va. Code §22.1-3.1. The student's parent or guardian must give written permission prior to the enrollment of the student in any full-time virtual program offered by the school division. A student who resides in the City of Suffolk is not charged tuition for enrolling in any online course or virtual program offered by the school division. However, tuition may be charged to students, except children with disabilities who are enrolled in the division's full-time virtual school program, who do not reside within the boundaries of the City of Suffolk.

D. Teachers who deliver instruction to students through online courses or virtual school programs must be licensed by the Board of Education and are subject to the requirements of Policy Section 7-20.1 entitled, Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect. The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering educational programs.

E. For purposes of this policy, the following definitions apply.

"Multi-division online provider" means (i) a private or non-profit organization that enters into a contract with a local school board to provide online courses or programs through that school board to students who reside in Virginia both within and outside the geographical boundaries of that school division; (ii) a private or non-profit organization that enters into contracts with multiple local school boards to provide online courses or programs to students in kindergarten through grade 12 through those school boards; or (iii) a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division. However, "multi-division online provider" shall not include (a) a local school board's online learning program in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of that school division; (b) multiple local school boards that establish joint online courses or programs in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of those school divisions; (c) local school boards that provide online learning courses or programs for their students through an arrangement with a public or private institution of higher education; or (d) local school boards providing online courses or programs through a private or non-profit organization that has been approved as a multi-division online provider.

"Online course" means a course or grade-level subject instruction that (i) is delivered by a multi-division online provider primarily electronically using the Internet or other computer-based methods and (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both.

"Virtual school program" means a series of online courses with instructional content that (i) is delivered by a multi-division online provider primarily electronically using the Internet or other computer-based methods; (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both; (iii) is delivered as

a part-time or full-time program; and (iv) has an online component with online lessons and tools for student and data management. (Adopted April 10, 2013; Ordinance Number 12/13-63; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-70; Effective Date: July 1, 2016; Ordinance Number 19/20-40; Revised/Effective Date: December 12, 2019)

Legal Authority – Virginia Code §§ 22.1-212.24, 22.1-212.25, 22.1-212.26, 22.1-212.27, 22.1-296.1, 22.1-296.2, and 22.1-296.4. (1950), as amended.

Article 8 - Tech Prep Education

Section 8-8.1. Vocational Technical Education; Pruden Center for Industry and Technology. — A. Suffolk Public Schools shall provide a program of vocational/technical education in order that students may acquire skills, knowledge, attitudes and habits of work necessary for life and success in employment. The superintendent and staff shall plan and make recommendations for vocational/technical education in compliance with the standards of quality annual plan for vocational/technical education adopted by the School Board.

B. Students enrolled in Suffolk Public Schools shall be required to enroll in a secondary school in Suffolk before they can attend the Pruden Center for Industry and Technology. For the half day enrollment at the secondary school, students shall be scheduled, enrolled and attend required and elective courses. Additionally, such students may participate in co-curricular activities and lunch at the regular secondary school and be offered transportation to and from the Pruden Center for Industry and Technology. (Adopted January 12, 1995)

Legal Authority - Virginia Code §§22.1-228 through 22.1-257 (1950), as amended.

Article 9 - Health, Physical Education

Section 8-9.1. Physical Education Program must comply with state law; goal of Suffolk Public Schools. — A. Students receive health instruction and physical training as prescribed by the Board of Education and approved by the Board of Health. Such health instruction:

(i) incorporates standards that recognize the multiple dimensions of health by including mental health and the relationship of physical and mental health so as to enhance student understanding, attitudes, and behavior that promote health, well-being and human dignity; and

(ii) may include an age-appropriate program of instruction on the safe use of and risks of abuse of prescription drugs that is consistent with curriculum guidelines developed by the Board of Education and approved by the Board of Health.

B. Suffolk Public Schools provides a program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100

minutes per week during the school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year. Such programs may include any combination of physical education classes, extracurricular athletics, recess or other programs and physical activities. Any physical education class offered to students in grades seven and eight includes at least one hour of personal safety training per school year in each such grade level that is developed and delivered in partnership with the local law-enforcement agency and consists of situational safety awareness training and social media education. (Adopted January 12, 1995; Revised September 8, 2011; Ordinance 11/12-2; Effective Date: September 9, 2011; Revised June 9, 2016; Ordinance Number 15/16-71; Effective Date: July 1, 2016; Revised November 8, 2018; Ordinance Number 18/19-38; Effective Date: November 8, 2018; Ordinance 19/20-41; Revised/Effective Date: December 12, 2019; Ordinance 22/23-95, Revised/Effective: June 8, 2023)

Legal Authority - Virginia Code §§22.1-207, 22.1-253.13:1, (1950), as amended.

Article 10 - Teaching about Drugs, Alcohol and Tobacco

Section 8-10.1. Drug, Alcohol, and Tobacco Education; fentanyl education required. — A. Suffolk Public Schools provides instruction concerning:

(i) drugs and drug abuse;

(ii) the public safety hazards and dangers of alcohol abuse, underage drinking, underage marijuana use, and drunk driving, and

(iii) the health and safety risks of using tobacco products, nicotine vapor products, and alternative nicotine products, and

(iv) gambling and the addictive potential thereof.

B. Each school that includes grades nine through 12 annually distributes fentanyl education and awareness information developed by the Department of Education to each student in those grades within the first two weeks of school. (Adopted January 12, 1995; Revised June 9, 2016; Ordinance Number 15/16-72; Effective Date: July 1, 2016; Ordinance 19/20-42; Revised/Effective: December 12, 2019; Ordinance 22/23-8, Revised/Effective: November 10, 2022; Ordinance 22/23-96, Revised/Effective: June 8, 2023; Ordinance 24/25-61, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §§ 22.1-206 and 22.1-206.01 (1950), as amended.

Article 11 - Family Life Education

Section 8-11.1. Family Life Education in general; appropriateness required. — A. The School Board provides Family Life Education (FLE) based on the FLE Standards of Learning (SOL) and curriculum guidelines developed by the Board of Education. The SOL objectives

related to dating violence and the characteristics of abusive relationships are taught at least once in middle school and at least twice in high school. The high school FLE curriculum shall incorporate age-appropriate elements of effective and evidence-based programs on the prevention of dating violence, domestic abuse, sexual harassment, including sexual harassment using electronic means, and the law and meaning of consent. Such age-appropriate elements of effective and evidence-based programs on the prevention of sexual violence may include instruction that increases student awareness of the fact that consent is required before sexual activity.

B. The FLE curriculum offered in any school incorporates age-appropriate elements of effective and evidence-based programs on the importance of the personal privacy and personal boundaries of other individuals and tools for a student to use to ensure that he respects the personal privacy and personal boundaries of other individuals. The FLE curriculum incorporates age-appropriate elements of effective and evidence-based programs on the harmful physical and emotional effects of female genital mutilation; associated criminal penalties; and the rights of the victim, including any civil action pursuant to Va. Code § 8.01-42.5.

The FLE curriculum may incorporate age-appropriate elements of effective and evidence-based programs on the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation and child sexual abuse, and in any such curriculum offered in high school, human trafficking of children. (Adopted January 12, 1995; Revised April 10, 2013; Ordinance Number 12/13-64; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-73; Effective Date: July 1, 2016; Revised October 13, 2016; Ordinance Number 16/17-19; Effective Date: July 1, 2017; Revised December 14, 2017; Ordinance Number 17/18-23; Effective Date: December 14, 2017; Revised November 8, 2018; Ordinance Number 18/19-39; Effective: November 8, 2018; Ordinance 19/20-61; Revised/Effective: January 9, 2020; Ordinance 22/23-97, Revised/Effective: June 8, 2023)

Legal Authority — Virginia Code §§ 22.1-207.1, 22.1-207.1:1, & 22.1-207.2 (1950) as amended.

Section 8-11.2. Community Involvement Team. — DELETED (Deleted Ordinance Number 19/20-43; Effective December 12, 2019)

Section 8-11.3. Instructional Materials. — DELETED (Deleted June 9, 2016; Ordinance Number 15/16-75; Effective: July 1, 2016)

Section 8-11.4. Separate Sessions. — DELETED (Deleted Ordinance Number 19/20-44; Effective: December 12, 2019)

Section 8-11.5. Opt Out Procedures. — DELETED (Deleted Ordinance Number 19/20-45; Effective: December 12, 2019)

Section 8-11.6. Students with Disabilities. — The superintendent or designee shall develop a plan for including family life education in the individualized education program (IEP) for students with disabilities. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-70 (1950), as amended.

Section 8-11.7. Annual Review Required; Right of Parental Review; Program Summary Required. — A. The Family Life Education curriculum is reviewed at least once every seven years, evaluates whether the curricula reflects contemporary community standards, and revises the curricula if necessary. Such review allows for community input.

B. A parent or guardian shall have the right to review the curriculum including all supplemental materials used in the program. A summary of the family life education program will assist parents in understanding the program and to encourage parental involvement in the instruction of students in family life education.

C. The School Board develops and distributes to the parents or guardians of students participating in the FLE program a summary designed to assist them in understanding the program implemented in Suffolk Public Schools and to encourage parental guidance and involvement in the instruction of the students. Such information reflects the curricula of the program as taught in the classroom. The following statement is included on the summary: "Parents and guardians have the right to review the family life education program offered by Suffolk Public Schools, including written and audio-visual educational materials used in the program. Parents and guardians also have the right to excuse their child from all or part of family life education instruction." (Adopted January 12, 1995; Revised April 10, 2013; Ordinance Number 12/13-67; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-78; Effective Date: July 1, 2016; Ordinance 22/23; Revised/Effective: July 13, 2023)

Legal Authority - Virginia Code §§ 22.1-207.1, 22.1-207.1:1, & 22.1-207.2 (1950), as amended.

Section 8-11.8 Staff Training. — Teachers in the Family Life Education program participate in the training program sponsored by the Department of Education. (Adopted April 10, 2013; Ordinance Number 12/13-68; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-79; Effective Date: July 1, 2016)

Legal Authority – Virginia Code §§ 22.1-207.1; 22.1-207.2 (1950), as amended.

Section 8-11.9 Division Wide Family Life Education Leader Required. — DELETED (Deleted June 9, 2016; Ordinance Number 15/16-80; Effective Date: July 1, 2016)

Note: This Section read “The superintendent, or a designee, shall appoint a family life education leader for the school division. The family life education leader will assist in training teachers, work with the community involvement team, and assist in the implementation and evaluation of

the program."

Legal Authority – Virginia Code §§ 22.1-297.1, 22.1-207.2 (1950), as amended.

Article 12 - Driver Education

Section 8-12.1. Driver Education High School Offering; 90-minute parent/student driver education component; fees established by School Board; requirements to participate; valid license required for driving instructors; superintendent to make report to Division of Motor Vehicles. — A. Suffolk Public Schools offers a program in the high schools in the safe operation of motor vehicles. The program includes instruction concerning:

(i) alcohol and drug abuse,

(ii) aggressive driving,

(iii) motorcycle awareness,

(iv) the dangers of distracted driving and speeding

(v) organ and tissue donor awareness,

(vi) fuel-efficient driving practices and

(vii) traffic stops, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops, and appropriate interactions with law-enforcement officers who initiate traffic stops.

B. The program also includes an additional minimum 90-minute parent/student driver education component as part of the classroom portion of the driver education curriculum. However, no student who is (1) at least 18 years of age, (2) an emancipated minor, or (3) an unaccompanied minor who is not in the physical custody of the student's parent or guardian is required to participate in the parent/student driver education component. The parent/student driver program emphasizes (i) parental responsibilities regarding juvenile driver behavior, (ii) juvenile driving restrictions pursuant to the Code of Virginia, (iii) the dangers of driving while intoxicated and underage consumption of alcohol, and (iv) the dangers of distracted driving.

C. The School Board establishes fees, that do not exceed the limit established by the Department of Education, for the behind-the-wheel portion of the program. The School Board may waive the fee or surcharge in whole or in part for those students it determines cannot pay the fee or surcharge.

D. Any student who participates in a driver education program must meet the academic requirements established by the Board of Education. No student is permitted to operate a motor vehicle without a learner's permit or a license. Necessary certification of students' academic

standing and compliance with compulsory attendance laws is provided by the administration to the Department of Motor Vehicles upon request, in accordance with state law.

E. Driver education instructors possess valid driver's licenses and maintain satisfactory driving records. Any teacher of behind-the-wheel instruction who receives six or more demerit points in a 12-month period will be suspended from teaching driver education for 24 months.

F. At the beginning of each school year and thereafter as necessary, the school superintendent shall report to the Department of Motor Vehicles the name and driver's license number of all persons providing instruction in driver education for Suffolk Public Schools. (Adopted January 12, 1995; Revised March 12, 2009; Ordinance Number 08/09-33; Effective July 1, 2009; Revised April 10, 2013; Ordinance Number 12/13-70; Effective Date: July 1, 2013; Revised December 14, 2017; Ordinance Number 17/18-24; Effective Date: December 14, 2017; Ordinance Number: 22/23-9, Revised/Effective Date: November 10, 2022)

Legal Authority - Virginia Code §§ 22.1-205, 46.2-334, 46.2-340 (1950), as amended, and 8 VAC 20-340-10, 8 VAC 20-720-80.

Article 13 - Programs for Students with Disabilities

Section 8-13.1. Free Appropriate Public Education; Individualized Education Program Required; Credit Accommodations; Faculty Member serving as Liaison; Appropriate Procedural Safeguards Required; Child Find Program Required. — A. The School Board provides a free, appropriate public education for all children and youth with disabilities, ages 2 through 21, inclusive, who are residents of the City of Suffolk or who are not residents of the City of Suffolk but are residents of Virginia and who are enrolled in a full-time virtual school program provided by the School Board. To the maximum extent appropriate, students with disabilities are educated with children without disabilities.

B. An Individualized Education Program (IEP) is developed and maintained for each child with a disability served by Suffolk Public Schools. The program shall be developed in a meeting of the child's IEP team, which includes the child's teachers, parent(s), the student (when appropriate), a school division representative qualified to provide or supervise the provision of special education services, an individual who can interpret the instructional implications of evaluation results and other individuals at the discretion of the parents or school division in accordance with State and federal law and regulations. This IEP is reviewed at least annually.

C. Parents of students with disabilities are provided guidance by the division according to the Virginia Department of Education regarding the availability of credit accommodations to earn a standard diploma and the limitations of the Applied Studies Diploma at a student's annual IEP program meeting corresponding to grades three through 12 when curriculum or statewide assessment decisions are being made that impact the type of diploma for which the student can qualify. The child's IEP team considers credit accommodations, including locally awarded

verified credits, to enable the child to earn a standard diploma. The IEP includes areas specified by state and federal statutes and regulations.

D. Beginning in the 2024-2025 School Year, the School Board designates a faculty member to serve as a special education parent/family liaison, who serves as a resource to parents and families to understand and engage in

(i) the referral, evaluation, reevaluation, and eligibility process if they suspect that their child has a disability and

(ii) the IEP process and works in collaboration with the special education family support centers established by the Parent Training and Information Center of the Commonwealth pursuant to Virginia Code § 22.1-214.5.

The School Board posts the name of the designated special education parent/family liaison publicly on its website.

E. A printed copy of the procedural safeguards available to the parent(s) of a child with a disability is given to the parent(s). The procedural safeguards notice includes a full explanation of all the procedural safeguards available.

F. The Suffolk Public Schools shall maintain an active and continuing child find program designed to identify, locate and evaluate those children residing in the division who are birth to 21 inclusive who need special education and related services. (Adopted January 12, 1995; Revised April 10, 2013; Ordinance Number 12/13-71; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-81: Effective Date: July 1, 2016; Ordinance 24/25-62; Revised/Effective: January 16, 2025)

Legal Authority - Virginia Code §§22.1-213, 22.1-214, 22.1-214.5, 22.1-215, 22.1-253.13:2, 22.1-253.13:4. (1950), as amended. 8 VAC 20-81-30. 8 VAC 20-81-50, 8 VAC 20-81-80, 8 VAC 20-81-100, 8 VAC 20-81-110, 8 VAC 20-81-130, 8 VAC 20-81-170, 20 U.S.C. § 1400 et seq., 29 U.S.C. § 701 et seq., 42 U.S.C. § 12101 et seq.

Article 14 - Programs for Students with Exceptional Abilities

Section 8-14.1. Gifted programs encouraged; multiple criteria for identification; annual report required; advisory committee to be appointed — A. The Suffolk City School Board approves a comprehensive plan for the education of gifted students that includes the components identified in Board of Education regulations. The development process for the plan includes opportunities for public review of the school plan. The plan for the education of gifted students is accessible through the division's website and printed copies of the plan are available to citizens who do not have online access.

Suffolk Public Schools has uniform procedures for screening, referring, identifying, and serving students in kindergarten through twelfth grade who are gifted in general intellectual

and/or fine and performing arts.

Suffolk Public Schools provides written notification to and seeks written consent from parents and legal guardians to conduct any required assessment to determine a referred student's eligibility for the division's gifted education program, and to provide services for an identified gifted student in the division's gifted education program.

B. The School Board may establish a local advisory committee composed of parents, school personnel, and other community members appointed by the School Board. The committee will reflect the ethnic and geographical composition of the school division. If established, the committee will annually review Suffolk Public Schools' plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The findings of the annual program effectiveness and the recommendations of the committee will be submitted annually in writing to the division superintendent and the School Board. (Adopted January 12, 1995; Revised: October 9, 2008; Ordinance Number 08/09-25; Effective Date: October 10, 2008; Revised April 10, 2013; Ordinance Number 1213-72; Effective Date: July 1, 2013; Ordinance Number 22/23-55, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-16, 22.1-18.1, and 22.1-253.13:1 (1950), as amended.

Section 8-14.2. Internship programs for certain students encouraged. — The School Board encourages the development of internship programs for advanced, gifted and talented, under served, and non-traditional students with academic potential. Such internship programs should focus on providing opportunities for qualified students who demonstrate the ability or potential to excel academically, but who generally would not be selected for gifted education programs or advanced course work. (Adopted January 12, 1995)

Legal Authority - House Joint Resolution No. 727, Agreed to by the House of Delegates, February 7, 1999, Agreed to by the Senate, February 18, 1999.

Article 15 - Programs for Educational Disadvantage Students and Students with Low Achievement

Section 8-15.1. Parent and Family Engagement; generally; responsibilities of Suffolk Public Schools; parent involvement English Learner programs; parental involvement in Title I, Part A programs. — A. The School Board recognizes that the education of each student is a responsibility shared by the school and the student's family. The School Board endorses the parent and family engagement goals of Title I found at 20 U.S.C. 6318 and encourages the regular participation by parents and family members of all children, including those eligible for Title I and English learner programs in all aspects of those programs.

B. In keeping with these beliefs, it is the intention of the School Board to cultivate and support active parent and family engagement in student learning. To this end, Suffolk Public Schools will: (1) provide activities that will educate parents regarding the intellectual and developmental

needs of their children. These activities will promote cooperation between the school division and other agencies or school/community groups to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development: (2) implement strategies to involve parents in the educational process, including: (i) keeping families informed of opportunities for involvement and encouraging participation in various programs; (ii) providing access to educational resources for parents and families to use with their children; (iii) keeping families informed of the educational objectives of programs offered by Suffolk Public Schools, as well as of their child's participation and progress in these programs; (3) enable families to participate in the education of their children through a variety of roles. For example, a family member may: (i) provide input into district policies; (ii) volunteer time within the classroom and school programs; and (iii) provide professional development opportunities for teachers and staff to enhance their understanding of effective parent involvement strategies; (4) perform regular evaluations of parent involvement at any school under the control of the School Board; (5) provide access, upon request, to any instructional material used as part of the educational curriculum; (6) if practicable, provide information in a language understandable to parents;

C. In addition, for parents of students eligible for English learner programs, Suffolk Public Schools will inform such parents of how they can be active participants in assisting their children; (i) to learn English; (ii) to achieve at high levels in core academic subjects; and (iii) to meet the same challenging academic content and student academic achievement standards as all children are expected to meet.

D. The School Board encourages parents of children eligible to participate in Title I, Part A, programs to participate in the development of Suffolk Public Schools' Title I Plan. Parents may participate in the development of the Title I Plan by serving on the parent advisory committee. (Repealed Section 8-15.1, January 12, 1995; Adopted new Section 8-15.1, April 3, 2003; Ordinance Number 02/03-7; Effective Date: July 1, 2003; Revised: February 14, 2019; Ordinance Number 18/19-64; Effective Date: February 14, 2019)

Legal Authority – 20 U.S.C. §§ 6312 6318; Virginia Code § 22.1-78 (1950), as amended.

Section 8-15.1:1 Parental Involvement in School Review and Improvement; District Responsibilities. — A. The School Board encourages parents of children eligible to participate in Title I, Part A, and English Learner programs to participate in the process of school review and, if applicable, school improvement under 20 U.S.C.§6311(D)(1).

B. Each school in the school division which receives Title I, Part A, funds, shall: (i) provide assistance to parents of children served by the school in understanding topics such as Virginia's academic content standards, state and local academic assessments, and how to monitor a child's progress and work with educators to improve the achievement of their children; (ii) provide materials and training to help parents work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement; (iii) educate teachers, special instructional support personnel, principals, and other

school leaders, and other staff, with the assistance of parents, in the value and utility of contributions of parents and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school; (iv) to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with other federal, state and local programs, including public preschool and conduct other activities public preschool, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children; (v) ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand; and (vi) provide such other reasonable support for parental involvement activities as parents may request. (Repealed Section 8-15.1, January 12, 1995; Adopted new Section 8-15.1:1, April 3, 2003; Ordinance Number 02/03-7; Effective Date: July 1, 2003; Ordinance Number 17/18-26; Effective Date: November 9, 2017)

Legal Authority – 20 U.S.C. § 6312, 6316, 6318; Virginia Code § 22.1-78 (1950), as amended.

Section 8-15.1:2 When parental involvement discretionary; mandatory parental involvement; parental involvement in the allocation of funding. — A. Suffolk Public Schools and each school which receives Title I, Part A funds, may in its sole discretion: (i) involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training; (ii) provide necessary literacy training from Title I funds if the district has exhausted all other reasonable available sources of funding for such training; (iii) pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions; (iv) train parents to enhance the involvement of other parents; (v) arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators who work directly with participating children and parents who are unable to attend such conferences at school in order to maximize parental involvement and participation; (vi) adopt and implement model approaches to improving parental involvement; (vii) establish a district wide parent advisory council to provide advice on all matters related to parental involvement in programs supported under this section; and (viii) develop appropriate roles for community-based organizations and businesses in parental involvement activities.

B. Each school served under Title I, Part A, shall jointly develop with and distribute to parents of participating children a written parental involvement policy, agreed on by such parents, that shall describe the means for carrying out the following: (i) convening an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participating in Title I, Part A, and to explain the requirements of Title I, Part A, and the rights of parents to be involved; (ii) offering a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement; (iii) involving parents, in an organized ongoing, and timely way, in the

planning, review, and improvement of Title I, Part A, programs including the planning, review, and improvement of the school parental involvement policy and the joint development of the school wide program plan under the No Child Left Behind Act of 2001, 20 U.S.C. § 6312(b)(2), except that if a school has in place a process for involving parents in the joint planning and design of the school's programs, the school may use that process, if such process includes an adequate representation of parents of participating children; (iv) providing parents of participating children with (a) timely information about Title I, Part A, programs; (b) a description and explanation of the curriculum in use at the school, the academic assessments used to measure student progress, and the proficiency levels students are expected to meet; and (c) if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and (d) if the school wide program plan under the No Child Left Behind Act of 2001, 20 U.S.C. § 6312(b)(2) is not satisfactory to the parents of participating children, submitting any parent comments on the plan when the school makes the plan available to the public.

C. Parents of children receiving services under Title I, Part A, shall be involved in the decisions regarding how funds provided under Title I, Part A, are allotted for parental involvement activities. (Repealed Section 8-15.1, January 12, 1995; Adopted new Section 8-15.1:2, April 3, 2003; Ordinance Number 02/03-7; Effective Date: July 1, 2003)

Legal Authority–20 U.S.C. § 6312, 6316, 6318; Virginia Code § 22.1-78 (1950), as amended.

Section 8-15.1:3 Policy Review. — The School Board will conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of this policy in improving the academic quality of schools receiving Title I, Part A including identifying (i) barriers to greater participation by parents, particularly by parents who are economically disadvantaged, have disabilities, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background; (ii) the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and (iii) strategies to support successful school and family interactions. (Repealed Section 8-15.1, January 12, 1995; Adopted new Section 8-15.1:3, April 3, 2003; Ordinance Number 02/03-7; Effective Date: July 1, 2003; Revised December 14, 2017; Ordinance Number 17/18-25; Effective: December 14, 2017)

Legal Authority–20 U.S.C. § 6312, 6316, 6318; Virginia Code § 22.1-78 (1950), as amended.

Section 8-15.2. Program for Improvement Required. — A program of instruction shall be provided to enable students to improve their achievement in a subject area in which they are performing below grade level. (Adopted January 12, 1995)

Legal Authority - Virginia Code 22.1-253.13:1 (1950), as amended.

Article 16 - English as a Second Language

Section 8-16.1. Proficiency in English encouraged; Assessments required; Notification requirements; No tuition in certain circumstances; notification of testing accommodations. — A. Suffolk Public Schools shall provide programs to improve the education of English learners by assisting the children to learn English and meet Virginia's challenging academic content and student academic achievement standards.

B. Suffolk Public Schools will annually assess the English proficiency of all English learners.

C. Suffolk Public Schools will, not later than 30 days after the beginning of the school year, inform the parents of an English learner identified for participation in, or participating in, a program for English learners, of:

(a) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;

(b) the child's level of English proficiency, how that level was assessed, and the status of the child's academic achievement;

(c) the methods of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;

(d) how the program in which their child is, or will be participating will meet the educational strengths and needs of the child;

(e) how such program will specifically help their child learn English, and meet age-appropriate academic achievement standards for grade promotion and graduation;

(f) the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program);

(g) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and

(h) information pertaining to parental rights that includes written guidance:

  (i) detailing the right that parents have to have their child immediately removed from such program upon their request and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available, and

  (ii) assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the school division.

For a child who has not been identified as an English learner prior to the beginning of the school year but is identified as an English learner during the school year, Suffolk Public Schools shall provide the notice detailed above within 2 weeks of the child being placed in the program. The

information described above will be provided to parents in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

D. Suffolk Public Schools will accept and provide programs for students for whom English is a second language who entered school in Virginia for the first time after reaching their 12th birthday, and who have not reached age 22 on or before August 1 of the school year. No tuition shall be charged to such students, if state funding is provided for such programs.

Each high school principal or principal's designee notifies each English learner of the availability of testing accommodations available for industry certifications, state licensure examinations, national occupational competency assessments, the Armed Services Vocational Aptitude Battery and the Virginia workplace readiness skills assessment prior to the student's participation in any such certification, examination, assessment, or battery. (Adopted January 12, 1995; Revised April 10, 2013; Ordinance Number 12/13-73; Effective Date: July 1, 2013; Revised December 14, 2017; Ordinance Number 17/18-27; Effective: December 14, 2017; Ordinance 24/25-63; Revised/Effective: November 14, 2024)

Legal Authority – Virginia Code §§ 22.1-5, 22.1-253.13:4 (1950), as amended, 20 U.S.C. §§ 6311, 6312, 6825.

Article 17 - Homebound Instructions

Section 8-17.1. Homebound instruction required; limitations; medical forms required on file — A. The School Board shall maintain a program of homebound instruction for students who are confined for periods that would prevent normal school attendance based upon certification of need by a licensed physician, physician assistant, nurse practitioner, advanced practice registered nurse, or clinical psychologist.

B. Upon request of the student's parent or guardian and provided such request is also recommended by a licensed physician, physician assistant, nurse practitioner, advanced practice registered nurse, or clinical psychologist, the School Board shall furnish a teacher to instruct the student at home a maximum of forty (40) hours for secondary students and twenty (20) hours for elementary students per calendar month. Any credits earned shall be considered a part of the student's regular school work and recorded as such on the cumulative record. Credit for the work shall be awarded when it is done under the supervision of a licensed teacher qualified in the relevant subject areas and employed by the School Board, and there is evidence that the instructional time requirements or alternative means of awarding credit adopted by the school board have been met.

C. Students may enroll in and receive a standard and verified unit of credit for supervised virtual courses with prior approval of the principal. The superintendent is responsible for developing regulations governing this method of delivery that include the provisions of 8 VAC 20-131-110 and the administration of required Standards of Learning tests prescribed by 8 VAC 20-131-30. For courses offered for possible high school credit, standard units of credit are awarded for successful completion of such courses when the course is equivalent to that offered

in the regular school program and the work is done under the supervision of a licensed teacher qualified in the relevant subject areas. A verified unit of credit may be earned when the student has successfully completed the requirements specified in 8 VAC 20-131-110.

D. Medical forms must be maintained on file. (Adopted January 12, 1995; Revised June 14, 2001; Ordinance Number 00/01-12; Effective Date: July 1, 2001; Revised April 10, 2013; Ordinance Number 12/13-74; Effective Date: July 1, 2013; Revised October 13, 2016; Ordinance Number 16/17-18; Effective Date: July 1, 2017; Revised December 13, 2018, Ordinance Number 18/19-40; Effective Date: December 13, 2018; Ordinance 23/24-48, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §§ 22.1-253.13:3, 54.1-2952.2, 54.1-2957.02. (1950) as amended and 8 VAC 20-131-180.

Section 8-17.2. Approval by Superintendent; carried on school register. — A. Applicants for homebound instruction are approved locally by the superintendent or his or her designee. Medical forms must be maintained on file.

B. During such a period of instruction the student shall be carried on the school register as present. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-70 (1950), as amended.

Section 8-17.3. Online courses allowed; must be enrolled in a public school; teachers licensed by the Board of Education; administrators must hold an advanced degree. – A. The School Board may enter into contracts, consistent with the criteria approved by the Board of Education, with approved private or nonprofit organizations to provide multi-division online courses and virtual school programs. Such contracts are exempt from the Virginia Public Procurement Act. Information regarding online courses and programs that are available through Suffolk Public Schools is posted on the division's website. The information includes the types of online courses and programs available to students through the division, when the division will pay course fees and other costs for nonresident students, and the granting of high school credit.

B. Any student enrolled in any online course or virtual program offered by Suffolk Public Schools must be enrolled in Suffolk Public Schools as provided in Virginia Code § 22.1-3.1. The student's parent or guardian must give written permission prior to the enrollment of the student in any full-time virtual program offered by Suffolk Public Schools. A student who is enrolled in Suffolk Public Schools is not charged tuition for enrolling in any online course or virtual program offered by Suffolk Public Schools.

C. Teachers who deliver instruction to students through online courses or virtual school programs must be licensed by the Board of Education and are subject to the requirements of Policy Section 7-20.1.

D. The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in

administering educational programs. Ordinance 23/24-49, Effective: January 11, 2024)

Legal Authority – Virginia Code §§ 22.1-212.24, 22.1-212.25, 22.1-212.26, 22.1-212.27, 22.1-215, 22.1-296.1, 22.1-296.2, and 22.1-296.4 (1950), as amended.

Section 8-17.4. Definitions. – For purposes of this policy, the following definitions apply.

"Multi-division online provider" means (i) a private or nonprofit organization that enters into a contract with a local school board to provide online courses or programs through that school board to students who reside in Virginia both within and outside the geographical boundaries of that school division; (ii) a private or nonprofit organization that enters into contracts with multiple local school boards to provide online courses or programs to students in kindergarten through grade 12 through those school boards; or (iii) a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division. However, "multi-division online provider" shall not include (a) a local school board's online learning program in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of that school division; (b) multiple local school boards that establish joint online courses or programs in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of those school divisions; (c) local school boards that provide online learning courses or programs for their students through an arrangement with a public or private institution of higher education; or (d) local school boards providing online courses or programs through a private or nonprofit organization that has been approved as a multi-division online provider.

"Online course" means a course or grade-level subject instruction that (i) is delivered by a multi-division online provider primarily electronically using the Internet or other computer-based methods and (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both.

"Virtual school program" means a series of online courses with instructional content that (i) is delivered by a multi-division online provider primarily electronically using the Internet or other computer-based methods; (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both; (iii) is delivered as a part-time or full-time program; and (iv) has an online component with online lessons and tools for student and data management. (Ordinance 23/24-50, Effective: January 11, 2024)

Legal Authority – Virginia Code §§ 22.1-212.24, 22.1-212.25, 22.1-212.26, 22.1-212.27, 22.1-215, 22.1-296.1, 22.1-296.2, and 22.1-296.4 (1950), as amended.

Article 18 - Alternative School Programs

Section 8-18.1. Alternative programs must comply with State and Federal law. —

Alternative programs may be established by the School Board within existing schools or at separate sites within the jurisdiction of Suffolk Public Schools consistent with state and federal regulations. No person of school age meeting the residency requirements of Va. Code § 22.1-3 is charged tuition for enrollment in an alternative program offered as a regional or division wide initiative by the School Board. (Adopted January 12, 1995; Ordinance 22/23-57, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-5, and 22.1-253.13:1, (1950), as amended.

Section 8-18.2. Authority of superintendent to assign students; due process requirements; final decisions. — A. The superintendent or designee may require any student to attend an alternative education program, including, but not limited to, night school, adult education, or any other educational program designed to offer instruction to students for whom the regular program of instruction is deemed inappropriate, when the student has been:

(i) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; or

(ii) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime which resulted in or could have resulted in injury to others, or of a crime for which the disposition ordered by the court is required to be disclosed to the superintendent as provided for under law; or

(iii) found guilty or not innocent of a crime for which the disposition ordered by the court involving an offense that is required to be disclosed to the superintendent as provided for under law pursuant to Virginia Code Section 16.1-260.G; or

(iv) found to have committed a serious offense or repeated offenses in violation of School Board policies; or

(v) expelled from any school for having violated the standards of student conduct. As used in this section the term "charge" means that the petition or warrant has been filed or is pending against a student.

B. However, no student shall be placed in an alternative education program until after:

(i) written notice to the student and his parent that the student is being recommended for attendance in an alternative program; and

(ii) notice of the opportunity for the student or the student's parent to participate in a hearing conducted by the superintendent or designee regarding such placement.

C. The decision of the superintendent or designee regarding such alternative education placement shall be final unless altered by the School Board, upon timely written petition by the student, the student's parent, or the School Board, as set forth in regulations to be adopted by Suffolk Public Schools. (Adopted November 11, 1999; Ordinance Number 99/00-26; Revised

April 8, 2004; Ordinance Number 03/04-14, Effective: July 1, 2004)

Legal Authority - Virginia Code §22.1-277.1 (1950), as amended.

Section 8-18.3. Correspondence courses generally; standard units of credit awarded. — A. The superintendent, in accordance with the Standards of Accreditation, may develop regulations governing the enrollment of students in supervised correspondence courses for receipt of a standard and verified unit of credit. Students may enroll in such courses only with prior approval of the principal.

B. Standards units of credit will be awarded for the successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher approved by the School Board. Verified units of credit may be earned when the student has passed SOL test associated with the correspondence course completed. (Adopted June 13, 2001; Ordinance Number 00/01-14; Effective Date: July 1, 2001)

Legal Authority – Virginia Code §22.1-277.1 (1950), as amended.

Section 8-18.4. Instruction through alternative technological means; standard units of credit to be awarded. — A. The superintendent may develop regulations, in accordance with the Standards of Accreditation, to encourage the pursuit of alternative means to deliver instruction to accommodate student needs through emerging technologies.

B. Standard units of credit will be awarded for the successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher approved by the School Board. Verified units of credit may be earned when the student has passed the SOL test associated with the course completed. (Adopted June 14, 2001; Ordinance Number 00/01-14; Effective Date: July 1, 2001)

Legal Authority – Virginia Code §22.1-199.1 (1950), as amended.

Section 8-18.5. Parent notification of dual enrollment courses, etc. — Students and their parents shall be notified of the availability of dual enrollment, advanced placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; the International Baccalaureate program, Project Lead the Way, and Academic Year Governor's School Programs, and the College and Career Ready Virginia Program; the qualifications for enrolling in such classes, programs, and experiences; and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. Students and their parents shall also be notified of the program with a community college to enable students to complete an associate's degree, a one-year Uniform Certificate of General Studies, or the Passport Program

concurrent with a high school diploma. The superintendent shall promulgate regulations to implement this policy, which shall ensure the provision of timely and adequate notice to students and their parents. (Adopted April 10, 2013; Ordinance Number 12/13-76; Effective Date: July 1, 2013; Revised December 14, 2017; Ordinance Number 17/18-28; Effective: December 14, 2017; Revised December 13, 2018; Ordinance Number 18/19-41; Effective: December 13, 2018; Ordinance 24/25-49, Revised/Effective: October 10, 2024)

Legal Authority – Virginia Code §§ 22.1-237.1, 22.1-237.2, 22.1-237.3, 22.1-237.4, 22.1-237.5, 22.1-253.13:1.

Section 8-18.6. Agreement for postsecondary degree; counseling services for middle school students; dual enrollment courses encouraged subject to certain conditions. — A. The School Board will enter into an agreement for postsecondary degree attainment with a community college in the Commonwealth specifying the options for students to complete an associate's degree, a one-year Uniform Certificate of General Studies, or the Passport Program from the community college concurrent with a high school diploma. The agreement will specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

B. The School Board may enter into agreements for postsecondary credential, certification or license attainment with community colleges or other public institutions of higher education or educational institutions established pursuant to Title 23.1 of the Code of Virginia that offer a career and technical educational curriculum. Such agreements shall specify

(i) the options for students to take courses as part of the career and technical education curriculum that lead to an industry-recognized credential, certification or licenses concurrent with a high school diploma;
(ii) the credit, credentials, certifications or licenses available for such courses;
(iii) the industry-recognized credentials that are accepted as substitutes for certain credits required for high school graduation, consistent with the list developed and maintained by the Virginia Board of Education and
(iv) available options for students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community colleges concurrent with the pursuit of a high school diploma and receive college credit and high school credit for successful completion of any such program.

C. Beginning in the middle school years, students will be counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities include access to at least three Advanced Placement (AP), International Baccalaureate (IB), or Cambridge courses or three college-level courses for degree credit. Students taking advantage of such opportunities are not denied participation in school activities for which they are otherwise eligible.

D. Wherever possible, students will be encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:

(i) Written approval of the high school principal prior to participation in dual enrollment must be obtained.
(ii) The college must accept the student for admission to the course or courses.
(iii) The course must be given by the college for degree credits (no remedial courses will be accepted).
(iv) Students participating in courses offered by an institution of higher education are permitted to exceed a full course load in order to participate in courses that lead to a degree, certificate, or credential at such institution.

(Adopted April 10, 2013; Ordinance Number 12/13-77; Effective Date: July 1, 2013; Revised December 14, 2017; Ordinance Number 17/18-29; Effective: December 14, 2017; Revised December 13, 2018; Ordinance Number 18/19-42; Effective: December 13, 2018; Ordinance 23/24-51, Revised/Effective Date: January 11, 2024; Ordinance 24/25-64, Revised/Effective: November 14, 2024)

Legal Authority – Virginia Code §§ 22.1-78, 22.1-253.13:1. (1950), as amended; and 8 VAC 20-131-140.

Article 19 - Summer School

Section 8-19.1. Summer programs generally; repeat work—DELETED (Adopted January 12, 1995; Revised March 12, 2009; Ordinance Number 08/09-34; Effective July 1, 2009; Deleted April 10, 2013; Ordinance Number 12/13-81; Effective Date: July 1, 2013)

Section 8-19.1:1. When summer school is required; designed to improve specifically identified student deficiencies; compliance can be sought. — A. The School Board shall develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk, including those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight, or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research based.

B. Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program. Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit may be required to attend a remediation program or to participate in another form of remediation. The superintendent shall require such students to take special programs of prevention, intervention,

or remediation, which may include attendance in public summer school programs.

C. Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition. The School Board shall annually evaluate and modify, as appropriate, the remediation plan based on an analysis of the percentage of students meeting their remediation goals and consideration of the pass rate on the Standards of Learning assessments.

D. The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation which has been selected by his parent, in consultation with the Superintendent or designee, and is either (i) conducted by an accredited private school or (ii) a special program which has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such a private school remediation program or other special remediation program shall be borne by the student's parent.

E. The courses offered and the quality of instruction in the summer school program shall be comparable to that offered during the regular school term. Students must meet the requirements for SOL testing if appropriate. Summer school instruction at any level which is provided as part of a state-funded remedial program shall be designed to improve specific identified student deficiencies.

F. When a student is required to participate in a remediation program pursuant to this policy, the superintendent may seek immediate compliance with the compulsory school attendance laws if a reasonable effort to seek the student’s attendance, including direct notification of the parents of such student of the attendance requirement and failure of the parents to secure the student’s attendance, have failed and the superintendent determines that remediation of the student's poor academic performance, passage of the Standards of Learning Assessment in grades three through eight, or promotion is related directly to the student's attendance in the remediation program. (Adopted January 15, 2004; Ordinance Number 03/04-10; Effective: July 1, 2004; Revised April 10, 2013; Ordinance Number 12/13-79; Effective Date: July 1, 2013; Revised: September 20, 2018, Ordinance Number 18/19-17, Effective Date: September 20, 2018)

Legal Authority: Virginia Code §§ 22.1-253.13:1, 22.1-253.13:3, 22.1-254, 22.1-254.01. (1950), as amended.

Section 8-19.1:2. When mandatory school attendance; no fees to be charged; report

requirements.—DELETED (Adopted August 21, 2008, Ordinance Number 08/09-11; Effective: August 21, 2008; Deleted April 10, 2013; Ordinance Number 12/13-80; Effective Date: July 1, 2013)
Legal Authority – Virginia Code § 22.1-253.13:1 (1950), as amended.

Section 8-19.1:3. Compulsory attendance at remediation programs.—DELETED (Adopted: October 9, 2008; Ordinance Number 08/09-15; Effective: October 10, 2008; Deleted April 10, 2013; Ordinance Number 12/13-78; Effective Date: July 1, 2013)

Legal Authority – Virginia Code §22.1-253.13:1 (1950), as amended.

Section 8-19.2. Fees for summer programs. — Summer school programs may be financed by fees as determined by the School Board. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-79 (1950), as amended.

Article 20 - Extra Curricula and Curriculum Organizations

Section 8-20.1. Curriculum-related student organizations; equal access required; meetings of student organizations; faculty involvement; compliance with law and policy — A. Public school facilities are devoted primarily to instructional programs and school-sponsored activities. Curriculum-related student organizations are an extension of the regular school program. Their function is to enhance the participants' educational experience and supplement course materials. The activities of these organizations should bear a clear relationship to the regular curriculum.
B. Secondary school students may organize and conduct meetings of non-curriculum-related groups. Any secondary school which permits one or more non-curriculum-related student group to meet on school premises during non-instructional time provides equal access to any students who wish to conduct a meeting without discrimination on the basis of the religious, political, philosophical, or other content of the speech at such meetings. Non-curriculum-related student groups may use school facilities provided that (i) the group's meetings are voluntary and student-initiated; (ii) the group is not sponsored by the school, the government, or any government agent or employee; (iii) agents or employees of the school or government are present at religious meetings only in a non-participatory capacity; (iv) meetings do not materially and substantially interfere with the orderly conduct of educational activities at the school; and (v) nonschool persons do not direct, conduct, control, or regularly attend activities of the group.
C. The principal of each school determines the times and places which are available for the meetings of student organizations. The principal also develops procedures for scheduling meetings of student organizations. Meeting times are limited to non-instructional time.
D. Curriculum-related student organizations must be sponsored and supervised by one or

more school faculty members and approved by the principal. Faculty sponsors will participate in the supervision and direction of all activities of the organization and will attend all meetings and activities. Non-curriculum-related student organizations do not have a faculty sponsor. However, a member of the school's staff attends every meeting or activity of such organizations in a non-participatory capacity for purposes of general supervision. The organization is responsible for assuring the presence of a staff member for its meetings. No school employee is compelled to attend a meeting of any student organization if the content of such meeting is contrary to the beliefs of that school employee.

E. Student organizations shall not engage in any activity which is contrary to law, division policy, or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety or welfare of any students or staff members. Failure to comply with these provisions is grounds for disciplinary action. (Adopted January 12, 1995; Revised April 10, 2013; Ordinance Number 12/13-82; Effective Date: July 1, 2013)

Legal Authority - Equal Access Act, 20 U.S.C. §4071 *et. seq.,* Virginia Code § 22.1-23.3 (1950), as amended.

Section 8-20.2. Curriculum related organizations. — DELETED (Adopted January 12, 1995; Deleted June 13, 2013; Ordinance Number 12/13-83; Effective Date: July 1, 2013)

Section 8-20.3. Non-curriculum related organizations. — DELETED (Adopted January 12, 1995; Deleted June 13, 2013; Ordinance Number 12/13-84; Effective Date: July 1, 2013)

Section 8-20.4. Open membership in student organizations; must comply with regulations of Virginia High School League. — DELETED (Adopted January 12, 1995; Deleted June 13, 2013; Ordinance Number 12/13-85; Effective Date: July 1, 2013)

Section 8-20.5. Faculty Supervision. — DELETED (Adopted January 12, 1995; Deleted June 13, 2013; Ordinance Number 12/13-86; Effective Date: July 1, 2013)

Section 8-20.6. Compliance with Law and Policy.—DELETED (Adopted January 12, 1995; Deleted June 13, 2013; Ordinance Number 12/13-86; Effective Date: July 1, 2013)

Section 8-20.7. Student Responsibilities in Activities. — Any student running for office, appointed to office or accepting office in any school sponsored activity will represent the total student body of the school in which he or she is enrolled and will work with all students without regard for race, creed, color, gender or national origin. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-20.8. Interscholastic Activities encouraged; responsibility of principal. — A. Interscholastic activities are encouraged at the secondary school level by the School Board. The guiding principles for a successful program shall be to make available to as many students as possible a varied program of interscholastic sports and other activities through which students may develop their particular talents.

B. The School Board approves membership of its secondary schools in the Virginia High School League and requires that all interscholastic sports and contests be conducted under its rules and regulations subject to additional stipulations of the School Board. The principal of a secondary school shall be responsible for the administration and supervision of the program of interscholastic activities. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-20.9. Intramural activities. — Intramural sports and other such organized contests are encouraged for elementary and secondary schools. The School Board will cooperate when feasible with the City's Department of Parks and Recreation in its efforts to maintain worthy programs and various activities. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-20.10. Varsity sports. — Competitive sports of a varsity nature (schedule league games) are prohibited as part of the middle and elementary school program. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-20.11. Participation in extra-curricular activities generally; failure to achieve required grade point average; probationary status. — A. Students desiring to participate in any school related extra-curricular activity must meet the eligibility requirements of the Virginia High School League for participation in extra-curricular activities and must have a semester grade point average or a cumulative grade point average of not less than 2.00. The student must have achieved a 2.00 semester grade point average or must have achieved a cumulative grade point average of 2.00 immediately preceding the student's participation in any extra-curricular activity.

B. A student who has not achieved the required 2.00 semester grade point average or does not have a cumulative grade point average of 2.00 may attend summer school in an effort to obtain the required grade point average. Should the student achieve a 2.00 semester grade point average or should the student achieve a cumulative grade point average of 2.00 by attending summer school, the student will be considered eligible to participate in extra-curricular activities at the start of the fall semester.

C. A student who has not achieved a grade point average required in subsection A above

but has achieved at least a 1.65 semester or cumulative grade point average immediately preceding the student's participation in any extra-curricular activity may for one (1) semester be granted probationary status and allowed to participate in any extra-curricular activity. The granting of probationary status shall be governed by guidelines adopted by the superintendent. (Adopted December 11, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 21 - Student Publications and Public Performances by Students

Section 8-21.1. Interference with educational process prohibited; obscene, pornographic, etc. materials prohibited. — A. Written expressions may not interfere with or disrupt the educational process. Students who edit, publish or distribute or print or duplicate material within a school must accept responsibility for the content for such publications.

B. No publication shall be permitted to be sold or distributed in the schools which contains language considered to be libelous, obscene, pornographic, a personal attack or language otherwise unacceptable which may invite violence or create disorder within the school. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-21.1:1 Definition of Official School Publications; responsibilities of student editors and journalists; responsibilities of student publications faculty co-chair; responsibilities of principal. — A. Official school publications such as newspapers, yearbooks, and literary magazines may be prepared in regularly scheduled classes and are components of the curriculum approved by the School Board. These publications are not intended to provide a public forum for students or the general public. With regard to these publications, the School Board is the publisher, the principal is the editor, the faculty sponsor is the co-editor, and students appointed by the co-editor may serve as assistant editors and journalists.

B. Student assistant editors and journalists are responsible for preparing and writing factual material that is not obscene, defamatory, or an invasion of privacy or that:

(1) is reasonably foreseeable to lead to the substantial disruption of school activities or to endanger the health or safety of students or staff;
(2) advocates the commission of an unlawful act or the violation of a lawful school policy or regulation;
(3) advertises or advocates illegal products or services; or
(4) advocates prejudice, hatred, violence, or harassment.

C. School publications faculty co-editors instruct students in the recognized practices and ethical considerations of journalism. Faculty members instruct students in appropriate journalistic techniques and consult with the principal regarding material that may violate the law

or the recognized principles of journalism. Material that may be considered controversial by some members of the school community should be carefully considered by students and the faculty editor, and brought to the attention of the principal.

D. The school principal is responsible for approving all publications in accordance with School Board policy and the principal's judgment and discretion. (Adopted December 12, 2019)

Legal Authority — Hazelwood School Dist. v. Kuhlmeier, 484 U.S. 261, 108 S. Ct. 562, 98 L.Ed.2d 592 (1988).

Section 8-21.2. Participation in the community encouraged; participation in religious observances must comply with regulations. — A. The School Board encourages participation in the community by student groups and is of the opinion that student participation in the community including participation by student groups in religious activities contributes to the educational and cultural development of students.

B. The School Board is of the opinion that student participation in the community establishes good will in the community and fosters community support for public education. However, any participation by student groups in a religious ceremony observance and/or activity must be in accordance with the "regulations for student participation in religious ceremonies observance and/or activities" as adopted by the school administration. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 22 - Adult Education

Section 8-22.1 Adult Basic Education Program. **—** Adult education programs are offered to those residents of the school division over the age of compulsory school attendance who are not enrolled in the regular public school program, including adult basic education, credit programs, cultural adult education, external diploma programs, general adult education, and high school equivalency programs and who are functioning below the high school completion level. The School Board seeks to ensure that every individual participating in such a program has the opportunity to earn a high school diploma or pass a high school equivalency examination approved by the Board of Education. Such programs may be conducted solely by the School Board or through a collaborative arrangement between the School Board and other school boards or agencies. Credits and diplomas are awarded in accordance with regulations established by the Board of Education. Additional educational programs for individuals over the age of compulsory attendance also may be offered. Tuition and fees are established by the School Board. (Adopted January 12, 1995; Revised June 9, 2016; Ordinance Number 15/16-82; Effective Date: July 1, 2016; Revised December 13, 2018; Ordinance Number 18/19-43; Effective Date: December 13, 2018)

Legal Authority - Virginia Code §§22.1-210, 22.1-223, 22.1-225, 22.1-253.13:1; 22.1-253.13:4

(1950), as amended, and 8 VAC 20-30-20.

Section 8-22.2. Evaluation of adult basic education program required. — Suffolk Public Schools shall annually evaluate its adult education programs, beginning July 1, 2000, by synthesizing data collected for other state and federal reports, and shall report the findings of the evaluation to the School Board, including the effectiveness and success of such programs in assisting adults in obtaining the general educational development (GED) certificate and high school diploma. (Adopted January 12, 1995)

Legal Authority – Virginia Code § 22.1-226 (1950), as amended.

Article 23 - Grouping for Instruction and Class Size

Section 8-23.1. Flexibility required. — The grouping of students within individual schools for instructional purposes shall be based solely on (i) the best interest of the student; (ii) the educational level or achievement level of the student; (iii) the availability of space; (iv) the best educational climate for learning and (v) the student's best chance for success. Grouping shall remain flexible in order to take advantage of the best educational research currently available. (Adopted January 12, 1995)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

Section 8-23.2. Class Size Ratios; Parent Notification Required; Middle and High School Ratios; Students in Virtual School Programs not Included. — A. Suffolk Public Schools will assign licensed instructional personnel in a manner that produces division-wide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide will be assigned to the class; (ii) 24 to one in grades one, two and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12.

B. After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this policy, the school division will notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. The notification shall state the reason that the class size exceeds the class size limit and describe the measures that the school division will take to reduce the class size to comply with this policy.

C. In addition, Suffolk Public Schools shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent

teaching positions of 21 to one in middle schools and high schools.
D. When determining the assignment of instructional and other licensed personnel for purposes of this policy, full-time students of approved virtual school programs are not included. (Adopted January 12, 1995; Revised October 13, 2016; Ordinance Number 16/17-17; Effective Date: July 1, 2017)

Legal Authority – Virginia Code §§22.1-78 and 22.1-253.13:1 (1950), as amended.

Article 24 - Instructional Material

Section 8-24.1. Authority of School Board to approve. — The School Board has the responsibility for the selection approval and use of instructional materials. Accordingly, the School Board will review and approve guidelines and procedures for the selection and evaluation of instructional materials. The superintendent and staff will review periodically the guidelines and procedures and present recommendations for changes to the School Board as needed. Parents may inspect, upon request, any instructional material used as part of their student's curriculum. (Adopted January 12, 1995, Ordinance 19/20-48; Revised/Effective Date: January 9, 2020)

Legal Authority – Virginia Code § 22.1-16; 8 VAC 20-720-160 (1950), as amended.

Section 8-24.2. Textbooks selection and adoption; appointment of committee. — A. The School Board shall adopt textbooks subject to regulations of the State Board of Education. The State Board of Education adopts a multiple list of textbooks for each grade level and subject from which the School Board adopts textbooks for local use. The School Board may adopt books which are not on the State adopted list provided the selection is in accordance with specified guidelines.
B. Committees appointed by the School Board shall evaluate textbooks and make recommendations for adoption to the superintendent. The School Board shall adopt textbooks for local use based upon recommendations presented by the superintendent. (Adopted January 12, 1995)

Legal Authority – Virginia Code §§22.1-238 to 22.1-253 (1950), as amended.

Section 8-24.3. Use of supplemental materials; responsibility for selection of supplemental materials. — A. Materials used by students under the guidance of teachers to extend, expand, and supplement basal materials constitute an integral part of the instructional program. Supplemental materials are those items which are used to assist the teaching and learning process and include such items as magazines, newspapers, charts, pictures, certain workbooks, kits, videos, film strips, and games. Materials selected for supplemental use relate directly to the established objectives of the course or content area in which they are used.

B. The School Board delegates the responsibility for the selection and use of supplemental materials to the individual schools. Teachers must carefully review materials prior to use and exercise a high degree of professional judgment in their selection and use of supplemental materials to ensure that the use of such materials serves to both support and complement the basic educational objectives within the specific subject areas and classrooms. Teachers must follow guidelines and procedures adopted by the superintendent when selecting supplemental materials. (Adopted January 12, 1995; Ordinance 22/23-100, Revised/Effective: July 13, 2023)

Legal Authority – Virginia Code § 22.1-78 (1950), as amended, and 8 VAC 20-720-160.

Section 8-24.4 Reproduction and use of copyrighted materials; responsible for complying with copyright law; grounds for discipline. — A. The reproduction and use of copyrighted materials, including computer software, electronic materials, video tapes, compact discs, laser discs and other non-print materials, are controlled by federal law. In general, copyright owners have the exclusive right to use, reproduce, and modify their materials. Federal law does provide limited exceptions to this general rule which permit the reproduction and use of copyrighted materials in some circumstances. The superintendent or his/her designee is responsible for promoting an understanding of the applicable law among staff members and students.

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

C. At no time will it be necessary for a staff member to violate copyright laws in order to properly perform his or her duties. At no time will it be necessary for a student to violate copyright laws in order to complete any assigned work. For staff members, violation of copyright laws or division requirements may result in discipline up to and including termination of employment. For students, violation of copyright laws or division requirements may result in discipline up to and including suspension or expulsion. (Adopted: September 8, 2011; Ordinance 11/12-8)

Legal Authority – Virginia Code § 22.1-78 (1950), as amended.

Section 8-24.5. Purpose of policy; definitions; superintendent to develop guidelines for identification; notice to parents; list of sexually explicit materials maintained and parent right to review materials; defer to parents; parent may change their decision. — A. The purpose of this policy is to establish clear procedures for Suffolk Public Schools to:

(i) take reasonable steps in identifying any instructional materials with sexually explicit content;

(ii) ensure parental notification of any instructional materials with sexually explicit content;

(iii) permit parents to review all instructional materials with sexually explicit content; and

(iv) ensure alternative instructional materials are provided in a non-punitive manner for any student whose parent requests instructional materials that do not include sexually explicit content.

B. The following definitions apply to this policy:

(i) "Sexually explicit content" "means (i) any description of or (ii) any picture, photograph, drawing, motion picture film, digital image or similar visual representation depicting sexual bestiality, a lewd exhibition of nudity, as nudity is defined in Virginia Code Section 18.2-390, sexual excitement, sexual conduct or sadomasochistic abuse, as also defined in Virginia Code Section 18.2-390, coprophilia, urophilia, or fetishism." Sexually explicit content does not include content that only references sexual orientation or works of art considered by educational professionals to have scientific, political, educational, or social value.

(ii) "Parent" or "parents" mean "any parent, guardian, legal custodian, or other person having control or charge of a child."

(iii) "Instructional material" and "instructional materials" mean any content used by one or more students for an educational purpose, regardless of

(a) its format, whether printed, representational, audiovisual, electronic, or digital (such as materials, social media content, and software applications accessible through the internet), or

(b) the time, place and manner in which the content is used.

Library materials are considered instructional materials when assigned by the classroom teacher (i) for completion of an assignment, or (ii) as part of an academic or extracurricular educational program. This includes any division, school, and/or classroom purchased or created assessments. However, the phrases "instructional material" and "instructional materials" do not include standardized national or state assessments, such ACT, SAT, NAEP, and AP or SOL exams.

C. The superintendent will develop guidelines to assist schools in identifying instructional materials with sexually explicit content. Prior to the start of each academic year, beginning with the 2023-2024 school year, schools are to take reasonable steps to identify the specific

instructional materials that include sexually explicit content which may be used during the upcoming school year. In determining whether instructional materials contain sexually explicit content, teachers, principals, and division staff should consider, among other things, student age and maturity, and whether a parent might reasonably consider the instructional content harmful to their child.

D. At least thirty (30) days prior to use of any instructional materials or supplementary materials for direct instruction, Suffolk Public Schools will take reasonable steps to identify whether any such materials contain sexually explicit content. Review of instructional materials for sexually explicit content will be governed by School Board Policy 10-17.1 and regulations promulgated by the school superintendent. Should Suffolk Public Schools determine that instructional materials contain sexually explicit content, principals will provide written notice to parents that:

(i) specifically identifies the instructional materials found to contain sexually explicit content;

(ii) informs parents of their right to review such instructional materials; and

(iii) informs parents of their right to have their child use, in a non-punitive manner, alternative, instructional materials that do not include sexually explicit content.

Such notice should be provided in writing to parents by U.S. mail, e-mail, and/or in person at a parent-teacher meeting.

E. Suffolk Public Schools will maintain a current list of instructional materials found to contain sexually explicit content by grade, subject, and school on the division's public website. Principals will provide online access for parental review of instructional materials that include sexually explicit content, unless not technically feasible or prohibited by copyright protection. Schools should also have available at the school for parent review all instructional materials that include sexually explicit content.

F. Schools should defer to parents to determine whether the use of sexually explicit content in instructional materials, if any, is appropriate for their child. Upon a parent's request, schools will provide, in a manner that is not punitive, alternative instructional materials for the student that do not include sexually explicit content that the parent finds objectionable.

G. Parents may change their decision with respect to the use of alternative instructional materials by providing notice in writing to the school. (Ordinance 22/23-17, Effective: December 8, 2022)

Legal Authority – Virginia Code § 22.1-16.8 (1950), as amended.

Article 25 - School Media Centers

Section 8-25.1. Each school to maintain a Media Center; Purpose of Media Center; primary responsibilities. — A. Each school shall maintain an organized library media center as the resource center of the school and provide a unified program of media services and activities for students and teachers before, during and after school. The library media center shall contain hard copy, electronic technological resources, materials, and equipment that are sufficient to meet research, inquiry, and reading requirements of the instructional program and general student interest. Each school shall provide a variety of materials, resources and equipment to support the instructional program.

B. The primary function of a school's media center is to enrich and support the educational program of the school. The center provides a wide range of materials with a diversity of appeal and the presentation of different points of view.

C. The primary responsibilities of the media center are (i) to provide materials that will stimulate the acquisition of factual knowledge and the development of literary appreciation, artistic values and ethical standards; (ii) to provide a source of information which when consulted may enable students to make informed judgments; (iii) to provide materials containing a wide range of views on controversial issues so that students may develop the practice of critical reading and thinking; and (iv) to provide materials representative of ethnic and cultural groups and their contributions to our American heritage. (Adopted January 12, 1995; Revised: September 20, 2018, Ordinance Number 18/19-18, Effective Date: September 20, 2018)

Legal Authority - Virginia Code §22.1-176 (1950), as amended and 8 VAC 20-131-190.

Article 26 - Field Trips

Section 8-26.1. Purpose of Field trips; educational value to be considered; transportation to be used. — A. Field trips are off-campus instructional activities. Field trips can provide excellent educational experiences for students by enriching the curriculum and by making classroom learning experiences more meaningful. To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation, and opportunities to assimilate the experience during and after the trip. Teachers plan advance activities that prepare students for the trip and follow-up activities that assist students in summarizing, applying, and evaluating information learned on the trip.

The following factors should be considered in proposing and approving field trips:

- The value of the trip to the particular class
- The relationship of the field trip to a particular aspect of the curriculum

- The distance traveled
- The time away from the regular instructional program
- The availability of transportation

No student is denied the opportunity to participate in a field trip because of a lack of funds. Trips shall be approved by the superintendent or designee. Approval must be obtained before commitments are made to students, parents, or commercial establishments. The superintendent makes an annual report to the School Board on field trips taken.

Trips for activities governed by the Virginia High School League do not require approval on a trip-by-trip basis. Parental permission for such trips may be obtained for the entire athletic season or school year.

B. Principals are expected to consider the educational value of the trip, the availability of the learning opportunity at the school level and the distance, time and expense involved in the trip. Principals are also responsible for following all procedures established by the superintendent in requesting approval of the trip.

C. Only properly insured modes of transportation are to be used for school trips. Principals should insure that no student is denied participation on a field trip because of the expense of the trip. The Suffolk School Board does not endorse or accept responsibility for any privately sponsored trips for students or any student trips which are not part of the instructional program. Employees are not permitted to solicit students for such trips. Employees who are involved with such trips must emphasize to any interested student/parent that such trips are strictly private enterprises. (Adopted January 12, 1995; Ordinance Number 22/23-58, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-176, 22.1-70, and 22.1-78 (1950), as amended.

Article 27 - School Volunteers and Parent Participation

Section 8-27.1. Parental participation encouraged. — The School Board supports and encourages the active participation of parents and members of the community in providing and extending educational opportunities for students. Parents and other community members should be involved as resources in the schools. Such activities should be coordinated by the principal at each school. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-27.1:1. Parent partnership recognized; Purpose of Policy Stated; Mutual Respect Required — A. The School Board recognizes that the education of children is a

process that involves a partnership between a child's parents, teacher, school administrators, and other school and school board personnel. The School Board recognizes that parental participation in their child's educational process through parent/teacher conferences, classroom visitation, serving as a school volunteer, serving as a field trip chaperone, PTA participation, and other such service is critical to a child's educational success. For that reason the School Board welcomes and encourages parental participation in the life of their child's school.

B. However, from time to time parents and other visitors to schools and school district facilities will act in a manner that is disruptive of a school or other school district facility and which is threatening and/or intimidating to school and district employees. The purpose of this policy is to provide rules of conduct for parents, other visitors to schools, and school district employees which permit and encourage communication between parents, other persons, and school and district personnel concerning students or other matters and to encourage participation in school or district activities, while at the same time enabling the School Board to identify and deal with those behaviors which are inappropriate and disruptive to the operation of a school or other school district facility.

C. It is the intent of the School Board to promote mutual respect, civility, and orderly conduct among Suffolk Public School employees, parents, and the public. It is not the intent of the School Board to deprive any person of his or her right to freedom of expression. The intent of this policy is to maintain, to the greatest extent reasonably possible, a safe, harassment-free workplace for teachers, students, administrators, other staff, and parents and other members of the community. In the interest of presenting teachers and other employees as positive role models, the School Board encourages positive communication and discourages disruptive, volatile, hostile, or aggressive communications or actions. (Adopted November 11, 1999; Ordinance Number 99/00-38)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-27.1:2. Expected Level of Behavior; Unacceptable Behavior; Parent Recourse. — A. Suffolk Public School employees will treat parents and other members of the public with courtesy and respect. Parents and other visitors to schools and school district facilities will also treat teachers, school administrators, other school staff, and Suffolk Public School employees with courtesy and respect.

B. Disruptive behavior include, but is not necessarily limited to, behavior which interferes with or threatens to interfere with the operation of a classroom, an employee's office or office area, areas of a school or facility open to parents/guardians and the general public and areas of a school or facility which are not open to parents/guardians and the general public as well as any of the following: (i) using loud and/or offensive language, swearing, cursing, using profane language, or display of temper; (ii) threatening to do bodily or physical harm to a teacher, school administrator, school employee, or student regardless of whether or not the behavior constitutes or may constitute a criminal violation; (iii) damaging or destroying school or school board property; (iv) any other behavior which disrupts the orderly operation of a school, a school

classroom, or any other school board facility; (v) abusive, threatening or obscene e-mail or voice mail messages.

C. Any parent who believes he or she was subject to unacceptable and/or disruptive behavior on the part of an employee of Suffolk Public Schools should bring such behavior to the attention of the employee's immediate supervisor. (Adopted November 11, 1999; Ordinance Number 99/00-39)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-27.1:3. Authority of School Personnel; Authority to Deal with Persons Who Are Verbally Abusive; Abusive, Threatening, or Obscene E-Mail or Voice Messages. — A. Any individual who (i) disrupts or threatens to disrupt school or school district operations; (ii) threatens or attempts to do or does physical harm to school board personnel, students, or others lawfully on a school or school board premises; (iii) threatens the health or safety of students, school board personnel, or others lawfully on a school or school board premises; (iv) intentionally causes damage to a school, school board property, or property of others lawfully on a school campus or school board premises; (v) uses loud or offensive language; or who without authorization comes on a school or other school board facility may be directed to leave the premises. If the person refuses to leave the premises as directed, the administrator or other authorized personnel shall seek the assistance of law enforcement and request that law enforcement take such action as is deemed necessary. If the offender threatens personal harm, the employee may contact law enforcement.

B. If any member of the public uses obscenities or speaks in a demanding, loud, insulting, and/or demeaning manner, the employee to whom the remarks are directed shall calmly and politely warn the speaker to communicate civilly. If the verbal abuse continues, the employee to whom the remarks are directed may, after giving appropriate notice to the speaker, terminate the meeting, conference, or telephone conversation. If the meeting or conference is on a school or school board premises, any employee may request that an administrator or other authorized personnel direct the speaker to promptly leave the premises. If the person refuses to leave the premises as directed, or if the employee is threatened with personal harm, the employee may contact law enforcement and request that law enforcement take such action as it deems necessary.

C. If any Suffolk Public School employee receives an e-mail or voice message which is abusive, threatening, or obscene, the employee is not obligated to respond to the e-mail or return the telephone call. The employee may save the message and contact the assistant superintendent for administration and pupil personnel services. If the message threatens personal harm, the employee may contact law enforcement. (Adopted November 11, 1999; Ordinance Number 99/00-40)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-27.2. Parental assistance with instruction. — Parents are encouraged to provide instructional assistance to their children in the home. Suffolk Public Schools may offer a voluntary training program to the parents of children in kindergarten through third grade to assist them in developing the skills necessary to provide effective instructional assistance to their children beyond the school day. (Adopted January 12, 1995; Ordinance 2024/25-10, Revised/Effective: August 15, 2024)

Legal Authority - Virginia Code §22.1-253.13:7.C.5.

Article 28 - Guidance Program

Section 8-28.1. Guidance programs offered; annual notification; confidentiality of information; career guidance required. — A. The School Board affirms that parents are the students' first teachers and that the public schools should serve to strengthen family and parental support. No student will be required to participate in any counseling program to which the student's parents object. For the purposes of this policy the following definitions apply: (i) academic guidance - guidance which assists students and their parents to acquire knowledge of the curricula choices available to students to assist in academic growth and development, to plan a program of studies, to arrange and interpret academic testing, to seek post-secondary academic opportunities; (ii) career guidance - guidance which help students to acquire information and plan action about work, jobs, apprenticeships and post-secondary educational jobs by providing awareness in elementary school exploration and middle schools and preparation in high school; (iii) personal/social counseling - counseling which assists a student to develop an understanding of themselves, to enhance their self-image, to understand the rights and needs of others, resolve conflict and to define I individual goals reflecting their interests, abilities and aptitudes. Such counseling may be provided either (i) in groups in which general issues of social development are addressed or (ii) through structured individual or small group's multi-session counseling which focuses on the specific concerns of the participant.

B. At least annually, parents shall be notified in writing about the academic and career guidance programs and the personal/social counseling programs which are available to students within Suffolk Public Schools. Parents will be advised concerning the purpose, general description of the programs, how parents may review materials to be used in the programs and procedures by which parents may limit students' participation in the program. Information and records of personal/social counseling shall be kept confidential and separate and not disclosed to third parties without prior parental consent or as otherwise by law.

C. It shall be the policy of the School Board with respect to personal/social counseling that the parent will notify Suffolk Public Schools in writing if the student is not to participate in personal/social counseling programs. Suffolk Public Schools shall make available to students graduating from Suffolk Public Schools career guidance that will include information relative to all types of employment opportunities, including, but not limited to, apprenticeships, the military,

education schools, and the teaching profession. (Adopted January 12, 1995; Revised June 16, 1996; Revised November 11, 1999; Ordinance Number 99/00-28)

Legal Authority - Virginia Code §22.1-209 (1950), as amended.

Section 8-28.2. School Guidance and Counseling Services; Participation Not Required; Certain counseling techniques prohibited; Parent Notification; Employment Counseling and Placement Services; Academic and Career Plans; accurate records to be maintained. — A. The following guidance and counseling services shall be made available to all students enrolled in Suffolk Public Schools: (i) Academic guidance which assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing and to seek post-secondary academic opportunities; (ii) Career guidance which helps students to acquire information and plan action about work, jobs, apprenticeships and post-secondary educational and career opportunities; and (iii) Personal/social counseling which assists a student to develop an understanding of themselves, the rights and needs of others, how to resolve conflict and to define individual goals, reflecting their interests, abilities and aptitudes. Information and records of personal/social counseling will be kept confidential and separate from a student's educational records and not disclosed to third parties without prior parental consent or as otherwise provided by law. Parents may elect, by notifying their child's school in writing, to have their child not participate in personal/social counseling.

B. No student is required to participate in any counseling program to which the student's parents object.

C. Counseling techniques which are beyond the scope of the professional certification or training of counselors including hypnosis or other psychotherapeutic techniques that are normally employed in medication or clinical setting and focused on mental illness or psychopathology are prohibited.

D. Parents are to be notified annually about the counseling programs which are available to their children. The notification will include the purpose and general description of the programs, information regarding ways parents may review materials to be used in guidance and counseling programs at their child's school and information about the procedures by which parents may limit their child's participation in such programs.

E. Suffolk Public Schools provides to secondary students employment counseling and placement services to furnish information relative to employment opportunities available to students graduating from or leaving the schools in the school division. Such information includes all types of employment opportunities, including, but not limited to, apprenticeships, the military, career education schools and the teaching profession. In providing such services, Suffolk Public Schools will consult and cooperate with the Virginia Employment Commission, the Department of Labor and Industry, local business and labor organizations and career schools.

Should Suffolk Public Schools allow access to one or more of its high schools and contact with the high school's student body during a school or school division-sponsored activity to

persons or groups for occupational, professional or educational recruitment, it must provide equal access on the same basis to official recruiting representatives of the military forces of the Commonwealth and the United States.

F. All middle schools are to develop a personal Academic and Career Plan for each seventh-grade student with completion by the fall of the student's eighth-grade year. Plans are developed for students who transfer from other than a Virginia public school into the eighth grade as soon as practicable following enrollment. Students who transfer into a Virginia public school after their eighth-grade year have an Academic and Career Plan developed upon enrollment.

The components of the Plan include, but are not limited to, the student's program of study for high school graduation and a post-secondary career pathway based on the student's academic and career interests.

The Academic and Career Plan is developed in accordance with guidelines established by the Board of Education and signed by the student, student's parent or guardian and school official(s) designated by the principal. The Plan is included in the student's record and is reviewed and updated, if necessary, before the student enters the ninth and eleventh grades. The school meets its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the Plan.

G. Accurate and complete individual, permanent and cumulative student records will be maintained in each school. (Adopted December 14, 2017; Ordinance Number 17/18-30; Effective; December 14, 2017)

Legal Authority - Virginia Code §§ 22.1-23.3, 22.1-130.1, and 22.1-209 (1950), as amended.

Section 8-28.3. Notice to parents of certain educational opportunities. — Suffolk Public Schools shall notify students and their parents of the availability of advanced placement classes, the International Baccalaureate program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253.13:1 (1950), as amended.

Article 29 - Homework

Section 8-29.1. Homework objectives; guidelines; superintendent may develop regulations. — A. The basic objective of homework is the reinforcement and application of previously learned concepts, principles and skills. Homework assignments should be structured to reinforce and apply that which has been introduced and explained in the classroom or for the purpose of independent study. Homework can provide an essential communication link between the school and the home. One measure of a program or course is the quality of the work done

at home by the student. Homework should be an important tool in developing independent thought, self-direction and self-discipline.

B. The following are guidelines for homework assignments:

1. Homework should be assigned after introduction and thorough explanation of the skills necessary to successfully complete the assignment.
2. Homework should be assigned in such a manner that it will be clearly understood by all students.
3. Homework should serve a valid purpose and be closely related to current classroom activities.
4. A student's access to resource materials should be considered when making assignments.
5. Homework should be evaluated promptly and returned to the student. Effort and
competency should be recognized.
6. Teachers should seek to determine the causes if a student regularly fails to do assigned work.
7. Excessive homework should be avoided
8. Homework should not be used for disciplinary purposes.
9. Teachers and administrators should take appropriate steps to communicate with parents regarding the division's homework policy and to solicit their support.

C. The superintendent may develop regulations for the implementation of this policy. (Adopted January 12, 1995; Revised January 18, 2009; Ordinance Number 08/09-21; Effective Date: July 1, 2009)

Legal Authority - Virginia State Board of Education Regulations, "Standards for Accrediting Public Schools in Virginia," Standard C, criterion #22.

Article 30 - Acceleration

Section 8-30.1. Flexibility in scheduling; Students below 9th Grade; Parent may request grade be omitted. — The curriculum and schedule of elementary, middle and high schools shall provide flexibility in placing certain students in programs or subjects normally considered above their grade level. Scheduling eighth grade students into subjects above the normal grade level should be done with counseling based on evidence of ability, past scholastic achievement and cooperation of the individual student and his or her parents or guardian.

B. When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit is counted toward meeting the standard units required for graduation for students who enroll in high school as freshmen before July 1, 2018, as sophomores before July 1, 2019, as juniors before July 1, 2020 or as seniors before July 1, 2021 provided the

courses are equivalent in content and academic rigor as those courses offered at the secondary level. To earn a verified unit of credit for these courses, students below ninth grade level must meet the same requirements applicable to other students.

C. In any high school credit-bearing course taken in middle school, a parent may request that the grade be omitted from the student's transcript and the student not earn high school credit for the course. Such request shall be made in the format and by the deadline set forth in regulations developed by the superintendent. (Adopted January 12, 1995; Revised October 13, 2016; Ordinance Number 16/17-16; Effective Date: July 1, 2017)

Legal Authority - Virginia State Board of Education Regulations, "Standards for Accrediting Public Schools in Virginia Standard F."

Article 31 - Grading

Section 8-31.1. Purpose of grading; student accountability — A. Grading should reflect student achievement. Teachers are expected to evaluate the student's progress frequently with a variety of methods to obtain a sufficient number of grades on which to base a fair assessment of the student's work during the grading period.

B. Students shall be held accountable for all assignments before a student is given a grade. A teacher will check for understanding, review and/or re-teach when necessary and allow the student to practice. No grade should be given until the student's progress indicates that the class is ready for the mass retest. The principal will be the final authority at the building level for determining questionable grades. All students shall be given a copy of the grading policy at the beginning of each school year. (Adopted January 12, 1995; Revised July 11, 1996)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-31.2. Grading period; principal has final authority. — A. The grading period shall be established on the official calendar by the School Board. At the end of each period a report shall be sent to each student's parent or guardian.

B. Principals will be the final authority in determining when a teacher may make an exception to the grading requirements. (Adopted January 12, 1995; Revised July 11, 1996)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-31.3. Separate reporting required. — Separate reporting processes shall be used to report academic progress and behavior. Poor behavior shall not be used as a reason for reducing nor shall exemplary conduct be used as a factor in increasing a student's grade in academic work. (Adopted January 12, 1995; Revised July 11, 1996)

Legal Authority - Virginia Code §22.1-176 (1950), as amended.

Section 8-31.4. Assessment and grading defined; reporting student progress multi-faceted process; grading and assessment schedule to be established by superintendent. — A. *Assessment* is a specific process for identifying the type and extent of learning. It determines whether the learner has reached the target objective(s). It measures the degree of mastery of the identified skill or concept and identifies specific gaps or misunderstandings in learning.

Grading is the process of assigning value to learning. This process permits the ranking and comparing of segments of learning or ranking and comparing of learners.

Assessment and grading of student progress are based on the premise that students have diverse capabilities and individual patterns of growth and learning. Teachers and principals are responsible for developing instructional plans based on frequent and varied assessments of students' needs, abilities and progress. Assessment and grading activities should (i) reflect individual differences and rates of learning; (ii) address the unique needs of special population students; (iii) make adjustments for transitional periods in students' lives including elementary to middle and middle to high school; (iv) reflect expectations for student learning; (v) provide for student self-evaluation; (vi) encourage students to take an active role in setting goals and assessing progress; and (vii) foster a positive self-image for the student.

B. Reporting student progress to parents is a multi-faceted and ongoing process which may include conferences, report cards, progress reports, telephone calls, and notes. The assessment and grading process should (i) address academic achievement, social development, and effort; (ii) inform all participants about the purpose, philosophy, and procedures of the reporting system; and (iii) be easy to understand.

C. The school superintendent shall establish an assessment and grading schedule for elementary, middle and high school grades that will adequately report student acquisition of basic skills, evidence of growth and academic achievement. (Adopted October 12, 2006; Ordinance Number 06/07-4; Effective Date: July 1, 2007)

Legal Authority: Virginia Code § 22.1-78 (1950), as amended.

Section 8-31.5. (DELETED IN ITS ENTIRETY)

(Adopted October 12, 2006; Ordinance Number 06/07-4; Effective Date: July 1, 2007)

Section 8-31.6. Semester grades for high school. — To determine the semester grade average, the first and second nine (9) weeks grades shall be added and divided by 2 to determine the first semester average. The third and fourth nine (9) weeks grades shall be added and divided by 2 to determine the second semester average. Final grades should be determined by averaging the semester grades. For example, 88 first semester, 94 second semester, total 182, 182 divided by 2 equals 91 which is the final grade. (Adopted January 12, 1995; Revised

July 11, 1996; Ordinance Number 05/06-1; Revised August 11, 2005; Adopted: August 11, 2005; Effective Date: August 11, 2005; Ordinance Number: 21/22-22; Revised November 4, 2021)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-31.8. Secondary School Transcripts; Test Record; High School Credit Bearing courses in Middle School. — A. Secondary school transcripts contain information as specified by the Virginia Board of Education.

B. The superintendent is responsible for establishing a procedure by which parents, guardians or others with legal control of a student can elect in writing to have the student's test record excluded from the student transcript. The test record includes at least the highest score earned, if applicable, on college performance-related standardized tests such as SAT and ACT, excluding Standards of Learning (SOL) test scores.

C. For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course. The superintendent specifies, by regulation, the deadline and procedure for making such a request. Notice of this provision is provided to parents. (Adopted December 14, 2017; Ordinance Number 17/18-31; Effective: December 14, 2017)

Legal Authority - Virginia Code §§ 22.1-16, 22.1-23.3, 22.1-253.13:3 (1950), as amended, 8 VAC 20-131-90; and 8 VAC 20-160-30.

Article 32 - Class Rank

Section 8-32.1. Class rank determined; effect of repeat course; class rank. — A. In computing class rank of students the following procedures shall be used:

(i) Procedure for all courses: Each year's grade shall be given the indicated value: A = 4; A-=3.7; B+ = 3.3; B= 3.0; B- = 2.7; C+ = 2.3; C = 2.0; C-=1.7; D+ = 1.3; D = 1.0; F = 0. Each indicated value for a year credit is to be recorded once. The values are to be totaled, divide the total value by the number of credits earned to obtain the cumulative grade point average. The division of the total is to be carried three (3) decimal places in obtaining the grade point average of the student.

(ii) Advanced placement, pre IB, IB, honors, and dual credit for graduating class of 2002 (Incoming Freshman Class) and thereafter:

Each year's grade shall be given at the value indicated below:

10 Point Grading Scale

Effective with the 2011-2012 School Year

Letter Grade	Score Range	Progress Statements	General *Point Value*	Honors and Pre-International Baccalaureate (Pre-IB) + (0.5) *Point Value*	Advanced Placement, Dual Enrollment and International Baccalaureate (IB) + (1.0) *Point Value*
A	100-93	Outstanding Progress, Superior Work	4.0	4.5	5
A-	92-90		3.7	4.2	4.7
B+	89-87		3.3	3.8	4.3
B	86-83	Good, Better Than Average Progress	3.0	3.5	4
B-	82-80		2.7	3.2	3.7
C+	79-77		2.3	2.8	3.3
C	76-73	Average Progress	2.0	2.5	3
C-	72-70		1.7	2.2	2.7
D+	69-67		1.3	1.8	2.3
D	66-63	Poor, But Passing	1.0	1.5	2
F	62 & Below	Unsatisfactory	0.0	0.0	0.0
I		Incomplete -			

		Work Must Be Made Up			

Example:

2 Advanced Placement Credits---Grade A	2x5	10.0
1 Honors Credit--Credit B	1x3.5	3.5
4 Other Credits--Credit A	4x4.0	16.0
Total Credits		29.5
Final Grade Point Average	29.5÷7	4.214

B. A student may repeat a course and the higher grade will be used in determining class rank. In the case of a sequential course, the lower level course must be taken and the student must earn a passing grade before the student is eligible to take a higher level course. If the student should decide to repeat a lower level course after having taken the higher level course, the lower level course grade will be used for computing class rank, even though the student may have earned a higher grade after repeating the lower level course.

C. Class rank is to be determined by assigning the highest average rank a number one (1): the second highest the rank of number two (2): etc. In cases where more than one student has the same numerical average, all students with that average will be given the same rank. The next highest average will assume the next rank position which will indicate the number of students having a higher rank.

Example:			
	Student No. 1	3.988	Rank 1
	Student No. 2	3.988	Rank 1
	Student No. 3	3.897	Rank 3
	Student No. 4	3.897	Rank 3

The student with the next highest average would have the rank of five (5) in the class indicating that there are four (4) students who ranked higher.

D. Students shall be ranked at the end of the first semester of the senior year. Only those high school credits earned through high school and any high school credits earned at the middle school level will be used in the ranking (i.e., a total of seven (7) semesters work and any high school credits earned in 8th grade.) In determining class rank, weighted points will be given for any advanced placement, pre IB, IB honors, and/or dual credit grades earned in another school division which correspond with weighted courses offered by Suffolk Public Schools.

E. To be considered a valedictorian or salutatorian, a student must have completed a minimum of two (2) regular semesters in Suffolk Public Schools prior to computation of class rank.

F. Class rank will be announced at the interim reporting period for the fourth nine weeks.

G. A student with a 3.000 average is to be considered an honor graduate.
H. Grade point averages will not be rounded. (Adopted January 12, 1995 – Ordinance #98/99/02; Revised: December 9, 2004; Ordinance Number 04/05-15; Effective Date: December 9, 2004; Ordinance Number 11/12-13; Effective Date: September 9, 2011; Revised: August 8, 2019; Ordinance 19/20-4; Effective Date: August 8, 2019)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-32.2. Date for revealing class rank. — Students shall be ranked at the end of the first semester of the senior year. Only those credits earned in grades nine (9) through first semester of grade twelve (12) will be considered in the ranking, which would be a total of seven (7) semesters of work. High School courses taken at the middle school level shall be included in determining class rank. Class rank shall be revealed to all seniors at the interim reporting period for the (fourth) nine weeks. (Adopted January 12, 1995; Revised July 11, 1996; Revised September 8, 2011; Ordinance Number 11/12-13; Effective Date: September 9, 2011)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-32.3. Honor graduate defined. — A. student with a 3.000 or higher cumulative grade point average and pursuing either a standard or advanced standard diploma is considered an honor graduate. (Adopted January 12, 1995; Revised July 11, 1996; Revised: December 9, 2004; Ordinance Number 04/05-14; Effective Date: December 9, 2004)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 33 - Promotion

Section 8-33.1. Promotion based on student achievement; multiple criteria considered; superintendent to develop regulations. — A. Suffolk Public School complies with the State Board of Education's Standards of Quality and Standards of Accreditation. Promotion will be based on achievement. Decisions as to whether one should promote or retain a student will be based on the knowledge of those adults working closest with the student in the educational setting. Whenever educational evaluations are available these will be used in determining whether a student is promoted or retained. For students with disabilities, consideration shall be given to the impact of their disability on academic performance.
B. Except in cases where the school superintendent recommends student promotion based on rationale determined by the division, the promotion criteria must be met. Suffolk Public Schools shall use multiple criteria which include, but are not limited to, the following: (i) successful completion of core coursework, (ii) achieving proficiency on local and/or State-mandated assessments in literacy and numeracy in grades K-8; (iii) successful completion of

minimum verified credits in grades 9-12, and (iv) meeting the requirements of the divisions attendance policy to determine a student's promotion status.

C. The school superintendent shall develop regulations for promotion of students enrolled in Suffolk Public Schools. Adopted January 12, 1995; Revised: June 20, 2011; Ordinance Number 10/11-1; Effective Date: June 20, 2011; Revised: July 10, 2014; Ordinance Number 14/15-1; Effective July 10, 2014)

Section 8-33.2. Alternative programs; retention decision; parental conference required; appeal to School Board. — A. Promotion or retention for a student enrolled in an alternative program must be documented by a written rationale in lieu of satisfying the criteria. Consideration will be given to the growth that the student has made as well as the achievement level.

B. If a decision to retain is made a parental conference with the principal will be held to inform the parents of the decision and to explain the rationale for retention. Should the parent disagree with the decision, the parent may appeal the decision to the superintendent. In cases of appeal, the superintendent has the authority to reverse the decision. If the retention is upheld by the school superintendent, parents have the right to appeal to the School Board. (Adopted January 12, 1995; Revised: June 10, 2014; Ordinance Number 14/15-1; Effective July 10, 2014)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-33.3. SOL Tests; standard units of credit; verified units of credit; three member review panel created; limited proficiency in English exemption; student with disabilities exception. — A. In kindergarten through eighth grade, where Standards of Learning (SOL) Tests are required by the Board of Education, each student is expected to take the SOL tests. Students who are accelerated take the tests of the grade level enrolled or the tests for the grade level of the content received in instruction. No student takes more than one test in any content area in each year. Schools will use the SOL test results in kindergarten through eighth grade as part of a set of multiple criteria for determining the promotion or retention of students.

The student's respective grade, and the test results shall be part of a multiple set of criteria used in determining the promotion or retention of students. In addition, each student in middle and secondary school shall take all applicable end-of-course SOL tests. Students who successfully complete the requirements of the course and achieve a passing score on an end-of-course SOL test shall be awarded a verified unit of credit in that course. Students may earn verified credits in any courses for which end-of-course SOL tests are available. Students may also be awarded a locally verified credit guided by a division-based committee convened to make such determinations.

B. Each student in middle and secondary school will take all applicable end-of-course SOL tests following course instruction. Students who enroll in high school as freshmen before July 1, 2018, as sophomores before July 1, 2019, as juniors before July 1, 2020 or as seniors before July 1, 2021 are required to earn standard and verified units of credit as specified in the regulations of the Board of Education and as described below. Students who achieve a passing

score on an end-of-course SOL test will be awarded a verified unit of credit in that course in accordance with 8 VAC 20-131-110. Students may earn verified credits in any courses for which end-of-course SOL tests are available. Middle and secondary schools may consider the student's end-of-course SOL test score in determining the student's final course grade.

C. In order to be awarded a diploma, secondary school students are required to earn standard and verified units of credit as specified in the regulations of the Board of Education. The standard unit of credit for graduation is based on a minimum of 140 clock hours of instruction and successful completion of the requirements of the course. A standard unit of credit may also be awarded based on a waiver of the 140-clock hour requirement as provided for herein.

D. Upon recommendation of the superintendent and demonstration of mastery of course content and objectives, qualified students may receive a standard unit of credit and permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement. The superintendent by regulation shall determine the manner in which a student may demonstrate mastery of course content and objectives, and documentation of such mastery will be maintained in the student's permanent record. Suffolk Public Schools may award verified credits in English, mathematics, science and history and social science in accordance with Board of Education regulations and guidance.

To be eligible to earn locally awarded verified credits, a student must (i) pass the high school course and not pass the related Standards of Learning test; (ii) take the Standards of Learning test at least twice; (iii) score within a 375-399 scale score range on any administration of the Standards of Learning test; and (iv) demonstrate achievement in the academic content through the appeal process described below.

A verified unit of credit for graduation is based on a minimum of 140 clock hours of instruction, successful completion of the requirements of the course, and the achievement by the student of a passing score on the end-of-course SOL test for that course or additional tests as described herein. A student may also earn a verified unit of credit by the following methods: (1) in accordance with the provisions of the Standards of Quality, students may earn a standard and verified unit of credit for any elective course in which the core academic SOL course content has been integrated and the student passes the related end-of-course SOL test. Such course and test combinations must be approved by the Board of Education; (2) upon waiver of the 140-clock-hour requirement according to the Board of Education's Guidelines for Graduation Requirements; (3) Local Alternative Paths to Standard Units of Credit as provided for in this Policy; and (4) by taking alternative tests to the SOL assessment. Such tests may only be those approved by the Virginia Board of Education, and the student may earn verified credits only by achieving that score established by the Board of Education.

E. In addition to verified credits in science and history/social sciences, Suffolk Public Schools may also award verified credits toward a standard diploma in reading, writing and mathematics to students with disabilities as credit accommodations for the standard diploma. To be eligible for such credit accommodations, students with disabilities must meet all criteria established by Virginia law or regulation and eligibility for such credit accommodations must be established in the student's Individualized Education Program (IEP) or Section 504 plan. There is no maximum

number of locally awarded verified credits that a student with a disability may earn toward a standard diploma.

F. All students identified as limited English proficient (LEP) will participate in the SOL testing program. A school-based committee will convene and make determinations regarding the participation level of LEP students. In kindergarten through eighth grade, limited English proficient students may be granted a one-time exemption from SOL testing in the areas of writing, science, and history and social science.

G. Participation in the SOL testing program by students with disabilities will be prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan. All students with disabilities will be assessed with appropriate accommodations and alternate assessments where necessary.

H. The School Board awards diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who meet the requirements prescribed by the Board of Education, and meet such other requirements as are prescribed by the School Board and approved by the Board of Education. (Adopted January 12, 1995; Revised June 14, 2001, Effective date: July 1, 2001; Ordinance Number 00/01-15; Revised November 21, 2002, Effective date: July 1, 2002; Ordinance Number 02/03-4; Effective July 1, 2003; Revised March 12, 2009; Ordinance Number 08/09-35; Effective July 1, 2009; Revised July 10, 2014; Ordinance Number 14/15-1; Effective July 10, 2014; Revised October 13, 2016; Ordinance Number 16/17-15; Effective Date: July 1, 2017; Revised December 13, 2018; Ordinance Number 18/19-45; Effective Date: December 13, 2018; Ordinance 23/34-11, Revised/Effective: August 10, 2023)

Legal Authority - Virginia Code §22.1-253.13:1 (1950) and 8 VAC 20-131-5, 8 VAC 20-131-50, and 8 VAC 20-131-110.

Section 8-33.3:1. Remediation efforts explained; alternate means for remediation; when retake not allowed; students who fail grade 8 reading or mathematics test, etc.; remediation record maintained; student's ineligible for remediation recovery. — A. Suffolk Public Schools shall implement programs to provide instructional support to those students who have demonstrated a need for such support by their failure to pass certain Standard of Learning assessments. Therefore, in kindergarten through grade 12, students may participate in a remediation recovery program established by the Board of Education in English (reading) or mathematics or both. Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or participate in another form of remediation. The superintendent shall require such students to take special programs of prevention, intervention, or remediation, which

may include attendance in public summer school programs. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition.

B. The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation which has been selected by his parent, in consultation with the superintendent or designee, and is either (i) conducted by an accredited private school or (ii) a special program which has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such a private school remediation program or other special remediation program shall be borne by the student's parents.

C. Targeted mathematics remediation and intervention will be provided to students in grades six through eight who show computational deficiencies as demonstrated by their individual performance on any diagnostic test or grade-level Standards of Learning mathematics test that measures non-calculator computational skills. (Adopted August 21, 2008, Ordinance Number 08/09-9; Effective: August 21, 2008; Revised June 9, 2016; Ordinance Number 15/16-83; Effective Date: July 1, 2016; Revised December 13, 2018; Ordinance Number 18/19-46; Effective Date: December 13, 2018; Ordinance 21/22-6; Revised August 12, 2021)

Legal Authority – Virginia Code § 22.1-253.13:3 (1950), as amended and 8 VAC 20-131-30.

Section 8-33.3:2. Remediation in instruction; what must be included. — A. In designing the division remediation programs required by the Standards of Quality the School Board shall annually evaluate and modify, as appropriate, the remediation plan based on an analysis of the percentage of students meeting their remediation goals and consideration of the pass rate on the Standards of Learning assessments.

B. The program shall include, when appropriate, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation. Such students shall be provided appropriate remediation activities. (Adopted: October 9, 2008; Ordinance Number 08/09-13; Effective: October 10, 2008)

Legal Authority – Virginia Code § 22.1-253.13:1 (1950), as amended.

Section 8-33.3:3 Reporting requirement. — As required by state law and regulations promulgated by the State Board of Education, the School Board will annually report the following information to the Board of Education pertaining to students eligible for remediation:

(1) The number of students failing a state-sponsored test required by the Standards of Quality or Standards of Accreditation;

(2) A demographic profile of students attending state-funded remedial programs;

(3) The academic status of each student attending state-funded remedial

programs;

(4) The types of instruction offered;
(5) The length of the program;
(6) The cost of the program;
(7) The number of un-graded and disabled students, and those with limited English proficiency;
(8) As required, the pass rate on Standards of Learning assessments; and
(9) The percentage of students at each grade level who have met their remediation goals.

(Adopted August 21, 2008, Ordinance Number 08/09-12; Effective: August 21, 2008)

Legal Authority — Virginia Code § 22.1-253.13:1 (1950), as amended.

Section 8-33.3:4. Virginia Program Assessment Retakes Grades kindergarten through 8; SOL end-of-course retake tests for high school students. — A. Students in kindergarten through grade 8 are not required to retake Virginia Program Assessment tests unless:

(1) they are retained in grade and have not previously passed the related tests,

(2) they received reading intervention services, or

(3) as otherwise permitted by the Board of Education.

B. Students in high school are required to retake end-of-course SOL tests as determined by the Board of Education. (Adopted: December 13, 2018, Ordinance 18/19-47, Revised/Effective Date: January 9, 2020, Ordinance 19/20-50; Ordinance 24/25-65, Revised/Effective: November 14, 2024)

Legal Authority — Virginia Code §§ 221.253.13:1 and 22.1-253.13:3. (1950), as amended, 8 VAC 20-131-30 and 8 VAC 20-131-110.

Section 8-33.4. Parental notification; when evaluations by teacher and principal required; retention appeals. — A. Parents shall be notified on the student's report card, by the principal and teacher beginning at the end of the second marking period if the student is being recommended for retention. Specific reasons for the possible retention shall be documented on the report card and given to the parent.

B. When a student has been consistently retained, the student's educational progress should be assessed by the teacher and principal and the student recommended for individual testing and placement if deemed appropriate.

C. All retention appeals must be submitted in writing within ten days after the last teaching day of the school year. In cases of appeal, the superintendent has the authority to reverse the decision. If the retention is upheld, parents have the right to appeal to the School Board.

(Adopted May 8, 2003; Ordinance Number 02/03-17; Effective: July 1, 2003; Revised: July 10, 2014; Ordinance Number 14/15-1; Effective: July 10, 2014)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-33.5. Parental notification required. — Parents shall be notified on the student's report card by the principal and the teacher no later than the end of the fourth marking period that the child is being. Specific reasons for the retention shall be documented on the cumulative record and given to the parent. (Adopted January 12, 1995; Revised July 10, 2014; Ordinance Number 2014/2015-1; Effective July 10, 2014)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-33.6. Purging of middle school grades. — The school superintendent is hereby granted the authority to develop regulations for purging grades for middle school students taking high school credit-bearing courses. (Adopted: February 10, 2005; Ordinance Number 04/05-20; Effective Date: February 10, 2005)

Legal Authority - Virginia Code §22.1-253.13:3 (1950), as amended.

Section 8-33.7 Student acceleration; Students below ninth grade; High school course taken in middle school. — A. The curriculum and schedule of elementary, middle and high schools provides flexibility in placing certain students in programs or subjects normally considered above their grade level. Scheduling eighth grade students into subjects above the normal grade level is done with counseling based on evidence of ability, past scholastic achievement and cooperation of the individual student and his parents or guardian.

B. When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit is counted toward meeting the standard units required for graduation provided the courses are equivalent in content and academic rigor as those courses offered at the secondary level. To earn a verified unit of credit for these courses, students below the ninth grade level must meet the same requirements applicable to other students.

C. In any high school credit-bearing course taken in middle school, a parent may request that the grade be omitted from the student's transcript and the student not earn high school credit for the course. Such request shall be made in the format and by the deadline set forth in regulations developed by the superintendent. (Adopted June 9, 2016; Ordinance Number 15/16-84; Effective Date: July 1, 2016)

Legal Authority – Virginia Code § 22.1-78 (1950); as amended.

Article 34 - Graduation

Section 8-34.1. Graduation requirements; basic requirements; sequential electives required; standard and verified units of credit required. — A. Suffolk Public Schools shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who:

(i) earn the units of credits prescribed by the Board of Education;
(ii) pass any prescribed tests; and
(iii) meet such other requirements as prescribed by the Suffolk City School Board.

B. Each student who receives a diploma shall have demonstrated basic skill competency in each of the following areas:

(i) functional literacy in communication skills, including reading, writing, and speaking;
(ii) basic skills in mathematical concepts and computations (at or above the level of Algebra I);
(iii) proficiency in the use of computers and related technology and scientific concepts and processes from at least two disciplines;
(iv) essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics and personal finance, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community;
(v) fine arts, which may include, but need not be limited to, music and art, and practical arts;
(vi) knowledge and skills needed to qualify for further education and employment, or in the case of children with disabilities, to qualify for appropriate training; and
(vii) provide service to the community, and
(viii) development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning.

C. The school superintendent shall further develop regulations setting forth the graduation requirements consistent with the Code of Virginia and regulations promulgated by the State Board of Education. (Adopted January 12, 1995; Revised December 11, 1997; Ordinance Number 97/98-17; Revised April 14, 2005; Ordinance Number 04/05-23; Effective: April 14, 2005; Revised May 14, 2012; Ordinance Number 11/12-16; Effective: July 1, 2012)

Legal Authority–Virginia Code §§22.1-253:13:1; 22.1-253.13:3, 22.1-253.13:4 and 8 VAC 20-

131-50.

Section 8-34.2. Awards for exemplary performance. — A. Students who complete the requirements for a standard diploma with an average grade of “B” or better in the required courses will receive a Board of Education seal on the diploma.

B. Students who complete the requirements for an advanced studies diploma with an average grade of ”B” or better and successfully complete at least one (1) advance placement course “AP” for one (1) college level course for credit will receive a governor’s seal on the diploma.

C. Students may receive other seals or awards for exceptional academic, vocational, citizenship or other exemplary performance in accordance with criteria set by the School Board. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253:13:4 (1950), as amended.

Section 8-34.3. Students completing graduation requirements in summer school; completion of 12th grade English and Government required. — A. Students completing graduation requirements in a summer school accredited under these standards shall be eligible for a diploma. The last school attended by the student during the regular session shall award the diploma unless otherwise agreed upon by the principals of the two (2) schools.

B. In order for a student to earn a standard or advanced studies diploma from Suffolk Public Schools a student must (i) complete Twelfth grade English and Government at one of the high schools of Suffolk Public Schools and (ii) have successfully completed one full semester of study in Suffolk Public Schools.

C. Any student that does not satisfy the requirement set forth in subsection B above, must petition the last school attended to award a diploma. (Adoption January 12, 1995; Revised April 3, 2003; Effective: July 1, 2003)

Legal Authority - Virginia Code §22.1-253.13:4 (1950), as amended.

Section 8-34.4. Other diplomas and certificates awarded. — Students who complete a prescribed course of study as defined by the School Board but who do not qualify for standard or advanced studies diploma may be awarded a Special Diploma, Certificate of Program Completion, General Education Development Certificate (GED) or a General Achievement Diploma. (Adopted January 12, 1995; Revised: May 12, 2005; Ordinance Number 04/05-26; Effective Date: May 12, 2005)

Legal Authority - Virginia Code §22.1-253.13:4 (1950), as amended.

Section 8-34.5. Eligibility for an International Baccalaureate Diploma. — Students who complete honors, advanced placement college level or courses required for an International

Baccalaureate Diploma shall be deemed to have completed the requirements for graduation under these standards provided they have passed the end of course test required to earn verified credit as required of students earning either a standard or an advanced studies diploma or in the case of a complete international baccalaureate diploma, the number of verified credits required for an advanced studies diploma. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253.13:4 (1950), as amended.

Article 35 - Awards

Section 8-35.1. Honor roll; recognition of outstanding merit; scholarship; other awards —
A. The recognition of grading period academic achievement by students shall be coordinated through uniform rules and regulations established by the superintendent.
B. Students should be recognized for outstanding individual and group accomplishments. Such recognition shall be subject to limitations stipulated by the principal.
C. Students shall be encouraged to apply for and may be recognized for receiving college and special scholarships. Such recognition shall be subject to limitations stipulated by the principal.
D. Other individual and/or group student awards shall be subject to rules and regulations established by the principal with approval of the superintendent. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-70 (1950), as amended.

Article 36 - Contest

Section 8-36.1. Contest must support instructional programs; contest outside the schools. — A. All contests conducted must support the instructional programs approved for the student or must be judged by the principal to be a worthy educational experience for the students involved.
B. Contests or other activities involving participation by students or the granting of awards or prizes to students which are sponsored by agencies outside of the schools shall not be announced, promoted or permitted within the school unless approved by the superintendent. The superintendent shall approve only such contest or other activities as will be of educational value to the participating students and shall not approve any activity being promoted for purely commercial purposes. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-293 (1950), as amended.

Article 37 - Testing Programs

Section 8-37.1. Standardized testing permitted; Disclosure of Race etc. not required; Limited exception. — A**.** A program of standardized testing prescribed by the Virginia Department of Education is administered annually. Standardized tests are administered according to state and local directives. In addition to this testing program, school personnel may use teacher made and other tests to meet specific needs within Suffolk Public Schools. Teachers, parents, principals, and other school leaders are provided with their students' results on any Standards of Learning assessment or Virginia Alternative Assessment Program as soon as practicable after the assessment is administered.

B. In administering tests or other assessment instruments, School Board employees do not require any public school student being tested to disclose their race or ethnicity on such tests. School division personnel, however, may obtain such information from a student's permanent record and place the information on the test or assessment.

C. No student or his parent is required to disclose information related to the student's race or ethnicity unless (i) the student or his parent is given an option to designate "other" for the students' race or ethnicity or (ii) such disclosure is required by federal law. (Adopted January 12, 1995; Revised June 9, 2016; Ordinance Number 15/16-85; Effective Date: July 1, 2016; Revised February 14, 2016; Ordinance Number 18/19-65; Effective Date: February 14, 2019; Ordinance 23/24-52, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code § 22.1-4.2, and 22.1-253.13:3 (1950), as amended.

Article 38 - Evaluation of Instructional Programs

Section 8-38.1. Required by School Board; involvement by school staff; report required. — A. The School Board is committed to the ongoing evaluation of the instructional program within Suffolk Public Schools. This evaluation is essential to the continuing provision of high quality education services and the School Board shall be regularly informed of such assessment results.

B. The administration is charged with involving the entire school staff in a continuous program of curriculum studies encompassing all aspects of instructional activity within Suffolk Public Schools.

C. The administration shall report to the School Board the identified needs and progress in the provision of education opportunities designed to meet the needs, interests and expectations of all students. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253.13:5 (1950), as amended.

Article 39 - Teaching About Controversial Issues

Section 8-39.1. Rights of Students; Roll of Instructional personnel; responsibility of

principal. — A. To provide effective education for citizenship it must be recognized that many areas of student study involve issues on which different positions are held by various citizens and groups. In considering such issues a student shall have the following rights:

(i) to study any controversial issue which is of political, economic or social significance and which is within the knowledge, maturity and competence of the student and which does not conflict with the regulations of the State Board of Education or School Board policy;

(ii) to study under competent instruction in an atmosphere free from bias and prejudice, coercion and

(iii) to develop and express any reasonable way his or her own opinions on controversial issues without jeopardizing the student's position in the school.

B. The role of the instructional personnel in the presentation of controversial issues is vitally important. All sides to controversial issues should be given in a fair manner to students. In this way, students may be taught to think clearly on all matters of importance and to make their own decisions in an objective manner at the review to all materials that may be presented with respect to a particular issue. Indoctrination shall not be a policy of the School Board.

C. Principals shall make certain that literature of a partisan, sectarian or controversial nature is not distributed in the schools for reasons other than academic pursuit. (Adoption January 12, 1995; Ordinance 22/23-10, Revised/Effective: November 10, 2022)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 8-39.2. Complaint procedure. — The School Board shall provide channels of communication for citizens to express their concerns about instructional materials and procedures to handle complaints. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253.13:7 (1950), as amended.

Article 40 - Religion in Schools

Section 8-40.1. Policy stated; neutrality required. — A. In accordance with the mandate of the Constitution of the United States prohibiting the establishment of religion, it is the policy of the School Board to be neutral in matters of religion. This means that Suffolk Public Schools (i) will assume no roll or responsibility for the religious training of any student and (ii) will in no way become involved in the religious belief, disbelief or doubt of any student.

B. This neutrality does not preclude nor hinder the Suffolk Public Schools in fulfilling its responsibility to educate students to be tolerant and respectful of religious diversity. The division recognizes that one of its educational responsibilities is to advance the student's knowledge and appreciation of the world that religion has played in the social, cultural and historical development of civilization.

C. Therefore, the division approaches religion from an objective, curriculum-related perspective, encouraging all students and staff members to be aware of the diversity of beliefs and respectful of each other's religious and/or non-religious views. In that spirit of respect, students and staff members may be excused from participating in activities that are contrary to their religious beliefs.

The School Board may authorize, as an elective in grades nine through 12 with appropriate credits toward graduation, a comparative religion class that focuses on the basic tenets, history, and religious observances and rites of world religions. (Adopted January 12, 1995; Ordinance 2024/25-11, Revised/Effective: August 15, 2024)

Legal Authority – United States Constitution Amendment I. Virginia Code §§ 22.1-78, 22.1-202.1. (1950), as amended.

Section 8-40.2. School ceremonies and observances. — The School Board recognizes the following:

(1) Religious heritages and their histories, art symbols and tenants may properly be included with any program of religiously neutral education. Such studies must be objective in nature and directly related to the broader educational purposes in the various fields of study.

(2) At no time shall any form of religious belief or systems denying or objecting to belief be advanced or discouraged nor shall any form of religious indoctrination or exercise including prayers be conducted by Suffolk Public Schools or its employees during school hours (the baccalaureate service is traditionally religious in nature, and it should be sponsored by agencies separate from Suffolk Public Schools).

(3) The historical and contemporary significance and the symbols and origins of religious holidays may be studied within the guidelines of this policy.

(4) Music, art, literature and drama related to religious holidays may be studied and performed in programs if they are presented in an objective and neutral manner as a tradition of the cultural heritage of the particular holiday. Such programs should be part of a curricula unit and should be simply staged and costumed.

(5) In response to class questions and assignments, students are free to initiate expressions of religious beliefs or non-belief through compositions, art forms, music, speech and debate.

(6) Student groups sponsored by the division shall not perform as a part of a religious worship service.

(7) In order to prevent misinterpretation of this policy, teachers who work with children to prepare school programs involving religious content, ceremony or celebration (i.e. references to deities, sacred writings, music and art) will be met with their building principal at the outset of the academic year. The purpose of this meeting is to place such programs in appropriate instructional contact and to establish any mutual dialogue for selecting, planning and designing these programs.

(8) At the discretion of the administration the statement of purpose may be distributed at school programs and performances which include materials of religious origin. The form of such a statement should be substantially as follows:

This (program/performance) is presented for the purpose of helping students and the public become aware of understand and appreciate human culture, history and religious diversity. By including these materials Suffolk Public Schools does not endorse any form of religious belief or systems denying or objecting to the belief. Nor does it intend to despair any such belief. (Adopted January 12, 1995)

Legal Authority - United States Constitution Amendment I. Virginia Policy §22.1-78 (1950), as amended.

Section 8-40.3. Religious recruitment on school property. — No person shall be allowed to recruit students for a religious purpose or organization on school property during school hours or at school sponsored activities. (Adopted January 12, 1995)

Legal Authority - United States Constitution Amendment I. Virginia Code §22.1-78 (1950), as amended.

Section 8-40.4. Exemptions from required instruction. — If the religious beliefs and teachings of a student or his/her parent or legal guardian are contrary to the content of a school subject or to any part of a school course or activity the student shall be exempt from participation. To receive such an exemption the parent or legal guardian must present a written request for exemption to the school principal stating the conflict involved. (Adopted January 12, 1995)

Legal Authority - United States Constitution Amendment I. Virginia Code §22.1-78 (1950), as amended.

Section 8-40.5. Student absences and excuses. — All students are expected to attend school for all the days of the established school calendar as approved annually by the School Board and in compliance with the Virginia School Attendance Law. When requested by the parent or guardian, a student will be excused for observance of religious holidays. Such absences will not be considered in violation of the attendance policy. (Adopted January 12, 1995)

Legal Authority - United States Constitution Amendment I. Virginia Code §22.1-78 (1950), as amended.

Article 41 - Copyright Policy

Section 8-41.1. Statement of policy; use of supplemental materials encouraged; violation of copyright; fair use doctrine explained. — A. The reproduction and use of copyrighted

materials, including computer software, electronic materials, video tapes, compact discs, laser discs and other non-print materials, are controlled by federal law. In general, copyright owners have the exclusive right to use, reproduce and modify their materials. Federal law does provide limited exceptions to this general rule which permit the reproduction and use of copyrighted materials in some circumstances. The superintendent is responsible for promoting an understanding of the applicable law among staff members and students. Severe penalties may be imposed for unauthorized copying or unauthorized use of audio visual or printed materials and computer software, unless the copying or use of such materials conforms to the *fair use* doctrine.

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

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

D. Under the *fair use* doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. (Adopted March 14, 2002; Ordinance Number 01/02-02; Ordinance 22/23-59, Revised/Effective: February 9, 2023).

Legal Authority – Virginia Code § 17 U.S.C § 101 et seq., 22.1-78 (1950), as amended.

Section 8-41.2. Single copies permitted in certain instances; limitation on copying whole work; economic loss consideration. — A. School board employees may make single copies of the following for use in research, instruction or preparation for teaching:

(i) book chapters;
(ii) articles from periodicals or newspapers;
(iii) short stories;
(iv) essays or poems;
(v) charts, graphs, diagrams, drawings, cartoons or
(vi) pictures from books, periodicals, or newspapers.

B. In most circumstances, copying the whole of a work cannot be considered fair use, but copying a small portion may be permissible if done in accordance with regulations promulgated by the superintendent.
C. If resulting economic loss to the copyright holder can be shown, even making a single copy of certain material can be an infringement, and making multiple copies present the danger of greater penalties. (Adopted March 14, 2002; Ordinance Number 01/02-02)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

Section 8-41.3. Superintendent to develop regulations; employee compliance required. — A. The school superintendent shall develop regulations to ensure compliance with federal copyright law.
B. While the School Board encourages its employees to enrich learning programs through the use of supplementary materials, it is the responsibility of school board employees to comply with all copyright laws, rules and regulations. The School Board cannot be responsible for any violation of copyright law by school board employees. (Adopted March 14, 2002; Ordinance Number 01/02-02)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

Article 42 - Home Instruction

Section 8-42.1 Definitions. — For the purpose of this policy, "parent" means any parent, guardian, legal custodian or other person having control or charge of a child. (Adopted: May 12, 2005; Ordinance Number 04/05-22; Effective Date: July 1, 2005; Revised June 9, 2016; Ordinance Number 15/16-86; Effective Date: July 1, 2016)

Legal Authority–Virginia Code § 22.1-254.1 (1950), as amended.

Section 8-42.2. Declaration of Policy; requirements for home instruction. — A. The School Board recognizes that when the requirements of Virginia Code §22.1-254.1 (1950), as amended, are complied with, instruction of children by their parents is an acceptable form of education under the policy of the Commonwealth of Virginia.
B. Any parent of any child who is five years or older on or before September 30 of any school year and which child is not yet eighteen years old may elect to provide home instruction in lieu of school attendance if the parent:

(i) holds a high school diploma; or
(ii) is a teacher of qualifications prescribed by the Board of Education; or
(iii) provides a program of study or curriculum which may be delivered through a correspondence course or distance learning program or in any other manner; or
(iv) provides evidence that the parent is able to provide adequate education for the child.

(Adopted: May 12, 2005; Ordinance Number 04/05-22; Effective Date: July 1, 2005; Ordinance 25/26-27, Revised/Effective: September 25, 2025)

Legal Authority–Virginia Code § 22.1-254.1 (1950), as amended.

Section 8-42.3. Notification requirement. — Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the division superintendent by no later than August 15 of the parent's intention to so instruct the child and provide a description of the curriculum, limited to a list of subjects to be studied during the coming year and evidence of having met one of the criteria for providing home instruction as set forth in state law. Any parent who moves into the school division or begins home instruction after the school year has begun shall notify the superintendent of the parent's intention to provide home instruction as soon as practicable and shall comply with the requirements of this policy within thirty days of such notice. The superintendent shall notify the Superintendent of Public Instruction of the number of students in the school division receiving home instruction. (Adopted: May 12, 2005; Ordinance Number 04/05-22; Effective Date: July 1, 2005; Revised June 9, 2016; Ordinance Number 15/16-87; Effective Date: July 1, 2016; Ordinance 25/26-18, Revised/Effective: September 11, 2025)

Legal Authority–Virginia Code §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2.

Section 8-42.4. Evidence of progress required; failure to provide evidence of progress grounds for placement on probation. — A. A parent who elects to provide home instruction to a child who is over the age of six as of September 30 of the school year shall provide the superintendent by August 1 following the school year in which the child has received home instruction with either:

(i) evidence that the child has attained a composite score in or above the fourth stanine on a nationally normed standardized achievement test or an equivalent score on the ACT, SAT or PSAT test or

(ii) an evaluation or assessment that the superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including:

(a) an evaluation letter from a person licensed to teach in any state, or a person with a master's degree or higher in an academic discipline, having knowledge of the child's academic progress, stating that the child is achieving an adequate level of educational growth and progress; or

(b) a report card or transcript from a community college or college, college distance learning program or home-education correspondence school.

B. In the event that evidence of progress as required in this subsection is not provided by the parent, the home instruction program for that child may be placed on probation for one year. Parents shall file with the division superintendent evidence of their ability to provide an adequate education for their child and a remediation plan for the probationary year which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the division superintendent, the home instruction may continue for one probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is not provided by August 1 following the probationary year, home instruction shall cease and the parent shall make other arrangements for the education of the child which comply with Virginia Code §22.1-254 (1950), as amended. (Adopted: May 12, 2005; Ordinance Number 04/05-22; Effective: July 1, 2005; Revised June 9, 2016; Ordinance Number 15/16-88; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2; 10 U.S.C § 2031.

Section 8-42.5. Immunization required; documentary proof required; exceptions. — A. Any parent, guardian or other person having control or charge of a child being home instructed, exempted or excused from school attendance shall comply with the immunization requirements provided in Virginia Code § 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

B. Upon request by the superintendent, the parent shall submit to the superintendent documentary proof of immunization in compliance with Virginia Code §32.1-46.

C. No proof of immunization shall be required of any child upon submission of:

(i) an affidavit to the division superintendent stating that the administration of immunizing agents conflicts with the parent's or guardian's religious tenets or practices or

(ii) a written certification from a licensed physician, physician assistant, licensed advanced practice registered nurse, or local health department that one or more of the required immunizations may be detrimental to the child's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

(Adopted: May 12, 2005; Ordinance Number 04/05-22; Effective: July 1, 2005; Revised June 13, 2013; Ordinance Number 12/13-87; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-89; Effective Date: July 1, 2016; Ordinance 25/26-19, Revised/Effective: September 11, 2025)

Legal Authority – Virginia Code §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2 (1950), as amended.

Section 8-42.6. Availability of Advancement Placement and Preliminary Scholastic Aptitude Test. — Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) and Pre-ACT examinations will be made available to students receiving home instruction pursuant to Va. Code § 22.1-254.1. The superintendent establishes a schedule identifying the dates by which students receiving home instructions must register to participate in such examinations. (Adopted: June 13, 2013; Ordinance Number 12/13-88; Effective Date: July 1, 2013; Revised: January 11, 2018; Ordinance Number 17/18-32; Effective Date: January 11, 2018)

Legal Authority – Virginia Code §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2 (1950), as amended.

Section 8-42.7. Non-disclosure of information. — Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of this policy or subdivision B 1 of Va. Code § 22.1-254 without express written consent from the parent or legal guardian of the child receiving home instruction. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction. (Adopted June 9, 2016; Ordinance Number 15/16-90; Effective Date: July 1, 2016; Ordinance 25/26-20, Revised/Effective: September 11, 2025)

Legal Authority – Virginia Code §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2.

CHAPTER 9 - Students

Article I - Equal Educational Opportunities

Section 9-1.1. Equal Educational Opportunities; non-discrimination. — A. Each student should be given the opportunity to develop and achieve to the maximum extent possible being limited only by individual differences. Therefore, Suffolk Public Schools will foster an educational environment that provides equal educational opportunities for all students.

B. Educational programs and services are designed to meet the varying needs of all students and will not discriminate against any individual for reasons of sex, sexual orientation, race, creed, color, national origin, gender, gender identity, ethnicity, religion, disability, ancestry, marital or parental status or any other unlawful basis.

Further, no student will on the basis of gender be excluded from participating in or denied

the benefits of or subjected to discrimination under any educational program or activity conducted by Suffolk Public Schools. Suffolk Public Schools will treat its students without discrimination on the basis of gender as this pertains to course offerings, athletics, counseling, employment assistance and extracurricular activity. (Adopted February 9, 1995, Ordinance Number 22/23-60, Revised/Effective: February 9, 2023)

Legal Authority - Civil Rights Act of 1964, as amended in 1972, Title VI, VII and IX.

Section 9-1.2. Disability Discrimination Prohibited. — The School Board does not discriminate against individuals on the basis of disability. Where a student believes that he or she has been discriminated against on the basis of disability, the student shall have the right to file an informal or formal grievance as provided for in this Article. (Adopted June 13, 2013; Ordinance Number 12/13-89; Effective Date: July 1, 2013)

Legal Authority – Virginia Code §§ 22.1-78, 2.2-3900, 2.2-3901, 2.2-3902, 22.1-23.3, 22.1-212.6:1 (1950), as amended.

Section 9-1.3. Filing a Complaint of Disability Discrimination; Complaint Investigation; Action by Superintendent; Appeal. — A. Any student who believes he or she has been the victim of prohibited discrimination should submit a complaint alleging discrimination as soon as possible to the compliance officer designated in this policy (Compliance Officer) or to any other school or School Division staff. The alleged discrimination should be submitted as soon as possible and generally within 15 school days of the occurrence. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to the Compliance Officer as designated in this policy, their supervisor, or to any other school or School Division staff.

The reporting party should use the “Complaint of Discrimination” form to make complaints of discrimination. However, oral complaints and other written reports shall also be accepted. The complaint should be filed with the school principal, or one of the Compliance Officers designated in this policy. School or school division staff receiving a complaint of discrimination shall forward it to the school principal; who shall immediately forward the complaint of discrimination to the Compliance Officer. Any complaint that involves the Compliance Officer shall be reported to the superintendent.

The complaint and the identity of the complainant and of the person or persons allegedly responsible for the discrimination, will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant. A complainant who wishes to remain anonymous will be advised that such confidentiality may limit the school division’s ability to fully respond to the complaint.

B. Upon receipt of a report or complaint of alleged prohibited discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by Suffolk Public Schools. The

investigation shall be completed as soon as practicable, which should generally be not more than 14 school days after receipt of the report by the Compliance Officer. Within 3 school days of receiving the complaint, the Compliance Officer shall send written notice that the complaint has been received to the complainant and the person or persons allegedly responsible for the discrimination.

Also, upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the person or persons allegedly responsible for the discrimination will be notified of the reasons for the extended investigation and of the date by which the investigation is projected to be concluded. The investigation may consist of personal interviews with the complainant, the person or persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person or persons responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The School Division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated, and recommendations for corrective action, if any. All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

C. Within 5 school days of receiving the Compliance Officer's report, the Superintendent or designee shall issue a decision regarding: (1) whether this policy was violated and, if so (2) what action, if any, will be taken. This decision must be provided in writing to the complainant. If the Superintendent or designee determines that prohibited discrimination occurred, the School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including recommending that a student be expelled or that an employee be discharged.

D. If the Superintendent or designee determines that no discrimination occurred, the complainant may appeal this determination to the School Board within 5 calendar days of receiving the decision. Notice of appeal must be filed with the Superintendent, who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may require oral or written argument from the complainant, the Superintendent, and any other individual it deems relevant. An extension of the 30-calendar day limit may occur if necessary as determined by the School Board Chair. Written

notice of the School Board's decision will be given to both the complainant and the person or persons responsible for the alleged discrimination.

If the Superintendent or designee determines that discrimination occurred and discipline is imposed, the disciplined person (i.e. student or employee) may appeal the disciplinary sanction in accordance with existing School Board policies and regulations. (Adopted June 13, 2013; Ordinance Number 12/13-90; Effective Date: July 1, 2013; Ordinance 22/23-61, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-78, 2.2-3900, 2.2-3901, 2.2-3902, 22.1-23.3, and 22.1-212.6:1, as amended (1950).

Section 9-1.4. Compliance Officer. — Suffolk Public Schools has designated the Chief of Administrative Services to serve as the Compliance Officer responsible for investigating Complaints of disability discrimination and preventing and remedying discrimination as well as receiving the complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times. The Compliance Officer may be contacted at (Compliance Officer @spsk12.net which will be automatically forwarded to the employee designated as the Compliance Officer).

The Compliance Officer shall do the following:

(a) receive reports and complaints of discrimination;
(b) conducts or oversees the investigation of any alleged discrimination;
(c) assess the training needs of the School Division in connection with this policy;
(d) arrange necessary training to achieve compliance with this policy; and
(e) ensures that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal education opportunity and has the authority to protect the alleged victim and others during the investigation.

(Adopted June 13, 2013; Ordinance Number 12/13-91; Effective Date: July 1, 2013; Ordinance 22/23-62, Revised/Effective: February 9, 2023)

Legal Authority – Virginia Code §§ 22.1-78, 2.2-3900, 2.2-3901, 2.2-3902, 22.1-23.3, and 22.1-212.6:1, as amended (1950).

Section 9-1.5. Informal Procedure; Retaliation; False Charges. — A. If the complainant and the person allegedly responsible for the discrimination agree, the school principal, designee, or the Compliance Officer may arrange for them to resolve the complaint informally with the assistance of a counselor, teacher, or other school employee. If the complainant and the person allegedly responsible for the discrimination agree to attempt to resolve the complaint informally,

they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the formal procedures set forth in Section 9-1.3. If the complaint is resolved informally, the counselor, teacher, or other school or School Division staff shall notify the School Principal of the resolution. The School Principal shall notify the complainant, the persons allegedly responsible for the discrimination, and the Compliance Officer in writing that the complaint has been resolved informally.

B. Retaliation against students or School Division staff who report discrimination or participate in the related proceedings is prohibited. The School Division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

Nothing in this policy denies the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. All students and their parents/guardians shall be notified annually of the names and contact information of the Compliance Officers.

C. Students, school staff, or School Division staff who make false charges of discrimination shall be subject to disciplinary action. (Adopted June 13, 2013; Ordinance Number 12/13-92; Effective Date: July 1, 2013; Ordinance 22/23-63, Revised/Effective: February 9, 2023)

Legal Authority – Virginia Code §§ 22.1-78, 2.2-3900, 2.2-3901, 2.2-3902, 22.1-23.3, and 22.1-212.6:1, as amended (1950).

Article 2 - School Attendance

Section 9-2.1. Established by School Board; criteria for determining; changes in attendance areas; exceptions; school overcrowding — A. School attendance areas for each school are established by the School Board. Students shall attend the school in the designated attendance area in which they have legal residence and to which they are assigned, unless special permission is granted by the School Board, superintendent or Pupil Personnel committee in regular session for good and sufficient reasons.

B. Attendance zones will be established based upon the capacity of the school, the number of children of school age living in the area, the natural boundaries, city limits and major traffic arteries, the safety of students going to and from school, the exceptional educational needs of students and the need to provide cultural, racial and economic balance.

C. Changes in attendance areas will be determined by the School Board upon recommendation of the superintendent based on the need to provide for the orderly administration of the schools, the competent instruction of students and the health, safety, best interest and general welfare of all students.

D. Children of contract employees for the purpose of attendance shall have the option of considering their place of employment as their residence for the purpose of enrolling their children in school. As part of this policy, the place of employment for each itinerate employee shall be defined as that individual's base school.

E. Exceptions may be granted for students (i) diagnosed as having a medical condition that cannot be reasonably accommodated in the designated attendance area; (ii) in need of specific educational services that are not reasonably available in the designated attendance area or (iii) in cases where the School Board determines that by requiring the student to attend a school in the designated attendance area would result in injury to the student's health, safety or normal development. Childcare considerations may be taken into account in granting a request for out of zone school attendance for students in the elementary grades, but shall not form the basis for granting a request for out of zone school attendance for students in the middle and high school grades.

F. Notwithstanding those exceptions set forth herein, the School Board reserves the right to deny a request for out of zone school attendance when the granting of such a request would result in school overcrowding. All such requests upon the recommendation of the superintendent or his designee shall be reviewed by the Board's Student Services Review Committee which will make appropriate recommendations to the School Board. Whenever the School Board approves an out of zone request, the approval is only for the school year in which it was approved. (Adopted February 9, 1995; Revised June 8, 2006; Ordinance Number 05/06-6; Effective Date: June 8, 2006)

Legal Authority - Virginia Code §22.1-3 (1950), as amended.

Section 9-2.2. Placement of Twins; when placement disruptive. — A. A parent of twins or higher order multiples in the same grade level may request that the children be placed in the same classroom or in separate classrooms if they are at the same elementary school. A parent must request the classroom placement no later than 3 days after the first day of each school year or 3 days after the first day of attendance of the children during a school year. Schools may recommend classroom placement to the parents.

B. Schools must provide the placement requested by the children's parents, unless the superintendent or superintendent designee makes a classroom placement determination following the school principal's request, at the end of the initial grading period, and in consultation

with the children's classroom teacher, based upon a determination that the requested classroom placement is disruptive to the school or is harmful to the children's educational progress. (Adopted June 13, 2013; Ordinance Number 12/13-93; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-91; Effective Date: July 1, 2016)

Legal Authority - Virginia Code § 22.1-79.3.F. (1950), as amended.

Section 9-2.3. Statement of policy student identification badges; 988 Suicide and Crisis Lifeline clearly printed and conspicuously labeled; annual review required; superintendent to develop regulations. — A. In order to enhance school security and maintain a safe school environment for all students enrolled in Suffolk Public Schools, students are required to wear an identification badge provided by Suffolk Public Schools while on campus during the school day.

B. Printed on one side of each student identification card must be "988 Suicide and Crisis Lifeline" and this information must be clearly printed and conspicuously labeled on each student identification badge.

C. Suffolk Public Schools must annually review the telephone number for the 988 Suicide and Crisis Lifeline being included on each student identification card to ensure such contact information is accurate and current.

D. The superintendent will develop regulations for the implementation of this policy (Adopted: September 25, 2025).

Legal Authority — Virginia Code §§ 22.1-78 and 22.1-287.05.

Article 3 - Transfer Request by Student Victims of Crime

Section 9-3.1. Basis for transfers; transportation services. — A. Whenever any student has been the victim of any crime against the person pursuant to Chapter 4 (§18.2-51 *et. seq*.) of Title 18.2 including attempted homicide, crimes by mobs, crimes of gangs, terrorism offenses, kidnapping and related offenses, assault and bodily wounds, robbery, extortion or other threats, or sexual assault and such crime was committed: (i) by another student attending classes in the school; or (ii) by an employee of the School Board; or (iii) by any volunteer, contract worker or any other person who regularly performed services in the school; or (iv) upon the school property or on any school bus owned or operated by Suffolk Public Schools, then student upon whom the crime was committed shall, upon written request from the student's parents or the student, if such student is an emancipated minor, be permitted to transfer to another comparable school within Suffolk Public Schools if available.

B. Any transportation services for such students shall be provided in accordance with School Board policy.

C. For purposes of this policy, "victim" means any student who has been the victim of a crime against the person pursuant to Chapter 4 of Title 18.2 of the Code of Virginia, and who has

suffered physical, psychological, or economic harm as a direct result of the commission of such crime. (Adopted August 14, 1997; Revised June 9, 2016; Ordinance Number 15/16-92; Effective Date: July 1, 2016; Ordinance 25/26-21, Revised/Effective: September 11, 2025)

Legal Authority - Virginia Code § 22.1-3.3; 20 U.S.C. § 7912.

Section 9-3.2. Transfer from Persistently Dangerous School; Remain in Effect. — A. Any student attending a school which has been designated as a persistently dangerous school by the Virginia Department of Education will be offered the opportunity to transfer to another school in the division which is not so designated. If there is not another school in the division to which students may transfer, other appropriate options may be explored.

B. If a student elects to transfer, the transfer may be permanent or remain in effect as long as the student's original school is identified as persistently dangerous. (Adopted June 9, 2016; Ordinance Number 15/16-93; Effective Date: July 1, 2016; Ordinance 25/26-22, Revised/Effective: September 11, 2025)

Legal Authority - 20 U.S.C. § 7912.

Article 4 - School Censor

Section 9-4.1. Censor required; agent appointed. — A. The School Board shall assure that every three (3) years a census is taken of all persons who reside within the school district of Suffolk Public Schools who have reached the age of five and who have not reached the age of 20 on or before December 31 immediately following the census.

B. On recommendation of the superintendent, the School Board shall appoint agents to take the census. Each agent shall receive compensation for his or her services from School Board funds in the amount to be fixed by the School Board. A reasonable travel allowance may be allowed at the discretion of the School Board. (Adopted February 9, 1995)

Legal Authority - Virginia Code §§22.1-281 through 22.1-286 (1950), as amended.

Article 5 - Compulsory Attendance Ages

Section 9-5.1. Ages of children required to attend; homebound instruction; other exceptions. — A. Every parent, guardian, or other person having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed his or her eighteenth birthday shall cause such child to a public or otherwise provide the child with an education in accordance with state law, unless the child is exempt from the state's compulsory attendance requirement.

B. Further, in the case of any five-year-old child, the requirements of this policy may be alternatively satisfied by causing the child to attend any public educational pre-kindergarten

program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program. As used in this policy, “attend” includes participation in educational programs and courses at a site remote from the school with the permission of the school and in conformity with applicable requirements.

C. Notification by parents of the intent to provide home instruction shall be processed in accordance with the requirements of state law and policies adopted by the School Board.

D. The requirements of this policy apply to:

(i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed the child’s eighteenth birthday; and

(ii) any child whom the superintendent has required to take a special program of prevention, intervention, or remediation as provided in Virginia Code §§ 22.1-253.13:1.C and 22.1-254.01.

The requirements of this policy do not apply to:

(i) any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing the achievement of a passing score on a high school equivalency examination approved by the Board of Education but is not enrolled in an individual student alternative education plan, and

(ii) any child who has obtained a high school diploma or its equivalent, a certificate of completion, or has achieved a passing score on a high school equivalency examination approved by the Board of Education, or who has otherwise complied with compulsory school attendance requirements.

(Adopted February 9, 1995; Revised June 13, 2013; Ordinance Number 1213-94; Effective Date: July 1, 2013; Revised December 13, 2018; Ordinance Number 18/19-48; Effective Date: December 13, 2018; Ordinance 23/24-53, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §22.1-254 (1950), as amended**.**

Section 9-5.2. Mandatory and discretionary release from compulsory school attendance requirement; special rule for children sixteen and above; failure to comply with alternative placement. — A. The School Board shall excuse from attendance at school:

(i) any child who, together with his parents, by reason of bona fide religious training or belief, is conscientiously opposed to attendance at school. For the purpose of this section “bona fide religious training or belief” does not include essentially political, sociological or philosophical views or a merely personal moral code; or

(ii) on the recommendation of the juvenile and domestic relations district court for the City of Suffolk for such period of time as the court determines appropriate, any child who, together with his parents, is opposed to attendance at a school by reason of concern for the child’s health, as

verified by competent medical evidence, or

(iii) by reason of the child's reasonable apprehension for personal safety when such concern or apprehension in that child's specific case is determined by the court, upon consideration of the recommendation of the principal and superintendent, to be justified.

B. The School Board may excuse from school attendance:

(i) on recommendation of the principal and superintendent, and with the written consent of the parent or guardian, any child who the School Board determines, in accordance with regulations of the Board of Education, cannot benefit from education in Suffolk Public Schools; or

(ii) on recommendation of the juvenile and domestic relations district court of the City of Suffolk, any child who, in the judgment of the court, cannot benefit from education at school.

C. Any request for exemption from attendance shall be presented annually in writing to the superintendent or his/her designee.

D. The compulsory education requirements do not apply to:

(i) Children suffering from contagious or infectious diseases;

(ii) Children whose immunizations against communicable diseases have not been completed;

(iii) Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live; and

(iv) Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live.

E. The School Board may allow the compulsory attendance requirements to be met pursuant to an individual student alternative education plan developed in conformity with guidelines prescribed by the Board of Education under the following conditions: (1) The student must be at least sixteen years of age; (2) There shall be a meeting of the student, the student's parents, and the principal or his designee of the school in which the student is enrolled to develop the plan, which must include the following: (a) Career guidance counseling; (b) Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the School Board, with attendance reported to the principal or his designee; (c) Mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment; (d) Successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma; (e) Counseling on the economic impact of failing to complete high school; and (f) Procedures for re-enrollment.

F. The School Board may, in accordance with the procedures set forth in Va. Code § 22.1-

276.01 et seq. and upon a finding that a school-age child has been (i) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent pursuant to subsection G of Va. Code § 16.1-260; (iii) suspended pursuant to Va. Code § 22.1-277.05; or (iv) expelled from school attendance pursuant to Va. Code §§ 22.1-277.06, 22.1-277.07, or subsection C of § 22.1-277, require a student to attend an alternative education program as provided by Va. Code § 22.1-209.1:2 or 22.1-277.2:1.

G. Prior to requiring a student to attend an alternative education program, the superintendent provides (1) written notice to the student and the student's parent/guardian that the student will be required to attend an alternative education program and (2) written notice to the student and the student's parent/guardian of the right to a hearing before the superintendent or superintendent's designee regarding the placement. The decision of the superintendent or superintendent's designee regarding such alternative education placement is final unless altered by the School Board, upon written petition, by the student or the student's parent, for a review of the record by the School Board. Any petition for review of the decision of the superintendent or superintendent's designee must be filed within five (5) school days.

Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the School Board will determine the appropriate alternative education placement of the pupil regardless of whether the pupil attends the public schools it supervises or resides within its school division.

H. A student for whom an individual student alternative education plan has been granted pursuant to this subsection, and who fails to comply with the conditions of such plan, shall be deemed in violation of the compulsory school attendance law. Students enrolled in an alternative education plan shall be counted in the average daily membership of Suffolk Public Schools.

I. The attendance officer, the superintendent, or the superintendent's designee checks the reports submitted pursuant to subsection A of Va. Code § 22.1-260 with reports from the State Registrar of Vital Records and Health Statistics. From these reports and from any other reliable source the attendance officer, the superintendent, or the superintendent's designee, within five days after receiving all reports submitted pursuant to subsection A of Va. Code § 22.1-260, makes a list of the names of children who are not enrolled in any school and who are not exempt from school attendance. The attendance officer investigates all cases of non-enrollment and, when no valid reason is found therefor, notifies the parent, guardian or other person having control of the child to require the attendance of such child at the school within three days from the date of such notice. (Adopted November 11, 1999; Ordinance Number 99/00-30; Revised December 14, 2006; Ordinance 06/07-10; Effective: July 1, 2007; Revised June 13, 2013; Ordinance Number 12/13-95; Effective Date: July 1, 2013: Revised December 13, 2018; Ordinance Number 18/19-49; Effective Date: December 13, 2018; Ordinance 23/24-54, Revised/Effective: January 11, 2024)

Legal Authority - §§ 22.1-254, 22.1-261, 22.1-277.2:1. (1950), as amended.

Section 9-5.2:1. Notice of Violation committed by students in alternative setting; plan for correcting behavior. — A. The School Board requires written notification of an offense to the parent, guardian or other person having charge or control of a pupil in an alternative education program as described in Va. Code § 22.1-209.1:2 when (1) a pupil commits an offense in violation of School Board policies and school officials determine the offense was committed without the willful intent to violate such policies, or (2) the offense did not endanger the health and safety of the individual or other persons.

B. The notification identifying the nature of the offense shall be made no later than two school days following the incident. The School Board requires the principal of the school the child attends, or other appropriate school personnel, to develop appropriate measures, in conjunction with the pupil's parent or guardian, for correcting such behavior. (Adopted: September 12, 2024; Ordinance 24/25-36)

Legal Authority — Virginia Code § 22.1-209.1:2.

Section 9-5.3. Appointment and duties of attendance officers. **—** Suffolk Public Schools may appoint persons to serve as attendance officers whose primary purpose will be the enforcement of the compulsory attendance law. Any attendance officer may pick up any child who is reported to be truant from any Suffolk Public School by a school principal or superintendent or when the attendance officer reasonably determines a child to be a public school student and by reason of the child's age and circumstances believes that the child is truant from public school. The attendance officer may deliver any such child to the appropriate public school. (Adopted November 11, 1999; Ordinance Number 99/00-31)

Legal Authority - Virginia Code § 22.1-266 (1950), as amended.

Article 6 - Entrance Age/Admission of Persons of Not of School Age

Section 9-6.1. Discretion of School Board. — An individual who resides within the school division and is beyond school age (who has reached his or her twentieth birthday on or before August 1 of the school year) may at the discretion of the School Board be admitted into Suffolk Public Schools. Such individuals may be charged tuition at the discretion of the School Board. (Adopted February 9, 1995)

Legal Authority – Virginia Code § 22.1-5 (1950), as amended.

Article 7 - School Admission

Section 9-7.1. Persons eligible for school admission; admission requirements; when tuition charged; foster care enrollment; children of persons on active military duty; additional requirements. — A. A person of school age (i.e., a person who has reached the person's fifth birthday on or before September 30 of the school year and who has not reached twenty (20) years of age on or before August 1 of the school year) is eligible for admission on a non-tuition basis if residing in the school division of Suffolk Public Schools or if eligible for admission under Policy regarding admission of homeless children found at 9-7.3.

A person of school age is deemed to reside within the school division of Suffolk Public Schools when the following exists:

1. When the person is living with a natural parent or a parent by legal adoption in the school division of Suffolk Public Schools;
2. When the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
3. When, in accordance with the provisions of Virginia Code § 22.1-360, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under 10 United States Code § 1044b by the custodial parent;
4. When the parents of such person are unable to care for the person and the person is living, not solely for school purposes with another person who resides in the school division and is (i) either the court-appointed guardian or has legal custody of the person;(ii) acting in loco parentis, pursuant to placement of the person for adoption by a person or entity authorized to do so under Virginia Code §63.2-1200; or (iii) an adult relative providing temporary kinship care as that term is defined in Virginia Code § 63.2-1200. Both parents and the relative providing kinship care arrangement must submit signed, notarized affidavits (a) explaining why the parents are unable to care for the person; (b) detailing the kinship care arrangement; and (c) agreeing that the kinship care provider or a parent will notify the school within 30 days of when the kinship care arrangement ends.

   The parent must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must also obtain written verification from the department of social services where the parent or parents live, and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. If the kinship care arrangement lasts more than one year, or the person transitions to a new kinship care arrangement, the school division must receive continued verification directly from both departments of social services that the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment. If a person in a kinship care arrangement moves into a different school division during the school year as a result of (1) safely returning home, (2) being emancipated pursuant to Va. Code § 16.1-

333, or (3) transitioning to a new kinship care arrangement, the provisions of this subsection continue to apply through the end of such school year.

5. When the person is living in the school division not solely for school purposes as an emancipated minor; or
6. When all or any portion of the building in which the person resides (i) with another person as set forth in the first through fourth bullets above or (ii) as an emancipated minor as set forth in the fifth bullet above is taxable by the locality in which the school division is located; or
7. When the person has been placed in a foster care placement within the school division by a local social services agency. Suffolk Public Schools will cooperate in facilitating the enrollment of any child placed in foster care across jurisdictional lines to enhance continuity of instruction. The child will be allowed to continue to attend the school in which the child was enrolled prior to the most recent foster care placement, upon the joint determination of the placing social services agency and Suffolk Public Schools that such attendance is in the best interest of the child. No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which the child was enrolled prior to the most recent foster care placement or is attending a school in the receiving school division. These provisions apply to any student who was in foster care upon reaching 18 years of age and has not reached 22 years of age. If a person in a kinship care arrangement moves into a different school division during the school year as a result of (1) safely returning home, (2) being emancipated pursuant to Va. Code § 16.1-333, or (3) transitioning to a new kinship care arrangement, the provisions of this subsection continue to apply through the end of such school year.

B. Except as otherwise provided in this section, no pupil is admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, upon admission, a certified copy of the pupil's birth record. The principal or principal's designee records the official state birth number from the pupil's birth record into the pupil's permanent school record and may retain a copy in the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil must submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child will nonetheless be admitted into the public schools if the superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.

If a certified copy of the birth record is not provided the administration immediately notifies the local law enforcement agency. The notice to the local law-enforcement agency includes copies of the submitted proof of the pupil's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.

Within 14 days, after enrolling a transfer student, Suffolk Public Schools requests documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school. Whenever a child is enrolled in Suffolk Public Schools, Suffolk Public Schools shall provide the child with a student identification number.

C. The School Board assigns a unique student identification number, determined in accordance with a system developed by the Department of Education, to each student enrolled in the division. No student identification number includes or is derived from the student's social security number. Each student retains the student's identification number for as long as the student is enrolled in a public elementary or secondary school in Virginia.

D. Tuition rates are established each year in accordance with the provisions of § 22.1-5 of the Code of Virginia. Certain other students may be admitted into the public schools of Suffolk Public Schools and may be charged tuition in accordance with Section 22.1-5 (1950) of the Code of Virginia and pursuant to regulations promulgated by Suffolk Public Schools.

E. Prior to admission to Suffolk Public Schools the parent, guardian, or other person having control or charge of the child must provide, upon registration,

(i) a sworn statement or affirmation indicating whether the student has been expelled from school attendance at a private school or in a public-school division of the Commonwealth or another state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. This document is maintained as a part of the student's scholastic record; and

(ii) a sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense listed in subsection G of Va. Code § 16.1-260 or any substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories. This document is maintained by the superintendent and by any others to whom the superintendent disseminates it, separately from all other records concerning the student.

However, if the school administrators or the school board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of § 16.1-260, the notice will become a part of the student's disciplinary record.

F. A student, who has been expelled or suspended for more than thirty days from attendance at school by a school board, or a private school in Virginia or in another state, or for whom admission has been withdrawn by a private school in Virginia or another state, may be excluded from school attendance in Suffolk Public Schools regardless of whether such student has been admitted to another school division or private school in Virginia or in another state subsequent to such expulsion, suspension, or withdrawal of admission, upon a finding that the student

presents a danger to the other students or staff of Suffolk Public Schools after (i) written notice to the student and the student's parent that the student may be subject to exclusion, including the reasons therefor, and (ii) notice of the opportunity for the student or the student's parent to participate in a hearing to be conducted by the superintendent or the superintendent's designee regarding such exclusion; and (iii) a hearing of the case has been conducted by the superintendent or superintendent's designee; and (iv) a decision has been to exclude the student from attendance. The decision of the superintendent or superintendent's designee to exclude the student is final unless altered by the School Board upon written petition filed within 15 days of the decision to exclude the student by the student or the student's parent, for a review of the record by the School Board.

The School Board may affirm, reverse or alter the decision to exclude the student and the conditions for admission or readmission of the student. In any event, upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, the student may petition the School Board for admission or readmission to school. If the petition for admission or readmission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may petition the School Board for admission or readmission. However, the School Board shall not impose any additional conditions for admission or readmission on the student than those previously imposed. But prior to admission, the student must document compliance with, or eligibility for exemption from, the physical examination and immunization requirements contained in §§ 22.1-270, 22.1-271.2 and 32.1-46 of the Code of Virginia and policies of the School Board.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period is established by the School Board, a committee thereof, or superintendent or superintendent's designee, as the case may be, at the relevant hearing, the student may petition the School Board for readmission. If the petition for readmission is rejected, the School Board identifies the length of the continuing exclusion period and the subsequent date upon which such student may petition the School Board for readmission.

This policy does not preclude contractual arrangements between the School Board and agencies of the federal government or school boards of other jurisdictions to permit students not otherwise eligible to attend Suffolk Public Schools.

For the purpose of this section, the superintendent's designee must be a:

(i) trained hearing officer or

(ii) professional employee within the administrative offices of Suffolk Public Schools who reports directly to the superintendent and who is not a school based instructional or administrative employee.

G. When a child is registered in Suffolk Public Schools as a result of foster care placement, the information required under this section must be furnished by the local social services agency

or licensed child-placing agency that made the placement. If the person enrolling a child who has been placed in foster care by a local social services agency is unable to produce a report of a comprehensive physical examination and/or proof of immunization, the student shall be immediately enrolled; however, the person enrolling the child shall provide a written statement that, to the best of his knowledge, the student is in good health and is free from communicable or contagious disease. In addition, the placing social service agency shall obtain and produce the required documents or otherwise ensure compliance with the statutory requirements for the foster child within 30 days after the child's enrollment.

H. No child of a person on active military duty who:

(i) is attending a school free of charge in accordance with this policy will be charged tuition by the school division upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing. Such children are allowed to continue attending school in the school division and are not charged tuition for attending such school;

(ii) is attending a school free of charge in accordance with this policy will be charged tuition upon such child's relocation pursuant to orders received by such child's parent to relocate to a new duty station or to be deployed. Such children are allowed to remain enrolled in the division free of tuition through the end of the school year; and

(iii) is eligible to attend school free of charge in accordance with this policy will be charged tuition by a school division that will be the child's school division of residence once the child's service member parent is relocated pursuant to orders received.

Such a child will be allowed to enroll in the school division of the child's intended residence if documentation is provided, at the time of enrollment, of military orders of the service member parent or an official letter from the service member's command indicating such relocation. Documentation indicating a permanent address within the school division must be provided to the school division within 120 days of a child's enrollment or tuition may be charged, including tuition for the days since the child's enrollment in school. In the event that the child's service member parent is ordered to relocate before the 120th day following the child's enrollment, the school division will not charge tuition. The assignment of the school such child will attend will be determined by the school division.

Such children are counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing is not responsible for providing for their transportation to and from school.

I. Children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code are eligible for enrollment in Suffolk Public Schools provided that the documents required by Va. Code §§ 22.1-3.1 and 22.1-3.2 are provided and subject to the authority of the school division to exclude such children from attendance pursuant to Va. Code § 22.1-277.2 or if such children have been found guilty or adjudicated delinquent for any offense listed in subsection G of Va. Code § 16.1-260 or any substantially similar offense under the laws of any state.

J. Students may enroll in the Suffolk Public Schools if the division is the student's intended residence if documentation is provided at the time of enrollment of Title 22 or 50 orders of the federal employee parent. Documentation indicating a permanent address within the school division must be provided to the school division within 120 days of a student's enrollment or tuition may be charged, including tuition for the days since the student's enrollment. In the event that the federal employee parent is ordered to relocate under Title 22 or Title 50 orders before the one hundred twentieth day following the student's enrollment, the school division will not charge tuition. Students eligible to enroll in the school division pursuant to this section may register, remotely or in person, for courses and other academic programs and participate in the lottery process for charter schools and college partnership laboratory schools in the school division at the same time and in the same manner as students who reside in the division. The assignment of the school that such student will attend will be determined by the school division.

K. "Children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code" means school-age children, enrolled in kindergarten through grade 12, in the household of a federal employee serving under orders pursuant to Title 22 or 50 of the United States Code. (Adopted February 9, 1995; Revised October 9, 2003; Ordinance 03/04-1; Effective: July 1, 2004; Revised December 14, 2006; Ordinance 06/07-11; Effective: July 1, 2007; Revised June 13, 2013; Ordinance Number 12/13-96; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-94; Effective Date: July 1, 2016. Revised February 14, 2019; Ordinance Number 18/19-50; Effective Date: February 14, 2019; Ordinance 21/22-7; Revised August 12, 2021; Ordinance 23/24-55, Revised/Effective: January 11, 2024; Ordinance 24/25-66, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §§ 22.1-1, 22.1-3, 22.1-3.1, 22.1-3.2, 22.1-3.4, 22.1-5, 22.1-255, 22.1-260, 22.1-270, 22.1-271.2, 22.1-276.01, 22.1-277.2, 22.1-287.02, 22.1-288.2, 32.1-46, 63.2-100, 63.2-900, and 63.2-1200; 2007 Va. Op. AG 07-015., 987-88 Va. Op. AG 374.

Section 9-7.1:1 Admission of certain persons to the public schools. — No person of school age shall be denied admission or charged tuition when (i) such person's custodial parent has been deployed outside of the United States as a member of the Virginia National Guard or as a member of the United States Armed Forces; and (ii) such person's custodial parent has executed a Special Power of Attorney under Title 10, United States Code, §1044b providing for the care of the person of school age by an individual who is defined as a parent within the meaning of

Virginia Code §22.1-1 during the time of his deployment outside the United States; and (iii) such person has been attending a public school in this Commonwealth while residing with his custodial parent. The person of school age shall be allowed to attend a school in the school division in which the individual providing for his care, pursuant to the Special Power of Attorney under Title 10, United States Code, §1044b, resides or, when practicable, to continue to attend the school in which he was enrolled while residing with his custodial parent. (Adopted May 12, 2005; Ordinance 04/05-21; Effective: July 1, 2005)

Legal Authority - Virginia Code §22.1-5 (1950), as amended.

Section 9-7.2. Contractual arrangements not precluded. — This policy does not preclude contractual arrangements between the School Board and agencies of the federal government or between the School Board and other jurisdictions to permit students not otherwise eligible to attend Suffolk Public Schools. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-5 (1950), as amended.

Section 9-7.3. Education of Homeless Children; served according to the best interest; how best interest determined. — A. The School Board is committed to educating homeless children and youth. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless. The school division coordinates the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

B. Suffolk Public Schools will serve each homeless students according to the student's best interest and will (a) continue the student's education in the school of origin for the duration of homelessness (i) if the student becomes homeless between academic years or during an academic year; or (ii) for the remainder of the academic year, if the student becomes permanently housed during an academic year; or (b) enroll the student in any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

C. In determining the best interest of a homeless student, Suffolk Public Schools shall (a) presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the youth; and (b) consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the youth.

D. If, after conducting the best interest determination based on consideration of the presumption and the student-centered factors above, Suffolk Public Schools determines that it is not in the students best interest to attend (a) the school of origin or (b) the school requested

by the parent or guardian, or (c) in the case of an unaccompanied youth, the school requested by the youth, Suffolk Public Schools will provide the student's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such a parent, guardian or unaccompanied youth, including information regarding the right to appeal and in the case of an unaccompanied youth, ensures that the division homeless liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth and provides notice to such youth of the right to appeal. (Adopted January 11, 2018; Ordinance 17/18-35; Effective Date January 11, 2018)

Legal Authority - 20 U.S.C. §399; 42 U.S.C §§ 11302, 11431, 11432, 11433, 11434a; Virginia
Code §22.1-3, 22.1-70, 22.1-78, 22.1-253.13:1, 2.1-270. (1950), as amended.

Section 9-7.3:1 Enrollment of Homeless Student; Enrollment Disputes; Appeal Process. — A. The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student (a) is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency or other documentation; or (b) has missed application or enrollment deadlines during any period of homelessness. The enrolling school immediately contacts the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent or guardian of the student or the youth, in the case of an unaccompanied youth, to Suffolk Public Schools' homeless liaison, who shall assist in obtaining necessary immunizations or screenings, or immunization or other required health records.

If the documentation regarding the comprehensive physical examination required by School Board Policy cannot be furnished for a homeless child or youth, and the person seeking to enroll the pupil furnishes to the school division an affidavit stating that the documentation cannot be provided because of the homelessness of the child or youth and also indicating that, to the best of the person's knowledge, such pupil is in good health and free from any communicable or contagious disease, Suffolk Public Schools shall immediately refer the student to Suffolk Public Schools' homeless liaison who shall, as soon as practicable, assist in obtaining the necessary physical examination by the Suffolk City Health Department or other clinic or physician's office and shall immediately admit the pupil to school. The decision regarding placement shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

B. If a dispute arises over eligibility, or school selection or enrollment in a school (a) the homeless student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals; (b) the parent or guardian of the student or the youth, in the case of an unaccompanied youth, shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school,

the school division or the Virginia Department of Education, including the rights of the parent, guardian or student to appeal the decision; (c) the student, parent or guardian shall be referred to Suffolk Public Schools' homeless liaison who shall carry out the appeal process as expeditiously as possible after receiving notice of the dispute; and (d) in the case of an unaccompanied youth, Suffolk Public Schools' homeless liaison shall ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of the dispute.

C. In the event that an unaccompanied youth or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school's decision regarding the student's eligibility to attend the school, the Complainant shall orally present the Complainant's position to Suffolk Public Schools' homeless liaison.

If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to Suffolk Public Schools' homeless liaison. The written complaint must include the following information: (a) the date the complaint is given Suffolk Public Schools' homeless liaison; (b) a summary of the events surrounding the dispute; (c) the name(s) of the school division personnel involved in the enrollment decision; (d) and the result of the presentation of the oral complaint to the homeless liaison.

Within five (5) school days after receiving the written complaint, the Suffolk Public Schools' homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Superintendent by filing a written appeal. The homeless liaison shall ensure that the Superintendent receives copies of the written complaint and the response thereto. The Superintendent or designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written appeal, the Superintendent, or designee, shall provide a written decision to the Complainant including a statement of the reasons therefore. (Adopted January 11, 2018; Ordinance Number 17/18-33; Effective Date: January 11, 2018)

Legal Authority – 20 U.S.C. §6399; 42 U.S.C §§11302, 11431, 11432, 11433, 11434a; Virginia Code §§22.1-3, 22.1-70, 22.1-78, 22.1-253.13:1, 22.1-270.(1950) as amended.

Section 9-7.3:2. Comparable Services; Transportation; Definitions. **—** A. Each homeless student shall be provided services comparable to services offered to other students in the school attended by the homeless student including the following: (a) transportation services; (b) educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities and educational programs for English learners; (c) programs in career and technical education; (d) programs for gifted and talented students; and (e) school nutrition programs.

B. At the request of the parent or guardian (or in the case of an unaccompanied youth, the

liaison), transportation will be provided for a homeless student to and from the school of origin as follows: (a) if the homeless child or youth continues to live in the area served by Suffolk Public Schools in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by Suffolk Public Schools; or (b) if the homeless child's or youth's living arrangements in the area served by Suffolk Public Schools terminates and the child or youth, though continuing his or her education in Suffolk Public Schools, begins living in an area served by another division, Suffolk Public Schools and the division in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from Suffolk Public Schools. If the divisions are unable to agree upon such method, the responsibility and costs for transportation are shared equally.

C. The term “homeless student” means an individual who lacks a fixed, regular and adequate nighttime residence and includes: (1) children and youths, including unaccompanied youths who are not in the physical custody of their parents, who (a) are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; (b) are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations or in emergency, or transitional shelters; or are abandoned in hospitals; (c) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or (d) are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and (2) migratory children who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term “homeless student” also includes students who are experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the student or a family member in the student’s or family’s current housing situation, including where the health or safety of children are jeopardized and who has no other safe residence and lacks the resources to obtain other safe permanent housing.

The term “migratory child” means a child who moved from one residence to another and from one school division to another in the preceding 36 months as a migratory agricultural worker or migratory fisher or with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian. (Adopted January 11, 2018; Ordinance Number 17/18-34; Effective Date: January 11, 2018; Revised: February 14, 2019; Ordinance Number 18/19-51; Effective Date: February 14, 2019; Ordinance 23/24-56, Revised/Effective: January 11, 2024)

Legal Authority – 20 U.S.C. § 6399; 42 U.S.C §§ 11302, 11431, 11432, 11433, 11434a; Virginia Code §§ 22.1-3, 22.1-70, 22.1-78, 22.1-253.13:1, 22.1-270.(1950) as amended.

Section 9-7.4. Admission of non-public students for part-time enrollment. — Private and homeschool students shall not be permitted to enroll part-time in Suffolk Public Schools or to participate in academic or extra-curricular activities. (Adopted August 14, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 8 - Student Absences/Excuses/Dismissals

Section 9-8.1. Parental responsibility; parent contact required; when absences can be excused; superintendent to establish regulations. — A. School attendance is directly related to academic achievement and the development of good habits which are important in the world of work. Optimum student attendance is a cooperative effort and the School Board expects parents and students to take an active role in accepting the responsibility for good attendance.

Each parent/guardian in charge of a child within the compulsory attendance age shall be responsible for such child's regular and punctual attendance at school as required under the provisions of law.

B. Every reasonable effort will be made to contact a parent/guardian of each absent student every day and a log will be kept of call attempts.

C. When a student is absent from school, the student's parent or guardian must inform the school of the reason for the absence no later than upon the student's return to school. Absences can be excused for any of the following:

(1) for middle and high school students, one school day per school year to engage in a civic event;

(2) a maximum of two school days per academic year for participation in a 4-H educational program or activity. No credit will be provided for a student whose participation in a 4-H educational program or activity occurs during Scheduled Standards of Learning assessments or during any period of time that the student is suspended or expelled from school. The student's principal or assistant principal may request a representative of 4-H to provide documentation of a student's participation in order for the student's absence to be excused;

(3) subject to guidelines established by the Virginia Department of Education, students who are members of a state or federally recognized tribal nation that is headquartered in Virginia will be granted one excused absence per academic year to attend such nation's pow wow gathering provided that the student's parent provides the student's school advance notice of the absence in the manner required by the school;

(4) funeral, illness (including mental health and substance abuse illnesses), injury, legal obligations, medical procedures, suspensions, religious observances, and military obligations.

D. The superintendent, by regulation, will establish procedures for appropriate interventions when a student engages in a pattern of absences for less than a full day, the explanation of which, if it were a full-day absence, would not be an excused absence. The superintendent's regulations will also include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations will ensure that a student is not deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, when the student was not able to do so initially because of the student's absence from school, if the absence is verified in an acceptable manner and deemed excused. (Adopted February 9, 1995; Revised January 14, 1999; Revised January 11, 2018; Ordinance Number 17/18-36, Effective Date: January 11, 2018; Ordinance 22/23-11, Revised/Effective: November 10, 2022; Ordinance 22/23-101; Revised/Effective: July 13, 2023)

Legal Authority - Virginia Code §§ 22.1-227.1, 22.1-254, 22.1-258, 22.1-260, 22.1-279.3, 46.2-323 and 46.2-334.001, and 54.1-3900 (1950), as amended; 8 VAC 20-730-10 and 8 VAC 20-730-20.

Section 9-8.2. School hours generally; participation in high school to work partnerships; filing of petitions for violating school attendance; reasons for absences recorded; parent cooperation expected; report for suspension of driver's license; dismissal precautions; report required. — A. Students shall attend school for a full day (5-1/2 hours) unless otherwise excused by the principal or principal's designee.

B. High school students may spend a maximum of school days each academic year, as determined by Suffolk Public Schools, participating in High School to Work Partnerships established pursuant to guidelines developed by the Board of Education. Students who miss a partial or full day of school while participating in Partnership programs are not counted as absent for the purposes of calculating average daily membership. The superintendent's regulations include procedures by which students may make up work missed while participating in a High School to Work Partnership.

C. An attendance officer, or a division superintendent or the superintendent's designee when acting as an attendance officer pursuant to Va. Code § 22.1-258, may complete, sign, and file with the intake officer of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, a petition for a violation of a school attendance order entered by the juvenile and domestic relations district court pursuant to Va. Code § 16.1-278.5 in response to the filing of a petition alleging the pupil is a child in need of supervision as defined in Va. Code § 16.1-228.

Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or the division superintendent to seek immediate compliance with the compulsory school attendance law.

D. Whenever a student fails to report to school on a regularly scheduled school day and no information has been received by school personnel that the student's parent is aware of and supports the absence, or the parent provides a reason for the absence that is unacceptable to

the school administration, the school principal, principal's designee, attendance officer or other school personnel or volunteer notifies the parent by phone, email or other electronic means to obtain an explanation. School staff records the student's absence for each day as "excused" or ``unexcused''. Early intervention with the student and parent or parents takes place for repeated unexcused absences.

If the following should occur:

(1) a pupil fails to report to school for a total of five (5) scheduled school days for the school year; and

(2) there is no indication that the student's parent is aware of and supports the pupil's absence; and

(3) reasonable efforts to notify the parents to obtain an explanation for the pupil's absence has failed, then the principal or principal's designee shall make a reasonable effort to ensure that direct contact is made with the parent, in person, through telephone conversations or through the use of other communication devices to obtain an explanation for the student's absence and to explain to the parent the consequences of continued nonattendance.

The school principal or principal's designee, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such a plan shall document the reasons for the pupil's non-attendance.

E. If the pupil is absent for more than one additional day after direct contact with the pupil's parent and the attendance officer has received no indication that the pupil's parent is aware of and supports the pupil's absence, the school principal or principal's designee shall schedule a conference with the pupil, pupil's parent, and school personnel. Such conferences may include the attendance officer and other community service providers to resolve issues related to the pupil's nonattendance. The conference shall be held no later than 10 school days after the tenth absence of the pupil, regardless of whether the pupil's parent approves of the conference. The conference team shall monitor the student's attendance and may meet again as necessary to address concerns and plan additional interventions if attendance does not improve. In circumstances in which the parent is intentionally noncompliant with compulsory attendance requirements or the pupil is resisting parental efforts to comply with compulsory attendance requirements, the principal or principal's designee shall make a referral to the attendance officer. The attendance officer shall schedule a conference with the pupil and pupil's parent within 10 school days and may:

(i) file a complaint with the juvenile and domestic relations district court alleging the pupil is a child in need of supervision as defined in Va. Code § 16.1-228 or

(ii) institute proceedings against the parent pursuant to Va. Code § 18.2-371 or § 22.1-262.

In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts to comply with the provisions of this policy. In the event that both parents have been awarded joint physical custody pursuant to Va. Code § 20-124.2 and the school has received notice of such order, both parents shall be notified at the last known

addresses of the parents.

F. In addition to any other actions taken pursuant to this policy, if a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

G. Principals do not release a student during the school day to any person not authorized by the student's parent/guardian to assume responsibility for the pupil. Students shall be released only on request and authorization of parent or guardian. The superintendent establishes procedures for release of pupils who are not residing with or under the supervision of a parent/guardian. The burden of proof on the authority of the person to receive the student is on the requesting party. A formal check-out system shall be maintained in each school.

H. Student attendance is monitored and reported as required by state law and regulations. At the end of each school year, each principal reports to the superintendent the number of pupils by grade level for whom a conference was scheduled as required by this section. The superintendent compiles and provides a report to the Superintendent of Public Instruction annually. (Adopted February 9, 1995; Revised November 11, 1999; Ordinance Number 99/00-33; Revised January 11, 2018; Ordinance Number 17/18-37; Effective Date: January 11, 2018; Revised: February 14, 2019, Ordinance Number 18/19-52; Effective Date: February 14, 2019; Ordinance Number 21/22-8, Revised: August 12, 2021; Ordinance 22/23-12, Revised/Effective: November 10, 2022)

Legal Authority - Virginia Code §§ 22.1-227.1, 22.1-254, 22.1-258, 22.1-260, 22.1-279.3, 46.2-323, 46.2-334.01, and 54.1-3900 (1950), as amended; 8 VAC 20-730-20 and 8 VAC 20-730-10.

Section 9-8.3. Attendance officer to make list of children not enrolled; duties of attendance officer. — A. The attendance officer for Suffolk Public Schools shall check the reports of students enrolled in Suffolk Public Schools with the last school census and with reports from the State Registrar of Vital Records and Health Statistics. From these reports and from any other reliable source, the attendance officer shall, within five (5) days after receiving the report of children enrolled in Suffolk Public Schools, make a list of children who are not enrolled in any school and who are not exempt from school attendance.

B. It shall be the duty of the attendance officer, on behalf of the School Board, to investigate all cases of non-enrollment and, when no valid reason is found therefor, to notify the parent, guardian or other person having control of the child to require the attendance of such child at school within three days from the date of such notice. (Adopted November 11, 1999; Ordinance Number 99/00-34)

Legal Authority - Virginia Code §22.1-261 (1950), as amended.

Section 9-8.4. Complaint to court when parent fails to comply. — A list of persons notified

by the attendance officer pursuant to Section 9-8.3 shall also be sent to the appropriate school principal. If the parent (i) fails to enroll the child in school; or (ii) fails to otherwise comply with the compulsory attendance law; or (iii) refuses to participate in the plan to resolve the student's non-attendance or in the conference requested by the attendance officer as set forth in Section 9-8.2, it shall be the duty of the attendance officer, with knowledge and approval of the superintendent, to make a complaint against the pupil's parent in the name of the Commonwealth before the juvenile and domestic relations district court. If proceedings are instituted against the parent for failure to comply with the provisions of this policy and state law, the attendance officer is to provide documentation to the court regarding the attempts made to resolve the student's non-attendance or non-enrollment. (Adopted November 11, 1999)

Legal Authority -Virginia Code §22.1-262 (1950), as amended.

Section 9-8.5. Dismissal precautions; burden of proof. — A. The principal shall not release a student during the school day to any person to assume responsibility for the student unless authorized by the student's custodial parent or legal guardian. Students shall be released only on written request and authorization of a custodial parent or legal guardian. The superintendent shall provide procedures for the release of pupils who are not residing with or under the supervision of a parent or legal guardian.

B. The burden of proof on the authority of the person to receive the student is on the requesting party. A formal check-out system shall be maintained at each school. (Adopted February 9, 1995; Revised June 14, 2001; Ordinance Number 00/01-16)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 9 - Exclusions and Exemptions from School Attendance

Section 9-9.1. Students exempt from compulsory attendance; when child not emotionally prepared to attend school; request presented annually; on recommendation of the court; bona fide religious belief exemption. — A. Compulsory attendance regulations shall not apply to:

(1) children suffering from contagious or infectious diseases;
(2) children whose immunizations against communicable diseases have not been completed;
(3) children under ten (10) years of age who live more than two (2) miles from a public school unless public transportation is provided within one mile of the place where they live; or
(4) children between ten (10) and seventeen (17) years of age who live more than 2-1/2 miles from a public school unless public transportation is provided within 1-1/2 miles of the place where the children live. Compulsory education differences shall

be measured or determined by the nearest practical routes usable for either or riding from the entrance to the school ground or from the nearest bus stop to the residence of the children.

Any child excused from compulsory attendance under this section due to a contagious, communicable or infectious disease shall be exempt from compulsory attendance when the physical incapacity is established by a written statement from a practicing physician attending the child giving the reasons for the student's inability to participate in school. Children whose immunizations against communicable diseases have not been completed may be excluded from school attendance, unless such children have been exempted from the immunization requirements.

B. In addition, any child who will not have reached the child's sixth birthday on or before September 30 of each school year whose parent or guardian notifies the School Board that the parent does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

C. Any request for exemption from attendance shall be presented annually in writing to the superintendent or superintendent's designee. Children may be exempted from attendance at school by the School Board if they cannot benefit from education. This must be with written consent of the parent or guardian and upon the recommendation of the principal and the superintendent in accordance with regulations of the Board of Education, or the recommendations of the Juvenile and Domestic Relations District Court.

D. The School Board may also excuse a child from compulsory school attendance on the recommendation of the juvenile and domestic relations court for such period of time as the court determines appropriate, any student who, together with the student's parents, is opposed to attendance at a school by reason of concern for the student's health as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

E. The School Board may excuse from compulsory school attendance any student who, together with the student's parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. Request for exemptions from compulsory attendance requirements on the basis that such attendance is contrary to a religious belief and teachings of a student or the student's parent or legal guardian require that the parent or guardian must first demonstrate that such attendance actually interferes with the exercise of a sincerely held religious belief. The decision of whether or not to exempt a student on the basis of a bona fide religious belief shall be made in the first instance by the School Board upon recommendation by the superintendent or designee.

D. If a sincerely held religious belief can be accommodated by means other than exemptions from school attendance then such accommodations should be made unless it would substantially disrupt the administration of the educational process in the schools. The superintendent or designee together with the building principal shall examine with the parent or

guardian the available accommodation option and determine whether an accommodation is appropriate within the curriculum and workable for the student. All other exemptions granted by the School Board shall be in accordance with existing law. (Adopted February 9, 1995; Revised September 14, 1995; Ordinance 21/22-9, Revised August 12, 2021)

Legal Authority - Virginia Code §22.1-254 (1950), as amended.

Section 9-9.2. Attendance at alternative programs; court ordered. — A. The School Board may require a student to attend an alternative education program in accordance with due process procedures in Sections 9-18.2 and 9-18.5 of School Board policy, if the School Board finds that the student has (1) committed an offense in violation of School Board policy; (2) been charged with an offense related to state law or a violation of School Board policy on weapons, alcohol or drugs or intentional injury to another person or (3) been charged with an offense or has been found guilty or not innocent of a crime which was reported or could have been reported to the superintendent.

B. Whenever a court orders any student into an alternative education program offered in the public school, the School Board shall determine the appropriate alternative education placement for the student. (Adopted February 9, 1995; Revised September 14, 1995)

Legal Authority - Virginia Code §§22.1-257(D), 22.1-269.1, and 22.1-277.- 01(1950), as amended.

Article 10 - Pupil Accounting Records

Section 9-10.1. Teacher register check; accurate records of children with disabilities required. — A. Periodic checks shall be made of teacher (electronic) registers at least three (3) times a year including the final check of each register at the end of the school term.

B. Suffolk Public Schools shall keep an accurate record of each child with a disability attending school in the division who is not a resident of the school division. This record shall be certified to the state following the end of the school year. (Adopted September 14, 1995)

Legal Authority - Virginia Code §22.1-101.1 (1950), as amended.

Article 11 - Student Conduct

Section 9-11.1. Standards of student conduct generally; notice requirement; student rights and responsibilities. — A. The Suffolk School Board establishes expectations for student conduct so that public education is conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights.

In addition to the types of conduct prohibited below, the superintendent issues Standards

of Student Conduct and a list of possible actions for violations of those Standards. This policy and the Standards of Student Conduct apply to all Suffolk Public school students. They are enforced when the student's conduct occurs when the student is:

I. On school property.

II. Traveling to school or from school.

III. Traveling to, at, and from bus stops.

IV. In School Board vehicles.

V. In attendance at any school-sponsored activity.

VI. Off school property if the conduct disrupts the learning environment.

B. The School Board and superintendent biennially review the model student conduct code developed by the Virginia Board of Education to incorporate into policy and the Standards of Student Conduct a range of discipline options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

C. Each parent of a student enrolled in Suffolk Public Schools has a duty to assist in enforcing this policy, the Standards of Student Conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights. This policy, the Standards of Student Conduct, a notice of the requirements of Va. Code § 22.1-279.3, and a copy of the compulsory school attendance law is also sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the receipt of this policy, the Standards of Student Conduct shall also be sent. The statement shall also acknowledge the receipt of state law concerning parental assistance in maintaining discipline and order. Parents are notified that by signing the statement of receipt, they are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school maintains records of the signed statements. The school principal may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or principal's designee to review this policy, the Standards of Student Conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law and to discuss improvement of the child's behavior, school attendance and educational progress. (Adopted August 14, 1997; Revised January 14, 1999; Revised June 9, 2016; Ordinance Number; Effective Date: July 1, 2016; Ordinance 21/22-10; Revised August 12, 2021)

Legal Authority - Virginia Code §22.1-70, 22.1-78, 22.1-79, 22.1-278, 22.1-293(D), (1950), as amended.

Section 9-11.2. Parental responsibilities; notice to parents; needing to discuss improving student behavior. — A. The school principal or principal's designee notifies the parents of any student who violates a School Board policy, the Standards of Student Conduct, or the compulsory school attendance requirements when such violations is likely to result in the student's suspension whether or not the school administration has imposed any disciplinary action or filed such a petition. The notice states:

(1) the date and particulars of the violation;

(2) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compliance with compulsory school attendance;

(3) that if the student is suspended the parent may be required to accompany the student to meet with school officials; and

(4) that a petition with the juvenile and domestic relations district court may be filed under certain circumstances to declare the student a child in need of supervision.

The principal or principal's designee notifies the parent of any student involved in an incident required to be reported to the superintendent and Virginia State Board of Education as described in the Reporting Acts of Violence and Substance Abuse. Any student involved in a reportable drug or violent incident, as described in the policies of the School Board, participates in prevention and intervention activities deemed appropriate by the superintendent or superintendent's designee. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

B. If the parent fails to comply with this requirement the School Board may ask the Juvenile and Domestic Relations General District Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

C. A parent, guardian or other person having control or charge of a student is notified in writing of any disciplinary action taken with regard to any incident upon which an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G was based and the reasons therefor. The parent or guardian is also notified of the parent or guardian's right to review, and to request an amendment of, the student's scholastic record, in accordance with regulations of the Board of Education governing the management of scholastic records. (Adopted August 14, 1997; Revised January 14, 1999; Ordinance 21/22-11, Revised August 12, 2021; Ordinance 22/23-64, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 16.1-260, 18.2-308.1, 18.2-308.7, 22.1-23.3, 22.1-200.1, 22.1-253.13:7, 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-

279.3, 22.1-279.3:1, 22.1-279.6, and 22.1-288.2 (1950), as amended.

Section 9-11.3. Prohibited Conduct; ineligibility for interscholastic competition; Intervention required when student involved in drug or violent incident. — A. The following conduct is prohibited. Students engaging in such conduct are subject to disciplinary action.

(1) Bullying is prohibited. "Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict. The principal or principal's designee notifies the parent of any student involved in an alleged incident of bullying within 24 hours of learning of the allegation of bullying. The school superintendent will promulgate regulations to ensure compliance with this notification requirement and will report to the School Board the total number of notices issued by each school in the division by July 30th of each school year.

(2) Gang activity is prohibited. A "gang" is defined as any group of three or more persons whose purpose includes: commission of illegal acts; participation in activities that threaten the safety of persons or property; disruption of the school environment; and the creation of an atmosphere of fear and intimidation. "Gang activity" is defined as wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang; committing any act, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang; using any speech or committing any act in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence; inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.

(3) Harassment is prohibited. "Harassment" means to repeatedly annoy or attack a person or group in such a way as to cause anxiety or fear for safety. The Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists. It is a violation

of this policy for any student to harass a student or school personnel based on protected group status at school or any school sponsored activity.

(4) Hazing is prohibited. “Hazing” means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

(5) Intentional Injury of Others. Students are prohibited from intentionally injuring others. Whether a student acted in self-defense is considered when the student’s conduct is evaluated for disciplinary action.

(6) Threats: Intimidation. Students are prohibited from making any verbal, written or physical threat of bodily injury to another person.

(7) Trespassing. Students, including students who have been suspended or expelled, are subject to disciplinary action for trespassing on school property.

(8) Use and/or Possession of Alcohol, Tobacco Products, Nicotine Vapor Products, Anabolic Steroids, and Other Drugs. Students are prohibited from possessing, using, or distributing any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

(9) Students are prohibited from attempting to possess, use, consume, procure and/or purchase, any of the restricted substances or what is represented by or to the student to be any of the restricted substances or what the student believes is any of the restricted substances listed below. Students are prohibited from being under the influence of any of the restricted substances, regardless of whether the student’s condition amounts to legal intoxication. Restricted substances include but are not limited to alcohol, tobacco products, nicotine vapor products, inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia and any prescription or non-prescription drug possessed in violation of School Board policy.

“*Nicotine vapor product*” means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug,

and Cosmetic Act.

"*Tobacco product*" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

The term "*imitation drug*" when used in this section means either (i) a pill, capsule, tablet, or substance in any form whatsoever which is not a controlled substance subject to abuse, and which by overall dosage or unit appearance, including color, shape, size, marking and packaging or by representations made, and would cause a reasonable person to believe that such pill, capsule, or substance in any other form whatsoever will be mistaken for a controlled substance; or (ii) a pill, capsule, tablet or substance which by express or implied representations purports to act like a controlled substance as a stimulant or depressant of the central nervous system and which is not commonly used or recognized for use in that particular formulation, unless permitted to be marketed, promoted, or sold as such by the United States Food and Drug Administration.

(10) Use of Profane or Obscene Language and Conduct. Students are prohibited from using profane or obscene language or engaging in profane or obscene conduct.

(11) Vandalism. Students are prohibited from vandalizing school property and the property of any School Board staff member or any other person. The School Board may recover damages sustained because of the willful or malicious destruction or, or damage to, public property.

B. In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition. (Adopted August 14, 1997; Revised January 14, 1999; Revised November 11, 1999; Ordinance Number 99/00-35; Revised December 12, 2002; Ordinance Number 02/03-03; Effective July 1, 2003; Ordinance Number 04/05-9; Effective July 1, 2005; Revised June 13, 2013; Ordinance Number 12/13-97; Effective Date: July 1, 2013; Ordinance 21/22-12; Revised August 12, 2021; Revised/Effective: April 11, 2024, Ordinance 23/24-75)

Legal Authority - Virginia Code §§ 16.1-260, 18.2-308.1, 18.2-308.7, 22.1-23.3, 22.1-200.1, 22.1-253.13:7, 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-288.2, 22.1-78, 22.1-279.6, & 18.2-56 (1950), as amended.

Section 9-11.3:1. Value of extracurricular activities; level of behavior required. — A. The School Board recognizes the value of extracurricular activities in the educational process and the values that students develop when they have the opportunity to participate in an organized

activity outside of the traditional classroom.

B. Participants and responsible adults involved in School Board approved extracurricular activities are expected to demonstrate the same level of responsibility and behavior at practice and competitions as is expected in the classroom. The School Board further encourages the development and promotion of sportsmanship, ethics and integrity in all phases of the educational process and in all segments of the community, including administrators, participants, adult supervisors, parents, fans, spirit groups and support/booster groups. (Ordinance 22/23-102, Effective: July 13, 2023)

Legal Authority — Virginia Code § 22.1-78 (1950), as amended.

Section 9-11.4. Authority of Teachers; Criteria for Removal; Appropriate Placement Required. — A. Teachers have the initial authority to remove a student from class for disruptive behavior. "Disruptive behavior" means a violation of school board policies or regulations issued by the superintendent governing student conduct that interrupts or obstructs the learning environment.

B. In order for a teacher to remove a student from class for disruptive behavior:

(1) Removal of the student from class must be necessary to restore a learning environment free from interruptions and obstructions caused by the student's behavior;

(2) Interventions by the teacher and/or administrator have been attempted and failed to end the student's disruptive behavior;

(3) Notice of the student's disruptive behavior and the opportunity to meet with the teacher and/or school administrators must have been provided to the student's parent and/or legal guardian as provided for in regulations adopted by Suffolk Public Schools.

When all of the above criteria have been satisfied, teacher removal of a student from class shall be deemed appropriate.

C. Teachers should write incident reports regarding all incidents of disruptive behavior. The reports will be filed with the school administration and provided to the student's parents within 24 hours of the incident. The parents must be given the opportunity to meet with the teacher and/or school administrator to discuss the student's behavior and the possible consequences if the behavior continues. The teacher will document, in writing, attempts to request and encourage the parents to meet with him or her or school administrators.

The teacher shall provide copies of any incident report and Student Removal Form to the student and the student's parents and notify them of the opportunity to meet with the teacher and/or school administrators to discuss the behavior and the possible consequences if the

behavior continues. Such notice shall be provided within twenty-four hours of each incident. The teacher shall document, in writing, attempts to request and encourage the parents to meet with school administrators and/or the teacher. Such notice and documentation shall be required for each incident report and student removal.

D. The Principal shall determine the appropriate education placement for any student removed from class. The Principal has several options regarding the placement of a removed student, including, but not limited to the following:

(1) assigning the student to an alternative program;

(2) assigning the student to another class;

(3) sending the student to the principal's office or study hall. If the principal chooses this option, the teacher shall provide and evaluate appropriate make-up work for the student;

(4) suspending the student or recommending the student for expulsion. If the principal chooses this option, alternative instruction and assignment, if any, shall be provided according to School Board policy and in the case of students with disabilities, in accordance with federal law; and

(5) returning the student to class as provided for in regulations adopted by Suffolk Public Schools.

E. The principal shall determine, after consultation with the teacher, the duration of the student's removal from class. The principal shall notify the teacher of the decision to return the student to class. If the teacher disagrees with the principal's decision to return a student to the class:

(1) the teacher and principal shall discuss the teacher's objection to returning thestudent to class and the principal's reason for returning the student;

(2) the teacher, after meeting with the principal, may appeal the principal decision to the superintendent or designee within one school day. The incident reports and removal form must accompany the appeal. After discussion with the principal and teacher or receiving their written comments, the decision of the superintendent or designee shall be final. The decision shall be made within forty-eight hours of the teacher's appeal. During the appeal process, the student shall not be returned to class and the principal will determine an appropriate placement for the student. Once the decision has been made to return the student to class, the teacher and principal shall develop a plan to address future disruptive behavior. The principal shall ensure that students removed from class under this policy continue to receive an education in accordance with School Board policies.

F. Application of this policy as it relates to children with disabilities shall be consistent with federal and state laws and regulations, and School Board policy regarding students with disabilities. Teacher deficiencies in classroom management shall be addressed in teacher evaluations. This policy does not limit or restrict the ability of Suffolk Public School employees to apply other policies, regulations or laws for maintaining order in the classroom. (Adopted September 10, 1998; Ordinance 21/22-13, Revised August 12, 2021; Ordinance 22/23-65, Revised/Effective: February 9, 2023)

Legal Authority – Virginia Code §§ 22.1-276.01, and 22.1-276.2 (1950), as amended.

Section 9-11.5. Daily minute of silence required; teacher responsibility; personal reflection, prayer, meditation, etc., permitted. — A. Suffolk Public Schools will observe one minute of silence in each classroom every day.

B. During such period of silence, the teacher responsible for each classroom takes care that all pupils remain seated and silent and make no distracting display so that each pupil may, in the exercise of individual choice, meditate, pray, or engage in any other silent activity which does not interfere with, distract, or impede other pupils in the like exercise of individual choice.

C. Students and employees are prohibited from praying aloud during the minute of silence. (Adopted July 1, 2000; Ordinance Number 00/01-01; Ordinance 22/23-103, Revised/Effective: July 13, 2023)

Legal Authority – Virginia Code §22.1-203 (1950), as amended.

Section 9-11.6. General Statement of Policy; Definitions; cell phone use by elementary and middle school students; cell phone use by high school students; when medical documentation required; enforcement of policy; cell phone violation not grounds for suspension or expulsion; limited use exception; superintendent to develop regulations. — A. Excessive smartphone use among youth is linked to increased anxiety, depression, and other mental health issues. A recent Pew Research Center survey from October 17, 2023 thru November 14, 2023 found that 72% of high school and 33% of middle school teachers report cell phone distractions as a major problem. Common Sense Media in researching student conduct between August 2022 and November 2022 found that 97% of students use their phones during the school day for a median of 43 minutes. Combined with the U.S. Surgeon General's warning about the risks of social media, it is urgent to provide reasonable guardrails for smartphone use in schools. It is the stated policy of the School Board to limit the use of cell phones and other portable communication devices in Suffolk Public Schools consistent with the Governor's Executive Order 33 by the creation of a cell phone-free education environment and Virginia Code § 22.1-79.3:1.

B. As used in this policy:

"Bell to bell" means after the first bell rings at the start of the school day to begin instructional time until the dismissal bell rings at the end of the school day. "Bell to bell" includes lunch and time in between class periods.

"Smart device" means any personal electronic device that can connect to the Internet and wirelessly to collect, process, and transmit data, including, but not limited to, smart watches, tablets, headphones and earbuds.

C. Cell phones and all other personal electronic communication devices are not to be used by elementary students and middle school students within the school building or on school grounds during the school day but are to be stored as provided for by the elementary school or middle school unless:

(a) the student has a medical condition that requires use of a cell phone or other personal electronic communication device during the school day;

(b) the student has an Individualized Education Program, 504 Plan, Health Plan or Limited English Proficiency Plan that specifies use of a cell phone or other personal electronic device during the school day to address a health concern, or as an accommodation or assistive technology support;

(c) the student uses an electronic communication device for translation services; or

(d) to deny the student use of a cell phone or other personal electronic communication device during the school day would result in injury to the student's health, safety or normal development.

D. High school students are not allowed to make use of cell phones or other personal electronic communication devices during the bell-to-bell school day, unless requested by the student's parent or guardian when:

(a) the student has a medical condition that requires use of a cell phone or other personal electronic communication device during the school day;

(b) the student has an Individualized Education Program, 504 Plan, Health Plan, or Limited English Proficiency Plan that specifies use of a cell phone or other personal electronic device during the school day to address a health concern, or as an accommodation or assistive technology support;

(c) the student uses an electronic communication device for translation services; or

(d) to deny the student use of a cell phone or other personal electronic communication device during the school day would result in injury to the student's health, safety or normal development.

E. Whenever there is request for a student to use a cell phone or other personal electronic communication device during the school day under subsection C(a), C(d), D(a), or D(d), medical documentation in writing from a licensed physician, psychiatrist, or psychologist stating that the student needs to use a cell phone or other personal electronic communication device during the school day must be provided to the school.

F. The enforcement and implementation of this policy:

(i) is the responsibility of the school administration;

(ii) should not conflict with the instructional responsibilities of teachers;

(iii) should not disturb instructional time; and (iv) should not involve any school resource officer employed by Suffolk Public Schools.

G. Students cannot be suspended or expelled from school attendance pursuant to Virginia Code § 22.1-277 for a lone violation of the cell phone and smart device possession and use policy. Any violation of the cell phone and smart device possession and use policy that involves, coincides with, or results in an instance of disruptive behavior, as that term is defined in Virginia Code § 22.1-276.01, must be addressed in accordance with the regulations of the code of student conduct adopted by the School Board pursuant to subsection B of Virginia Code § 22.1-279.6.

H. Unless one of the listed exceptions applies as set forth in this policy, elementary school students, middle school students and high school students are not allowed to use cell phones or other personal electronic communication devices within school buildings or school grounds during the school day. However, outside of the bell-to-bell instructional time, elementary school students, middle school students, and high school students are permitted to use cell phones and other personal electronic communication devices on any school campus of Suffolk Public Schools, provided such use does not violate:

(1) policies of the School Board;

(2) regulations of Suffolk Public Schools;

(3) laws of the Commonwealth, which include, but are not limited to, bullying as that term is defined in Virginia Code § 22.1-276.01 or harassment in violation of Virginia Code § 18.2-427; or

(4) result in distractions or disruptions to the learning environment.

J. The school superintendent is hereby directed to adopt regulations governing use of cell phones and all other portable communication devices in Suffolk Public Schools consistent with Virginia Code § 22.1-79.3:1. The school superintendent is required to ensure adequate notice is provided to all students enrolled in Suffolk Public Schools, their parents and guardians, and the general public of regulations promulgated by the school superintendent and/or guidelines

developed by individual schools governing use of cell phones and other portable communication devices in Suffolk Public Schools. (Ordinance 24/25-78, Approved: December 12, 2024, Ordinance 24/25-82, Revised Effective: February 13, 2025; Ordinance 25/26-4, Revised/Effective: July 10, 2025)

Legal Authority — Virginia Code §§ 22.1-78, 22.1-79.3:1 and 22.1-277; Virginia Code Executive Order 33, Guidance for Cell Phone-Free Education Pursuant to Executive Order 33 (September 16, 2024).

Section 9-11.7. Pledge of Allegiance Required; Student Exemption in Limited Cases; Superintendent to Develop Regulations. — A. The Pledge of Allegiance as set forth in 4 U.S.C. § 4 is recited daily in each classroom of Suffolk Public Schools. Students reciting the Pledge of Allegiance must stand and recite the pledge while facing the flag with their right hands over their hearts or in an appropriate salute if in uniform.

B. No student is compelled to recite the Pledge if the student, or the student's parent or legal guardian objects on religious, philosophical, or other grounds to the student's participation in reciting the Pledge. Any student exempt from reciting the Pledge and who chooses not to do so is allowed to quietly stand or sit at their desks while others recite the Pledge and will not make any display that disrupts or distracts those who are reciting the Pledge. Any student that engages in a silent protest to recitation of the Pledge in the exercise of certain rights guaranteed by the First Amendment of the U.S. Constitution will not be deemed to have violated this policy.

C. Appropriate accommodations are made for students who are unable to comply with the procedures described herein due to disability. The superintendent of schools shall issue regulations regarding the reciting of the Pledge of Allegiance. (Adopted April 3, 2003; Ordinance Number 02/03-10; Effective Date: July 1, 2003; Ordinance 22/23-66, Revised/Effective: February 9, 2023)

Legal Authority – Virginia Code § 22.1-202 (1950), as amended, 4 U.S.C. § 4.

Section 9-11.8 Statement of School Board Policy. — Student attire impacts the teaching and learning environment. It can either promote a more effective educational environment or it can disrupt the educational climate and process. In order to ensure that our students' education is conducted in an environment where safety risks, disruptions, and distractions are minimized, all students enrolled in Suffolk Public Schools shall adhere to dress regulations promulgated by the School Superintendent. (Adopted March 8, 2012; Ordinance Number 11/12-15; Effective Date: July 1, 2012)

Legal Authority – Virginia Code §22-1.78 (1950), as amended.

Section 9-11.9. Prosecution of Juveniles as Adults. — Suffolk Public Schools annually provides information developed by the Office of the Attorney General to students regarding laws

governing the prosecution of juveniles as adults for the commission of certain crimes. (Adopted: June 13, 2013; Ordinance Number 12/13-98; Effective Date: July 1, 2013)

Legal Authority – Virginia Code §22-1.279.4 (1950), as amended.

Section 9-11.10 Philosophy; Academic Integrity Defined; Cheating Defined and Examples of. — A. The School Board requires students enrolled in Suffolk Public Schools to conduct themselves ethically and honorably. It is expected that the grade a student earns is based upon work that the student has performed. Cheating is dishonest. It harms the student who cheats and it harms the other students who do not cheat. The School Board will not condone nor will the School Board tolerate any student submitting work that is not produced solely by the student's own initiative. Teachers and administrators of Suffolk Public Schools understand the pressure to get good grades and this can sometimes create the incentive to cheat. However, the School Board firmly believes that cheating denies the value of education, damages the ethical character of the individual student, and undermines the integrity of our school community. The Academic Integrity Policy affirms that we value learning for its own sake, and that the School Board demands personal integrity and intellectual honesty in all academic work.

B. "Academic integrity" means valuing and demonstrating positive regard for: (i) intellectual honesty; (ii) personal truthfulness; (iii) learning for its own sake; and (iv) the creations and opinions of others (i.e., intellectual property). A student is acting with academic integrity to the extent that a student demonstrates these values, and in particular when a student (a) takes full credit for the student's own work; (b) gives full credit to others who have helped the student or influenced the student's work, or whose work the student may have incorporated into their own; (c) represents the student's own work honestly and accurately; (d) collaborates with other students only as specifically directed and authorized; and (e) reports breeches of academic integrity to a teacher, counselor, or administrator.

C. "Cheating" means to obtain (or to aid another to obtain) credit, or improved scores through the use of any unauthorized or deceptive means. The following behaviors by a student may be considered as possible acts of cheating: (i) presenting information collected, organized, or envisioned by another as the student's own work (with or without the author's permission); (ii) allowing a student to present work with full knowledge that it is not the student's own work; (iii) taking shortcuts (such as unauthorized use of study aids) to bypass steps of an assignment; (iv) using forbidden material to "help" during an exam, such as cheat sheets, calculators, cell phones or any electronic device; (iv) asking about or sharing questions and/or answers to quizzes, exams, or class assignments without the express permission of the teacher; (v) submitting the same work for more than one assignment without express permission from the teacher(s); (v) altering corrections or scores with the intent of changing a grade; (vi) misrepresenting in any way to teachers regarding completed work, such as stating that work has been turned in or an assignment has been completed when it had not; (vii) misrepresenting the amount of time spent to complete an assignment; (viii) fabricating information to try to earn more time, more credit, or grading leniency on an assignment, project, or exam; (ix) missing class in order to avoid turning

in an assignment or taking a test, or (x) doing more or less of a group project without permission from the teacher. (Adopted December 10, 2015; Ordinance Number 15/16-2)

Legal Authority ─ Virginia Code §22-1.78 (1950), as amended.

Section 9-11.11. Student, Teacher, Parent, and Administrator Responsibilities. — A. Students are responsible for reading and knowing the School Board's Academic Integrity Policy. In addition, students are required to observe all course specific rules and consequences established by their teachers and do the following: (i) report to the teacher if cheating is taking place and how it is being done; (ii) not to copy homework or let someone else copy your homework; (iii) not to use study aids as an alternative to completing an assignment; (iv) only work with others when the teacher has specifically given permission; (v) seek only appropriate help from parents, tutors, or other students and check with the teacher prior to receiving the help to know what help and assistance is appropriate; (vi) if collaboration has not been specified as permissible, the assignment must be your individual honest effort; (vii) take responsibility for doing your fair share on a collaborative assignment; (viii) on papers, do not summarize, paraphrase or quote without proper documentation; (ix) during tests and quizzes, keep your eyes on your own paper; (x) when in doubt, clarify with the teacher what aids may be used on the test (calculator, notes, etc.); (xi) do not talk during test except to teacher; and (xi) do not discuss any aspect of the test until the teacher has returned it or given permission to discuss it.

B. Teachers are expected to do the following: (i) address the use of study aids in course work; (ii) clearly specify when collaboration with other students is permitted on an assignment.; (iii) review student work regularly for violations of the Academic Integrity Policy; (iv) document violations of the Academic Integrity Policy regarding your own class assignments; and (v) tell students when they are allowed to discuss a test after it has been given.

C. Parent responsibilities include the following: (i) read and become familiar with the School Board's Academic Integrity Policy; (ii) help the student understand that you value academic integrity and expect the student to comply with the School Board's Academic Integrity Policy; (iii) support the imposition of consequences if the Academic Integrity Policy is violated; (iv) require students to do their own work; and (v) when helping students with assignments, ensure that their work remains their own.

D. Administrator responsibilities include the following: (i) ensuring that a copy of the Academic Integrity Policy is included in the Student Handbook and that parents acknowledge their receipt of a copy of the Academic Integrity Policy; (ii) facilitate ongoing conversations and reflection about the Academic Integrity Policy; (iii) administer fair and consistent consequences for offenses of the Academic Integrity Policy; and (iv) maintain records of Academic Integrity Policy offenses. (Adopted December 10, 2015; Ordinance Number 15/16-2)

Legal Authority ─ Virginia Code §22-1.78 (1950), as amended.

Section 9-11.12 Teachers to Exercise Professional Judgment; Procedures and

Consequences. — A. Teacher's professional judgment will determine whether a violation of the Academic Integrity Policy has occurred.

B. Whenever a student is found to have violated the Academic Integrity Policy, these procedures will be followed: (1) the teacher will document the violation and may report it to a building administrator in writing; (2) should the teacher report a violation to the building administrator, the building administrator shall record the violation as part of the student's permanent disciplinary record; (3) the Administration will review the student's disciplinary record and determine whether the violation in question is the student's first (or subsequent) offense; (4) the teacher will confer with the student and shall contact the student's parents. The purpose of the teacher-student conference is to review the Academic Integrity Policy, clarify why the work or behavior in question constitutes a violation of it, and help prevent future violations; (5) according to the stated expectations of individual teachers, an appropriate penalty for the offense will be imposed. Consequences for first-time and subsequent offenses are outlined in Section 9-11.13. (Adopted December 10, 2015; Ordinance Number 15/16-2)

Legal Authority – Virginia Code §22-1.78 (1950), as amended.

Section 9-11.13. Consequences First Offense; Consequences for Subsequent Violations. — A. For a first time offense the classroom teacher shall (i) conference with the student and/or parent; (ii) give the student a grade of zero on the test, quiz, assignment, or project; (iii) allow the student who receives a grade of zero on any test, quiz, assignment, or project to retake the test or quiz, or redo the assignment or project at which time the grade of zero will be replaced with the student's earned grade, except that retakes will not be available for state assessments and local benchmark tests; and (iv) notwithstanding School Board Policy 8-31.3, any student allowed to re-take any test or quiz or redo any assignment or project as provided for in subsection (iii) shall receive a point reduction of 30 points on any such test, quiz, assignment or project. The teacher may also write a referral to the Administration should the teacher be of the opinion that a referral is warranted.

B. Consequences for subsequent violations shall include those listed in subsection A above and in addition thereto the teacher is required to write a referral and the student shall receive an in-school or out of school suspension. (Adopted December 10, 2015; Ordinance Number 15/16-2)

Legal Authority – Virginia Code §22-1.78 (1950), as amended.

Article 12 - Weapons in School

Section 9-12.1. Weapons in school prohibited; mandatory expulsion; exceptions. — A. Carrying, bringing, using or possessing any firearm, dangerous device or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle, or at any school

sponsored activity, without the authorization of the school principal or the superintendent or superintendent's designee, is prohibited and grounds for disciplinary action. The superintendent or superintendent's designee is permitted to give authority to possess a firearm on school property only to persons expressly authorized by statute to possess a firearm on school property. The disciplinary sanction for bringing, using or possessing a firearm, dangerous device or dangerous or deadly weapon to school or at a school sponsored activity is expulsion for no more than one calendar year in accordance with School Board policy. Disciplinary proceedings for violation of this policy will be initiated promptly.

The term weapon includes but is not limited to any pistol, shotgun, stun weapon, revolver or other firearm listed in of the Code of Virginia, designed or intended to propel a projectile of any kind including a rifle, unloaded firearm in closed container, any air rifle or BB gun, toy gun and look-alike gun, any dirk, any knife having a metal blade of three inches or longer, or razor, bowie knife, switchblade knife, ballistic knife, machete, knife or razor, slingshot, spring stick, brass or metal knuckle, blackjack, any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, instrument which may be known as a nunchahka, nunchuck, nunchaku, shuriken, or fighting chain, any disc of whatever configuration having at least two points or pointed blade and which is designed to be thrown known as a throwing star or oriental dart, explosive and destructive device or other dangerous article.

B. A student who has possessed a firearm, on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1 or who has possessed a firearm or destructive device as defined in Va. Code § 22.1-277.07 or a firearm muffler or firearm silencer or a pneumatic gun as defined in Va. Code § 15.2-915.4 on school property or to a school sponsored activity may be expelled for at least one calendar year (365 days).

C. However, the building principal or principal designee, the school superintendent or School Board may, based on the facts of a particular case, determine that special circumstances exist and that another disciplinary action or term of expulsion is appropriate, which may include any of the following:

(a) confiscation of the weapon;
(b) parent conference;
(c) notice of warning;
(d) in-school suspension; and/or
(e) out of school suspension.

The following factors shall be considered in determining the most appropriate disciplinary action or term of expulsion:

(1) the age of the student;
(2) the student's intent to inflict physical harm or injury;
(3) whether the student was in possession of a weapon as enumerated in this policy;
(4) whether the student was in possession of an object that would cause a reasonable person to believe it was in fact a weapon as defined in this policy;
(5) whether the student was in possession of an object not generally considered a

weapon and does not meet the definition of a weapon as set forth in this policy, but the student's intent was to use the object as a weapon to inflict harm or injury. Any student who brings a weapon as defined in this section to school shall be referred to the criminal justice of the Juvenile Justice System.

D. The provisions of this article shall not apply to (i) persons who possess such weapon or weapons as part of the school's curriculum or activities; or (ii) a person possessing a knife customarily used for food preparation or service and is using it for this purpose; or (iii) persons who possess such weapon or weapons as part of any program sponsored or facilitated by either the school or any organization authorized by the school to conduct its programs either on or off the school premises; or iv) any law enforcement officer while engaged in his duties as a law enforcement officer. (Adopted August 14, 1997; Revised November 11, 1999; Ordinance Number 99/00-36; Revised March 14, 2002; Ordinance Number 01/02-01; Revised October 9, 2008; Ordinance Number 08/09-20; Effective: October 10, 2008; Revised June 13, 2013; Ordinance Number 12/13-99; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-97; Effective Date: July 1, 2016; Ordinance 20/21-23; Revised November 4, 2021)

Legal Authority - Virginia Code §§ 15.2-915.4,18.2-308, 18.2-308.1, 18.2-308.7, 22.1-277.07, 22.1-277.07:1, 22.1-280.2:4 (1950), as amended and 8 VAC 20-81-10.

Section 9-12.2. Weapons and children with disability. — A. Students with disabilities are subject to the provisions of Weapons policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Chapter 9, Article 19, Suspension of Students with Disabilities, will be followed in addition to the regular disciplinary procedures in Chapter 9, Article 18 – Student Suspension/Expulsion.

B. In addition to the authority granted in subsection A above, a student with a disability may also be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense. If no manifestation is found, the student may be disciplined to the extent that a student without disabilities would be disciplined.

C. For purposes of this forty-five (45) school day removal, the weapon must meet the following definition: "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length." The term serious bodily injury has the same meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18 of the United States Code. (Adopted August 14, 1997; Revised: June 13, 2013; Ordinance Number 12/13-100; Effective Date: July 1,

2013; Ordinance 24/25-12, Revised/Effective: July 11, 2024)

Legal Authority - §§ 22-1.214 (1950), as amended and 8 VAC 20-81-10, 8 VAC 20-81-160. 18 U.S.C. § 1365(h)(3), 20 U.S.C. § 1415(k)(1)(G)(iii), 34 C.F.R. §§ 300.530(g) and 300.530(i)(3).

Section 9-12.3. Possession of weapons by school employees prohibited. — A. No one may possess or use any firearm or any weapon, as defined in Section 9-12.1 on school property (including school vehicles), on that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or any school bus without authorization of the Superintendent or his designee.

The superintendent or superintendent's designee is permitted to give authority to possess a firearm on school property only to persons expressly authorized by statute to possess a firearm on school property.

B. Violation of this policy by an employee will result in appropriate personnel action up to and including dismissal. Violation of this policy by others will result in actions up to and including a prohibition against the violator returning to school property. In addition, illegal conduct will be reported as required by law. (Adopted: September 9, 2004; Ordinance Number 04/05-2; Effective Date: July 1, 2005; Revised: June 13, 2013; Ordinance Number 12/13-101; Effective Date: July 1, 2013; Ordinance Number 21/22-24; Revised: November 4, 2021)

Legal Authority – Virginia Code §§ 22.1-78, 18.2-308.1, 22.1-279.3:1, 22.1-280.2:1, 22.1-280.2:4, 8 VAC 20-560-10 (1950), as amended.

Article 13 - Gang Activity or Association

Section 9-13.1. Gang activity or association prohibited; Gang activity defined; Superintendent to establish regulations; in-service requirement. — A. Gangs which initiate, advocate or promote activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. Therefore, students shall not engage in gang activity on school grounds, on school buses or on any school sponsored activity. In addition, students shall not engage in gang activity using the School Division computer system at any time. A gang is defined as any group of three or more persons whose purpose includes:

- commission of illegal acts
- participation in activities that threaten the safety of persons or property
- disruption of the school environment
- creation of an atmosphere of fear and intimidation.

B. Students are subject to disciplinary action in accordance with Article 11 - Student Conduct of the Suffolk Public Schools Policy Manual, the Student Handbook and the Student Code of

Conduct issued by the superintendent for participating in gang activity. Gang activity is defined as:

- wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- committing any act, or using any speech, either verbal or non-verbal (such as gestures or handshakes) showing membership or affiliation in a gang;
- using any speech or committing any act in furtherance of the interests of any gang, including:

  (a) soliciting, hazing and initiating others for membership in any gang,

  (b) requesting any person to pay protection or otherwise intimidating or threatening any person,

  (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence;

- inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.

C. The superintendent or superintendent's designee, in cooperation with local law enforcement and/or juvenile agencies, develops and regularly updates a regulation listing known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes and symbols.

D. The superintendent or superintendent's designee provides in-service training in gang behavior and characteristics to facilitate staff identification of students at risk and promote membership in authorized school groups and/or activities as an alternative. (Adopted February 9, 1995; Ordinance 22/23-67, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-78 18.2-46.1, 22.1-70, 22.1-79(2), 22.1-276.01, and 22.1-279.6 (1950), as amended.

Article 14 - Substance Abuse/Student Assistance Program

Section 9-14.1. Mood altering drugs prohibited; supportive school environment encouraged. — A. The use of mood-altering chemicals (including alcohol, glue, illegal drugs) except when used as directed by a physician (prescription drugs) interferes with the education process and inhibits the potential of the individual student. By facilitating awareness programs

aimed at preventing the use/misuse of these chemicals may pre-empt the need for intervention and/or treatment.

B. The primary responsibility for helping students who are seriously involved with chemicals lies with the students and their parents. However the potential for lasting personal damage exists unless educators and parents work together to help students understand the complex nature of chemical dependency. A supportive school environment is necessary for students who have been harmfully involved with chemical use/abuse.

The School Board supports substance abuse programs which can vary in scope according to the individual needs of each school. Included among these would be programs for persons who desire more information, for those who need help with intervention in an existing problem (their own or someone else's) and for those who need help completing the goals of a rehabilitation program. The School Board support efforts to help students during the school day as well as to reinforce programs offered through other agencies. To that end individual school substance programs should provide group experiences, individual counseling and such other devices as are judged to be necessary by school personnel and other involved agencies. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-8 (1950), as amended.

Section 9-14.2. Possession of a controlled substance, etc., mandatory expulsion; prevention and intervention required. — A. No person may manufacture, sell or distribute or possess with intent to sell, give or distribute any controlled substance or imitation controlled substance, "imitation controlled substance," or "marijuana," as all are defined in Virginia law, while

(1) on the property, including building or grounds, of any public school;
(2) on public property or any property open to public use within 1,000 feet of the property, including building or grounds, of any public school;
(3) on any school bus; or
(4) at any designated school bus stop or any property open to public use within 1,000 feet of such school bus stop during the time when school children are waiting to be picked up and transported to or are being dropped off from school or a school sponsored activity.

B. A student who is determined to have brought a controlled substance or imitation controlled substance onto school property or to a school-sponsored activity shall be expelled in accordance with School Board policy. The School Board may determine, based on the facts of the particular case that special circumstances exist and another form of discipline is appropriate. Any disciplinary action imposed pursuant to such a review must be taken in accordance with Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.

C. Any student who violates this policy shall participate in the prevention and intervention activities identified in Suffolk Public Schools' drug and violence prevention plan. The School

Board may require any student who is in possession of or under the influence of drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

D. The Principal shall report a violation of this policy to parents and local law enforcement as required by School Board Policy 7-5.4 - Reporting Acts of Violence and Substance Abuse. (Adopted: June 13, 2013; Ordinance Number 12/13-102; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-98; Effective Date: July 1, 2016; Ordinance 22/23-68, Revised/Effective: February 9, 2023; Ordinance 2024/25-13, Revised/Effective: August 15, 2024)

Legal Authority - Virginia Code §§ 18.2-247, 18.2-250, 18.2-250.1, 18.2-255.2, 22.1-277.08. (1950), as amended, and 8 VAC 20-81-10.

Article 15 - Search and Seizure

Section 9-15.1. Search and seizure generally; unauthorized item subject to seizure defined; refusal grounds for disciplinary action. — A. A search involves an invasion of privacy. Whether a search of a student is permissible depends on a balancing of the student's right to privacy and freedom from unreasonable search and seizure against the school division's responsibility to protect the health, safety and welfare of all persons in the school community and to carry out its educational mission. To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized or contraband materials discovered in the search.

B. As used in this policy the term "unauthorized" means any item dangerous to the health or safety of students or school personnel or disruptive of any lawful function, mission or process of the school or any item described as unauthorized in school rules available beforehand to the student.

C. The locations at which searches of students and student property may be conducted are not limited to the school building or school property. Searches may be conducted wherever the student is involved in a school-sponsored function.

D. A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action. (Adopted August 14, 1997; Ordinance 2024-25-37, Revised/Effective: August 15, 2024)

Legal Authority - Virginia Code §22.1-78.

Section 9-15.2. Desks and lockers subject to search; advance notice when possible; law enforcement notified. — A. Student desks and lockers are the property of the school and

school officials reserve the right to search desks and lockers.
B. Whenever possible the administration will advise students in advance of the search. A general search of lockers or desks maybe conducted to repossess school property or locate illegal materials. The student's individual right to privacy and freedom from unreasonable search and seizure is balanced by the school's responsible to protect the health, safety and welfare of all personnel within the school community.
C. Should illegal materials be found during the search, law enforcement officials should be notified. (Adopted August 14, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-15.3. Personal searches; pat down searches. — A. A student's person and/or personal affects (e.g. purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials or has violated or is about to violate the law or school rules.
B. If a pat down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness present when feasible. (Adopted August 14, 1997)

Legal Authority – United States Constitution, Fourth Amendment & Virginia Code §22.1-79 (1950), as amended.

Section 9-15.4. Reasonable suspicion requirements; same sex requirement; parent notification. — A. All individual searches of students must be based on reasonable suspicion. In order to be permissible, the search must be: (1) justified at its inception and (2) reasonably related in scope to the circumstances justifying the search. An individual search is justified at its inception when a school official has reasonable grounds, based on the totality of the known circumstances, for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. A search is reasonable in scope when it is reasonably related to the objectives of the search and is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction. A personal search may include requiring a student to be scanned with a metal detector.

B. If the school official has reasonable suspicion to believe that a student has in his or her person an item imminently dangerous to the student or to others a more inclusive search of the student's person may be conducted. Such a search may only be conducted in private by a school official of the same sex with an adult witness of the same sex present and only upon the prior approval of the superintendent or his designee unless the health or safety of students will be endangered by the delay.

C. Parent notification before conducting a search of students is not required if the search is

for weapons, drugs, or other contraband, or for any item that has the potential to endanger the health or safety of the student population. Whether the item that is the subject of a search will endanger the health or safety of students or school employees is left to the sound discretion of the building administrator. (Adopted August 14, 1997; Ordinance 24/25-50, Revised/Effective: October 10, 2024)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-15.5. Locker searches; students responsible for contents. — Student lockers are school property and remain at all times under the control of the school. However, students are expected to assume full responsibility for the security of their lockers and are responsible for the content of their assigned locker at all times. Periodic general inspections of lockers will be conducted by school authorities for any reason at any time without notice, without student consent and without a search warrant. (Adopted August 14, 1997; Ordinance 2024/25-39; Revised/Effective: August 15, 2024)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-15.5:1. Computer Searches; responsibility for contents; Superintendent to develop regulations. — A. The school computer system, as defined in Policy regarding Acceptable Computer System Use, is school property. Students are only authorized to use the school's computer system and other similar educational technology consistent with the educational mission of Suffolk Public Schools and in accordance with Acceptable Computer System Use Policy. Periodic general inspections of school computers, software, and other similar educational technology, including school Internet access records, may be searched by school officials for any reason and at any time without notice, without consent and without a search warrant.

B. Students and all school personnel are expected to assume full responsibility for material stored in their computers.

C. The superintendent shall develop regulations deemed necessary for the effective implementation of this policy. (Adopted June 8, 2000; Ordinance 2024/25-40, Revised/Effective: August 15, 2024)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-15.6. Automobile searches. — Students are permitted to park on school premises as a matter of privilege not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule

and that the search will yield evidence of the violation or that illegal or unauthorized materials or other evidence of illegal or otherwise prohibited activities are contained inside the automobile. Such patrols and inspections may be conducted without notice, without student consent and without a search warrant. (Adopted August 14, 1997; Ordinance 2024/25-41, Revised/Effective: August 15, 2024)

Legal Authority - Virginia Code §22.1-78.

Section 9-15.7. Guidelines for metal detector use; wand and free standing. — Students may be subject to search by use of a metal detector either wand or free standing under the following conditions:

1. When there is reasonable suspicion that a student has a weapon as reported by staff or other persons;
2. During extra-curricular activities such as athletic events, dances, talent shows.
3. Random checks at designated places during the school day which may include but is not limited to:
    a. buses by lottery of bus numbers
    b. class rooms by lottery of room numbers
    c. entrance by lottery of entrance numbers

(Adopted August 14, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-15.8. When pat down permissible; student refusal etc., and consequences thereof; strip search prohibited. — A. When there is a reasonable suspicion or during random checks students who have objects which activate the metal detector will be escorted to an isolated area nearest the checking area as designated by the school principal. Students will be asked to remove objects in his or her possession. The student will then be screened again by the metal detector. Should the metal detector be reactivated on this second screening then the student may be subjected to a “pat down” search by the school administrator or his or her designee.

B. If the student refuses, the police department will be summoned and the student will be subjected to discipline in accordance with School Board policy. Any other person refusing to cooperate with school personnel under this procedure shall be required to leave school property immediately. Upon confirmation that this policy has been violated a recommendation will be made by the school administrator for expulsion to the School Board.

C. School personnel shall not have the authority under this policy to engage in a “strip search” of any student. (Adopted August 14, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-15.9. Requirement to confiscate contraband; posting of policy required. — A. Any kind of property and/or contraband even though it may or may not have activated the metal detector shall be confiscated, tagged, recorded on appropriate forms and turned over to the Suffolk Police Department or other appropriate agency for proper handling. Any contraband seized by school personnel pursuant to this policy may be admissible in any subsequent criminal or administrative proceeding.

B. This policy shall be disseminated to all employees, students, parents and be conspicuously posted at extra-curricular activities. (Adopted August 14, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-15.10. Seizure of illegal material. — If a proper and lawful search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for alternate disposition. (Adopted August 14, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-15.11. Consent for search. — If a student gives a school official consent for a search the school official does not need to demonstrate reasonable suspicion. A student's consent is only valid if given willingly and with knowledge of the meaning of consent. Students should be told of their right to refuse to be searched, and students must not perceive themselves to be at risk of punishment for refusing to grant permission for the search. (Adopted: August 15, 2024, Ordinance 2024/25-42)

Legal Authority — Virginia Code § 22.1-78.

Article 16 - Complaints, Sexual Harassment and Grievances Title IX

Section 9-16.1. Definitions, Grievance Process, generally. — A. The following definitions shall apply to sexual harassment prohibited by Title IX:

1. "Actual knowledge" means notice of sexual harassment prohibited by Title IX or allegations of sexual harassment prohibited by Title IX to the Title IX Coordinator or any official of the school division who has authority to institute corrective measures or to any employee of an elementary or secondary school.

2. "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment prohibited by Title IX.

3. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment prohibited by Title IX against a respondent and

requesting that the allegation be investigated. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. The allegations in a formal complaint must be investigated. In response to a formal complaint, the Title IX Grievance Process below is followed.

4. "Program or activity" includes locations, events or circumstances over which the School Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

5. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment prohibited by Title IX.

6. "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures, Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

B. Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The reporting party may use the form, Report of Harassment, to make a complaint. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the

complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the School Board are notified

(a) of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator; and

(b) that the School Board does not discriminate on the basis of sex in its education program or activity and that it is required by Title IX not to discriminate in such a manner. The notification states that the requirement not to discriminate extends to admission and employment and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

D. The School Board prominently displays the contact information for the Title IX Coordinator and this policy on its website and in each handbook or catalog it makes available to persons listed above who are entitled to notifications.

Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal. Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process.

E. This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School Board's education program or activity. The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.

F. Any Title IX Coordinator, investigator, decision-maker, or any person who facilitates an informal resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process

receives training on the definition of sexual harassment prohibited by Title IX, the scope of the School Board's education program or activity, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance in order to create investigative reports that fairly summarize relevant evidence.

G. A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees. The standard of evidence used to determine responsibility is preponderance of the evidence. This grievance process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege. (Adopted February 9, 2023, Ordinance 22/23-74)

Legal Authority - Title IX of the Education Amendments of 1972 (PL92-318) as amended (PL93-568 and PL94-482) 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. 106 et.seq., 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Section 9-16.2. Notice of allegations, written notice. — A. On receipt of a formal complaint, the Title IX coordinator gives the following written notice to the parties who are known:

(a) notice of the grievance process, including any informal resolution process, and
(b) notice of the allegations of sexual harassment potentially constituting sexualharassment prohibited by Title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.

B. The written notice:
(a) includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
(b) informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
(c) informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, notice of the additional allegations is provided to the parties whose identities are known.

C. A formal complaint or any allegations therein must be dismissed if the conduct alleged in the complaint:

(a) would not constitute sexual harassment prohibited by Title IX even if proved,
(b) did not occur in the School Board's education program or activity, or
(c) did not occur against a person in the United States.

Such a dismissal does not preclude action under another provision of the School Board's code of conduct or the superintendent's Standards of Student Conduct. A formal complaint or any allegations therein may be dismissed if at any time during the investigation:

(a) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
(b) the respondent is no longer enrolled or employed by the School Board; or
(c) specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

D. When investigating a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties provided that a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party are not accessed, considered, disclosed or otherwise used without the voluntary, written consent of the party's parent, or the party if the party is an eligible student, to do so for this grievance procedure.

E. The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted. The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant for respondent is not limited in any meeting or grievance proceeding. Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.

F. The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator creates an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

After the investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant. (Adopted February 9, 2023, Ordinance 22/23-74)

Legal Authority - Title IX of the Education Amendments of 1972 (PL92-318) as amended (PL93-568 and PL94-482) 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. 106 et.seq., 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Section 9-16.3. Determination regarding responsibility. — A**.** The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility. The written determination must include:

(a) identification of the allegations potentially constituting sexual harassment prohibited by Title IX;

(b) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
(c) findings of fact supporting the determination;
(d) conclusions regarding the application of the School Board's code of conduct or the superintendent's Standard of Student Conduct to the facts;
(e) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School Board's education program or activity will be provided to the complainant; and
(f) the procedures and permissible bases for the complainant and respondent to appeal.

B. The decision-maker must provide the written determination regarding responsibility to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator is responsible for effective implementation of any remedies. (Adopted February 9, 2023, Ordinance 22/23-74)

Legal Authority - Title IX of the Education Amendments of 1972 (PL92-318) as amended (PL93-568 and PL94-482) 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. 106 et.seq., 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Section 9-16.4. Appeals, Timelines, Informal Resolution Process. — A. Either party may appeal from a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:

(a) procedural irregularity that affected the outcome of the matter;

(b) new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

(c) the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

B. Notification of the appeal must be given in writing to the Title IX Coordinator. As to all the appeals, the Title IX Coordinator:

(a) notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;

(b) ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and

(c) ensures that the decision-maker for the appeal complies with the standards set forth in Title IX and this policy.

C. The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed. A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker. Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties. Any appeal will be resolved with 15 calendar days from the filing of the appeal. If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.

Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities. (Adopted February 9, 2023, Ordinance 22/23-74)

Legal Authority - Title IX of the Education Amendments of 1972 (PL92-318) as amended (PL93-568 and PL94-482) 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. 106 et.seq., 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Section 9-16.4. Recordkeeping. — A. The School Board will maintain for a period of seven years records of:

(a) each investigation of allegations of sexual harassment prohibited by Title IX including any determination regarding responsibility and any audio or audiovisual recording or transcript, if any, required under the Title IX regulations, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to School Board's education program or activity;

(b) any appeal and the result therefrom;

(c) any informal resolution and the result therefrom; and

(d) all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will also be made available on the School Board's website.

B. For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. (Adopted February 9, 2023, Ordinance 22/23-74)

Legal Authority - Title IX of the Education Amendments of 1972 (PL92-318) as amended (PL93-568 and PL94-482) 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. 106 et.seq., 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Section 9-16.5. Retaliation. — Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The school division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. The Title IX Coordinator will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems. (Adopted February 9, 2023, Ordinance 22/23-74)

Legal Authority - Title IX of the Education Amendments of 1972 (PL92-318) as amended (PL93-568 and PL94-482) 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. 106 et.seq., 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Section 9-16.6. Right to Alternative Complaint Procedure. — Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law. (Adopted February 9, 2023, Ordinance 22/23-74)

Legal Authority - Title IX of the Education Amendments of 1972 (PL92-318) as amended (PL93-568 and PL94-482) 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. 106 et.seq., 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Section 9-16.7. Prevention and Notice of Policy. — Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training. This policy is:

(1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel;

(2) included in the student and employee handbooks; and

(3) sent to parents of all students within 30 calendar days of the start of school.

Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers. (Adopted February 9, 2023, Ordinance 22/23-74)

Legal Authority - Title IX of the Education Amendments of 1972 (PL92-318) as amended (PL93-568 and PL94-482) 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. 106 et.seq., 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Section 9-16.8. False Charges. — Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings. (Adopted February 9, 2023, Ordinance 22/23-74)

Legal Authority - Title IX of the Education Amendments of 1972 (PL92-318) as amended (PL93-568 and PL94-482) 20 U.S.C. §§ 1681-1688, 29 U.S.C. § 794, 42 U.S.C. §§ 2000d-2000d-7, 42 U.S.C. §§ 2000e-2000e-17, 42 U.S.C. § 2000ff-1, 34 C.F.R. 106 et.seq., 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Article 17 - Corporal Punishment

Section 9-17.1. Corporal punishment prohibited; exception; corporal punishment defined. — A. No principal, teacher or other person employed by the School Board or employed in a school operated and controlled by the School Board shall subject a student to corporal punishment. This prohibition of corporal punishment shall not be deemed to prevent:

(i) the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control;

(ii) the use of reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage the property;

(iii) the use of reasonable and necessary force to prevent a student from inflicting physical harm on himself;

(iv) the use of reasonable and necessary force for self-defense or the defense of others; or

(v) the use of reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control.

B. In determining whether a person was acting within the exception provided in this section due deference shall be given to reasonable judgments at the time of the event which were made by a teacher, principal or other person employed by the School Board or employed in a school operated and controlled by the School Board.

C. For the purposes of this section "corporal punishment" means the infliction of or causes the infliction of physical pain on a student as a means of discipline. This definition shall not include physical pain or discomfort caused by participation in practice or competition during an interscholastic sport or participation in physical education or in extra-curricular activity. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-279.1 (1950), as amended.

Article 18 - Student Suspension/Expulsion

Section 9-18.1. Definitions; Suspension or Expulsion, generally; grounds therefore. — A. As used in this policy the following terms shall mean—

"Alternative education program" shall include, but shall not be limited to, night school, adult education, or another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

"Destructive device" means:

(1) any explosive, incendiary, or poison gas, bomb, grenade rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device;

(2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in Va. Code § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and

(3) any combination of parts either designed or intended for use in converting

any device into any destructive device described herein and from which a destructive device may be readily assembled.

"Destructive device" shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in Va. Code § 18.2-308.2:2.

"Disruptive behavior" means a violation of school board policies or the Standards of Student Conduct issued by the superintendent pursuant to Chapter 9, Article 11 – "Student Conduct" governing student conduct governing student conduct that interrupts or obstructs the learning environment.

"Exclusion" means a school board's denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than thirty calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

"Expulsion" means any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

"Firearm" means any weapon prohibited on school property or at a school-sponsored activity pursuant to Va. Code § 18.2-308.1, or (1) any weapon, including a starter gun, that will, or is designed to or may readily be converted to expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded firearm in a closed container. "Firearm" does not include any pneumatic gun as defined in this Policy.

"Long-term suspension" means any disciplinary action whereby a student is not permitted to attend school for 11 to 45 school days.

"One year" means 365 calendar days as required in federal regulations.

"Pneumatic gun" means any implement, designed as a gun that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

"School property" means any real property owned or leased by the school board or any vehicle owned or leased by the school board or operated by or on behalf of the school board.

"Short-term suspension" means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days.

B. Suspension or expulsion or both may be used as disciplinary measures when the designated school authorities determine that suspension or discipline or both meet School Board policy or (i) is an appropriate disciplinary sanction for a violation of a Student Code of Conduct; (ii) is appropriate to prevent disruption of the school's programs or activities; (iii) is appropriate to insure the safety and welfare of the student, other students and/or staff; (iv) is appropriate to maintain a safe, drug free, healthy school environment that is conducive to learning; or (v) it is appropriate when School Board policy has been violated.

C. Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy. Except as provided in subsection C of Va. Code § 277 or Va. Code §§ 22.1-277.07 or 22.1-277.08, no student in preschool through grade three is suspended for more than three school days or expelled from attendance at school, unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the School Board or the superintendent or superintendent's designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education. Any student for whom the division superintendent of the school division in which the student is enrolled has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance. The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy. The superintendent is responsible for creating procedures to ensure that suspended students are able to access and complete graded work during and after the suspension. (Adopted August 14, 1997; Revised: June 13, 2013; Ordinance Number 12/13-103; Effective Date: July 1, 2013; Revised: February 14, 2019; Ordinance Number 18/19-53; Effective Date: February 14, 2019; Ordinance 23/24-59, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §§22.1-78 & 22.1-277 (1950), as amended.

Section 9-18.2. Suspension for ten days or less; Principal or Assistant Principal to Report the Facts; appeal procedure; notice requirement. — A. A pupil may be suspended for not more than ten school days by either the school principal or any assistant principal, or, in their absence, any teacher. The principal, assistant principal, or teacher may suspend the pupil after giving the pupil oral or written notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the pupil may be removed

from school immediately and the notice, explanation of facts, and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any pupil, the principal, assistant principal, or teacher responsible for such suspension reports the facts of the case in writing to the superintendent or superintendent's designee and the parent of the pupil suspended. The division superintendent or his designee reviews forthwith the action taken by the principal, assistant principal, or teacher upon a petition for such review by any party in interest and confirms or disapproves such action based on an examination of the record of the pupil's behavior.

The decision of the superintendent or superintendent's designee may be appealed to the Student Services Review Committee. The decision of the Student Services Review Committee will be final.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days shall include notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, are borne by the parent of the student. (Adopted August 14, 1997; Revised: October 9, 2008; Ordinance Number 08/09-16; Effective October 10, 2008; Revised June 13, 2013; Ordinance Number 12/13-104; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-99; Effective Date: July 1, 2016; Ordinance 24/25-79; Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §§22.1-78 and 22.1-277 (1950), as amended.

Section 9-18.3. Emergency suspensions. — Any student whose presence poses a continuing danger to persons or property or an ongoing threat of disruption may be summarily removed from school immediately and the notice, explanation of fact, and opportunity to be heard and provided for in this policy shall be given as soon as practicable thereafter. (Adopted August 14, 1997)

Legal Authority – Virginia Code §§22.1-78 & 22.1-277 (1950), as amended.

Section 9-18.4. Suspension of disabled students receiving services; expulsion of disabled students generally. — A. Students who have been identified as having a disability with a current individualized education program may be suspended for ten (10) days or less in accordance with procedures outlined in this policy unless the student's individualized education program prescribe otherwise.

B. Students who have been identified as having a disability may only be suspended in excess of ten (10) days or expelled from school as provided for by law. (Adopted August 14, 1997)

Legal Authority - 34 C.F.R. 300 520 *et. seq.*

Section 9-18.5. Suspensions in excess of ten (10) days; notice required; right to hearing; appeal procedure. — A. A pupil may be suspended from attendance at school for 11 to 45 school days after written notice is provided to the pupil and his parents of the proposed action and the reasons therefore and of the right to a hearing before the Student Services Review Committee in accordance with School Board policy. Such appeal shall be decided by the Student Services Review Committee thereof within thirty days.

B. The written notice of a suspension for 11 to 45 school days includes notification of the length of the suspension and shall provide information concerning the availability of community-based educational, alternative education, or intervention programs. Such notice also states that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the school board during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension shall be borne by the parent of the student.

C. A long-term suspension may extend beyond a 45-school-day period but shall not exceed 364 calendar days if (i) the offense is one described in Va. Code §§ 22.1-277.07 or 22.1-277.08 or involves serious bodily injury or (ii) the School Board or division superintendent or superintendent's designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

D. In any case in which a student has been suspended by the superintendent or his or her designee the student and his parent, guardian or person having control or charge of the student may appeal the decision to the Student Services Review Committee. Such appeal must be in writing and must be filed with the superintendent within seven (7) calendar days of the suspension decision.

E. The student may appeal the decision of the Student Services Review Committee within seven (7) days of the decision to the full School Board as provided for in Section 9-18.8.

F. Failure to file a written appeal within the specified time or failure to appear at the scheduled hearing will constitute a waiver of the right to an appeal. The School Board will consider the appeal of the suspension within thirty (30) calendar days of the appeal.

G. Nothing herein shall be construed to prohibit the School Board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the school board for the term of such suspension. (Adopted August 14, 1997; Revised June 13, 2013; Ordinance Number 12/13-105; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-100; Revised January 10, 2018, Revised: February 14, 2019; Ordinance Number 18/19-54; Effective Date: February 14, 2019)

Legal Authority - Virginia Code §§22.1-78 & 22.1-277 (1950), as amended.

Section 9-18.6. Expulsions generally; who may recommend; right to hearing. — A. Pupils may be expelled from attendance at school after written notice to the pupil and his parents of the proposed action and the reasons therefore and of the right to a hearing before the Student Services Review Committee in accordance with the regulations. The regulations provide that such a committee may confirm or disapprove the expulsion of a student. Any such committee is composed of at least three School Board members. If the committee's decision is not unanimous, the pupil or his parents may appeal the committee's decision to the full School Board. Such an appeal is decided by the School Board within 30 days. The regulations shall provide for subsequent confirmation or disapproval of the proposed expulsion by the School Board regardless of whether the pupil has exercised the right to a hearing.

B. The written notice given to the pupil and his parent includes notification of the length of the expulsion and provides information to the parent of the student concerning the availability of community-based educational, training, and intervention programs. The notice states whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the school board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his expulsion is borne by the parent of the student.

C. Nothing in this Policy shall be construed to prohibit the school board from permitting or requiring students expelled pursuant to this Policy to attend an alternative education program provided by the school board for the term of such expulsion.

D. If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice also advises the parent of such student that the student may petition the school board for readmission to be effective one calendar year from the date of his expulsion, and of the conditions, if any, under which readmission may be granted.

E. The School Board establishes, by regulation, a schedule pursuant to which such students may apply and reapply for readmission to school. Such a schedule is designed to ensure that any initial petition for readmission will be reviewed by the Student Services Review Committee or the superintendent, and, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. If the superintendent or the Student Services Review Committee denies such a petition, the student may petition the School Board for review of such denial. (Adopted August 14, 1997; Revised: June 13, 2013; Ordinance Number 12/13-106; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-101; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-18.6:1. Factors to be considered; Conduct giving rise to expulsion. — A. Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

(i) the nature and seriousness of the conduct;
(ii) the degree of danger to the school community;
(iii) the student's disciplinary history, including the seriousness and number of previous infractions;
(iv) the appropriateness and availability of an alternative education placement or program;
(v) the student's age and grade level;
(vi) the results of any mental health, substance abuse, or special education assessments;
(vii) the student's attendance and academic records; and
(viii) other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection precludes a school board from considering any of the factors listed above as "special circumstances" for purposes of expulsions discussed in the following subsections.

B. The School Board shall expel from school attendance for a period of not less than one year any student whom such school board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer, or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator, pursuant to School Board policy, or the School Board may, however, determine, based on the facts of a particular situation that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate.

The School Board shall also expel from school attendance any student whom the school board has determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in Va. Code § 18.2-247, onto school property or to a school-sponsored activity. The school board may, however, determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons shall apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this policy shall not apply to persons who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such. (Adopted: June 13, 2013; Ordinance Number 12/13-107; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-102; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-18.7. Review by Superintendent. — The superintendent shall review the recommended expulsion. If the superintendent or his or her designee approves the recommendation of expulsion, the student shall be suspended until the matter is decided by the Student Services Review Committee. The superintendent or his or her designee may impose a lesser sanction.

If the principal's recommendation of expulsion is approved by the Student Services Review Committee, the student and his parent or guardian may request a hearing before the School Board. Such a request must be in writing and must be filed with the superintendent within seven (7) calendar days of the decision to uphold the principal's recommendation. Failure to file a written request within the specified time will constitute a waiver of the right to a hearing before the School Board. Upon a timely request for a hearing before the School Board, the superintendent shall notify the student and his parent or guardian of the time and place of the hearing. (Adopted August 14, 1997)

Legal Authority – Virginia Code §§22.1-78 and 22.1-277, (1950), as amended.

Section 9-18.8. Hearing before student services review committee; procedure to be followed; appeal before the School Board; superintendent to establish student services review committee. — A. The procedure for hearings before the Student Services Review Committee will be as follows:

(i) the Student Services Review Committee determines the propriety of attendance at the hearing of persons not having a direct interest in the hearing, and the hearing is private unless otherwise specified by the Student Services Review Committee;

(ii) the Student Services Review Committee may ask for opening statements from the principal or his representative and the student or his parent or their representative, and at the discretion of the Student Services Review Committee may allow closing statements;

(iii) the parties then present their evidence, but because the principal has the ultimate burden of proof he shall present his evidence first, witnesses may be questioned by members of the Student Services Review Committee and by the parties or their representatives.

The Student Services Review Committee may at its discretion vary this procedure but it shall afford full opportunity for both parties to present any material or relevant evidence and shall afford the parties the right of cross examination provided, however, the Student Services Review Committee may take the testimony of student witnesses outside of the presence of the student, his parent and their representative, if the Student Services Review Committee determines and in its discretion that such action is necessary to protect the student witness. The party shall produce such additional evidence, as the Student Services Review Committee may deem necessary. The Student Services Review Committee shall be the judge of the relevancy and materiality of the evidence. Exhibits offered by the parties may be received in evidence by the

Student Services Review Committee and when so received shall be marked and made a part of the record. The Student Services Review Committee may by majority vote uphold, reject or alter the recommendation. The Student Services Review Committee shall transmit its decision including the reasons therefore to the student, his parents, the principal and superintendent. All decisions made by the Student Services Review Committee, except for decisions regarding student expulsions or long-term suspensions are final and there is no further right of appeal to the full School Board. However, when the Student Services Review Committee affirms placement of a student in an alternative education program, upon a petition filed with the School Board within ten (10) work days from the decision of the Student Services Review Committee, the student or the student's parent can request a review of the record by the School Board as provided for by Virginia Code Section 22.1-277.2:1 (B). Upon review of the record, the School Board may affirm, modify or reverse placement of the student in an alternative education program.

B. A pupil suspended from attendance at school for 11 to 45 school days, or suspended from school for a period longer than 45 school days but not more than 364 school days, after written notice is provided to the pupil and his parents of the proposed action and the reasons therefor, has a right to a hearing before the Student Services Review Committee. The Student Services Review Committee may confirm or disapprove the suspension. The pupil or his parent may appeal the decision of the Student Services Review Committee to the full School Board.

C. The appeal to the School Board must be in writing and must be filed with the superintendent within five (5) calendar days of the Committee's decision. Failure to file a written appeal within the specified time or failure to appear at the scheduled hearing will constitute a waiver of the right to an appeal. The School Board will decide the case within thirty (30) calendar days of the request for an appeal and communicate its decision in writing to the student and his parent, guardian or other person having control or charge of the student. The decision of the School Board is considered final. The procedure for hearing before the School Board shall be as follows:

(i) The School Board shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be private unless otherwise specified by the School Board;

(ii) The School Board may ask for opening statements from the principal or his representative and the student or his parent(s) (or their representative) and, at the discretion of the School Board, may allow closing statements;

(iii) The parties shall then present their evidence. Because the principal has the ultimate burden of proof, he presents his evidence first. Witnesses may be questioned by the School Board members and by the parties (or their representative). The School Board may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross examination provided, however, that the School Board may take the

testimony of student witnesses outside the presence of the student, his parent(s) and their representative if the School Board determines, in its discretion, that such action is necessary to protect the student witness.

(iv) The parties shall produce such additional evidence, as the School Board may deem necessary. The School Board shall be the judge of the relevancy and materiality of the evidence;

(v) Exhibits offered by the parties may be received in evidence by the School Board and, when so received, shall be marked and made a part of the record;

(vi) The School Board may, by majority vote, uphold, reject or alter the recommendations;

(vii) The School Board shall transmit its decision, including the reasons therefore, to the student, his parent(s), the principal and superintendent.

D. The superintendent will establish a Student Services Review Committee consisting of three (3) administrators to hear appeals regarding out of zone waiver decisions, appeals from decisions made by the student discipline officer, recommendations for expulsion, and athletic waivers. School administrators appointed to hear appeals must be impartial having had no involvement in the recommendation made by the office of student services or in the decision reached by the student discipline officer. (Adopted August 14, 1997; Revised: June 13, 2013; Ordinance Number 12/13-108; Effective Date: July 1, 2013; Revised: June 9, 2016; Ordinance Number 15/16-103; Effective Date: July 1, 2016; Revised: February 14, 2019, Ordinance Number 18/19-69; Ordinances 20/21-6, Revised: October 8, 2020; Ordinance 24/25-80, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §§22.1-78, 22.1-277, 22.1-277.2:1, 22.1-277.05, 22.1-277.06 (1950), as amended.

Section 9-18.9. Readmission of suspended or expelled student; when readmission denied. — A. Any student who has been suspended from any Suffolk Public School is not eligible to attend any school within the division until eligible to return to his or her regular school. A student who has been expelled or suspended for more than 30 days from attendance at school by a school board or a private school, or for whom admission has been withdrawn by a private school, may be excluded from attendance in Suffolk Public Schools for no more than one calendar year in the case of expulsion or withdrawal of admission, and in the case of suspension of more than 30 days, for no longer than the duration of the suspension. The School Board shall provide written notice to the student and his or her parent indicating the following: (1) the reasons for possible exclusion; (2) the right to a hearing conducted by the superintendent; and (3) the right to appeal the decision to the School Board or a committee thereof. In excluding any such expelled student from school attendance, the local school board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The excluding school board shall not impose additional

conditions for readmission to school.

The student may not attend school until a review of the case is conducted by the division superintendent. Exclusion can only be imposed upon a finding that the student presents a danger to other students or staff members of Suffolk Public Schools.

B. No suspended student is admitted to the regular school program until such student and his parent have met with school officials to discuss ways to improve the student's behavior, unless the school principal or designee determines that readmission without parent conference is appropriate for the student.

C. At the end of the exclusion period the expelled student may petition the superintendent or superintendent's designee for readmission. If re-admission is denied by the superintendent or superintendent's designee the matter may be appealed to the full School Board as provided for in this policy. If the petition for admission is rejected by the School Board, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the School Board for admission.

D. The School Board may permit students excluded pursuant to this subsection to attend an alternative education program provided by the School Board for the term of such exclusion. (Adopted August 14, 1997; Revised March 12, 2009; Ordinance Number 08/09-29; Effective July 1, 2009; Revised June 13, 2013; Ordinance Number 12/13-109; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-104; Effective Date: July 1, 2016)

Legal Authority – Virginia Code §§22.1-78 & 22.1-277 (1950), as amended.

Section 9-18.9:1. Partial Waiver of Period of Suspension or Expulsion in Limited Circumstances; Administration to Develop Regulations — A. Any student who has been suspended or expelled from Suffolk Public Schools or assigned to attend an alternative education program for an offense involving drugs and/or alcohol, and has served at least two-thirds of the period of suspension, expulsion or assignment to such a program, can have the remaining time waived and allowed re-admission into the regular school program if:

(i) parent and/or guardian of the child voluntarily enrolls the child in an approved drug and/or alcohol treatment program;

(ii) Suffolk Public Schools is provided with documentation showing that the child has successfully completed the program; and

(iii) the student has met the objectives of the alternative education plan.

B. The school superintendent shall develop and implement regulations in conformity with this policy. (Adopted November 11, 1999; Ordinance Number 99/00-41)

Legal Authority - Virginia Code §§22.1-78 & 22.1-277.01:1 (1950), as amended.

Section 9-18.10. Petition to Juvenile Court. — If the parent fails to comply with this policy the School Board may ask the Juvenile and Domestic Relations General District Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the

student's behavior. (Adopted August 14, 1997)

Legal Authority – Virginia Code § 22.1-277.2 (1950), as amended.

Section 9-18.11. Alternative Education Program — A. The School Board may require any student who has been:

(1) charged with an offense relating to the laws of Virginia, or with a violation of school board policies on weapons, alcohol or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;

(2) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;

(3) found to have committed a serious offense or repeated offenses in violation of school board policies;

(4) suspended pursuant to Va. Code § 22.1-277.05; or

(5) expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection C of Va. Code § 22.1-277, to attend an alternative education program.

The School Board may require such students to attend such programs regardless of where the crime occurred. The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of school board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

B. A principal or principal's designee may impose a short-term suspension, pursuant to Va. Code § 22.1-277.04 upon a student, who has been charged with an offense involving intentional injury to another student in the same school as enumerated in Va. Code § 16.1-260.G, pending a decision as to whether to require that a student attend an alternative education program. As used herein, "charged" means that a petition or warrant has been filed or is pending against a pupil. (Adopted June 13, 2013; Ordinance Number 12/13-110; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-105; Effective Date: July 1, 2016; Revised February 14, 2019, Ordinance Number 18/19-55; Effective Date: February 14, 2019)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

Article 19 - Suspension of Disabled Students

Section 9-19.1. Emergency removal of students with disabilities. — A. Students with disabilities, who violate the student code of conduct, or engage in conduct for which they may be disciplined, will be disciplined in accordance with this policy. Additionally, the regular disciplinary procedures must be followed. School personnel may consider any unique

circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability as a result of discipline.

B. Students with disabilities may be removed from class or school for health, safety or welfare reasons. Such emergency removal shall not exceed three (3) consecutive school days. When a student is removed from school on an emergency basis because of a condition that threatens his own welfare or the welfare of others notice of the removal must be divided to student's parent, a representative of the parent or other proper authority including, but not limited to, law enforcement officers and medical personnel.

Removal under this section is intended to be used in emergency situations only and consecutive three (3) day removals are prohibited unless the individualized education program committee determines that the student poses an immediate threat to the safety of himself or others or disrupt the safety of the learning environment. If the Manifestation Team determines that a student is dangerous and the parents appeal the decision pursuant to the Individual with Disability Education Act and refuses to permit a change in placement, the school must then seek injunctive relief from a state or federal court in order to remove the student from school for more than ten (10) consecutive days. Suffolk Public Schools shall make reasonable efforts to notify the parent prior to removing a student from school premises on an emergency basis. If the parent cannot be notified prior to removal, the parent must be notified as soon as possible after the removal and the reasons for it. (Adopted February 9, 1995; Revised June 13, 2013; Ordinance Number 12/13-111; Effective Date: July 1, 2013)

Legal Authority – Virginia Code §§22.1-78 & 22.1-277 (1950), as amended.

Section 9-19.2. Short term suspension of students with disabilities defined; showing of manifestation; notice of rights. — A. Students with disabilities may be subject to short term suspensions for any conduct which would warrant short term suspension for a non-disabled student. A short-term suspension is a suspension of 10 consecutive days or less at a time. School authorities may remove a student with a disability from his or her current educational setting for 10 school days cumulative in a school year to the extent that such removals would be applied to students without disabilities and for additional short-term suspensions during the school year provided no pattern exists. Short term suspensions which constitute a pattern will be handled through long term removal procedures.

No Manifestation Determination Review (MDR) or Individualized Educational Program (IEP) meeting is required for a short term removal, although an IEP meeting may be held if needed. Educational services are provided for each day of removal after the first ten days of removal in a school year. Educational services should also be provided during the first ten days of removal if services are provided to a student without disabilities in the same circumstances.

If a student has received short term suspension totaling ten (10) days during any one school year all subsequent suspensions will be handled under the policy governing long term suspension. A determination must be made as to whether the behavior in question was or was not related to the disabled condition or a result of inappropriate placement before short term

suspension can be carried out. This determination must be made by the MDR Team. No MDR Team meeting will be required for those disabled students for whom short term suspension has been included in the Discipline Plan attached to their IEP. In such cases the IEP Discipline Plan will be implemented if the student has engaged in conduct for which the Discipline Plan allows short term suspension.

B. If the MDR Team determines there is a causal relationship or that the child was inappropriately placed at the time of the misconduct, then alternative placement should be considered through the appropriate eligibility and placement procedures. If it believes that the student poses a dangerous threat to self, other students or school staff members, the School Board may contact legal counsel to determine if seeking injunctive relief from the courts to prevent the student from attending school until the appropriate eligibility and placement procedures have been completed is in order.

C. The student shall be given oral or written notice of the charges against him or her, an explanation of the evidence supporting the charges and an informal opportunity to respond to it and rebut the charges. The Administration will make and document efforts to notify the parent prior to the suspension. The MDR Team will determine the nature and extent of services, if any, to be provided at home for students who receive short term suspension. (Adopted February 9, 1995; Revised June 13, 2013; Ordinance Number 12/13-112; Effective Date: July 1, 2013; Revised January 11, 2018; Ordinance Number 17/18-38; Effective Date: January 11, 2018)

Legal Authority – Virginia Code §§22.1-78 & 22.1-277 (1950), as amended.

Section 9-19.3. Long term suspension of students with disabilities; change in placement; manifestation determination review team; when behavior not a manifestation; functional Behavior Assessments and Behavior Intervention Plans required. — A. A long term suspension of ten (10) school days or more may be imposed against a disabled student for any conduct which would warrant long term suspension for a non-disabled student. Whenever there has been a suspension of ten (10) school days or more, this may constitute a change in placement.

B. A change in placement occurs when: (1) the removal is for more than 10 consecutive school days at a time; or (2) there is a series of removals each of which is for 10 days or less and they cumulate to more than 10 days in a school year and constitute a pattern because of: (a) the length of each removal, (b) the proximity of the removals, (c) the total time the student is removed, (d) the child's behavior is substantially similar to the child's behavior in previous incidents.

C. Prior to long term suspension, the Manifestation Determination Review (MDR) Team will need to determine whether the behavior is related to the disabling condition or is the result of inappropriate placement. When a disciplinary action is proposed that will result in a disciplinary change of placement, a Manifestation Determination Review (MDR) shall be conducted within 10 school days after the date on which the decision to take disciplinary action is made. This review shall be conducted by the MDR Team which consists of a local educational agency

representative, the parent(s) and relevant members of the IEP team (as determined by the parent and the school division). The MDR Team may determine that the behavior of the student was not a manifestation of such child's disability only if the Team: (1) considers all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information supplied by the parents; and (2) determines that: (a) the conduct in question was not caused by, or did not have a direct and substantial relationship to, the student's disability; and (b) the conduct in question was not the direct result of the school division's failure to implement the IEP.

The MDR Team shall consider whether the behavior indicates the need for more assessment and evaluation data. If the MDR Team determines that the misbehavior is related to the disabling condition or is a result of an inappropriate placement then the disabled student may not be suspended. If no relationship or inappropriate placement is found the suspension may be imposed with the appropriate due process procedures. The MDR Team shall determine the nature and extent of educational services that should be provided during the time of suspension.

D. If the behavior is not a manifestation of the student's disability, the disciplinary procedures will be applied in the same manner as applied to students without disabilities. The student must continue to receive the educational services necessary to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. In addition, the special education and disciplinary records of the student must be made available to the person who makes the final decision regarding the imposition of discipline.

A parent may request an expedited due process hearing if the parent disagrees with the determination that the behavior was not a manifestation of the student's disability or if the parent disagrees with any decision regarding the placement of the student while disciplined. During any appeal, the student will remain in the interim alternative education setting unless reversed by decision of the hearing officer; provided, however, the student may still serve the balance of any applicable forty-five school day removal. The placement may also be changed through the IEP process with the consent of the parent.

E. If the MDR Team determines that a manifestation exists, the student may not be disciplined except to the extent a removal is otherwise permitted by law. The student may be removed to a more restrictive placement by following change in placement procedures through the IEP process. The IEP team must: (i) conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or, (ii) if the student already has a FBA and BIP in place, review and modify the BIP, as necessary to address the behavior. If a manifestation is found, the school division and the parent may agree to a change in placement when reviewing or modifying the BIP. Without this agreement, the student must return to the placement from which the student was removed. (Adopted February 9, 1995; Revised June 13, 2013; Ordinance Number 12/13-113; Effective Date: July, 1, 2013; Revised January 11, 2018; Ordinance Number 17/18-39; Effective Date: January 11, 2018)

Legal Authority – Virginia Code §§22.1-78 & 22.1-277 (1950), as amended.

Section 9-19.4. Right to remain in current placement; due process protections; continuation of educational services while disciplined. — A. Except for emergency removal procedures, if a due process hearing request is filed students with disabilities shall remain in the current educational placement pending a decision by the hearing officer concerning the suspension, unless both the parent and the administration agree otherwise.

B. Students with disabilities for whom long term suspension has been recommended is entitled to all the due process rights available to a non-disabled student for whom long term suspension has been recommended and all due process procedures available to a disabled student under the Individuals With Disability Education Act of 1990, as amended and applicable state policies and procedures.

C. For the first 10 days of removal in a school year, the School Board is not required to provide educational services to the student with a disability if services are not provided to students without disabilities who have been similarly removed. After the first 10 days of removal in a school year, the School Board shall provide educational services to the student during the period of removal. The services must enable the student to: (i) continue to progress in the general curriculum, although in another setting, and (ii) progress toward meeting the goals set out in the student's IEP. The determination of the educational services is made by the IEP team if the discipline constitutes a change in placement. For a short term removal which is not a change in placement, the determination of the education services is made by school personnel in consultation with the student's special education teacher. (Adopted February 9, 1995; Revised June 13, 2013; Ordinance Number 12/13-114; Effective Date: July 1, 2013; Revised January 11, 2018; Ordinance Number 17/18-40; Effective Date: January 11, 2018)

Legal Authority – 20 U.S.C. § 1415; 29 U.S.C. § 705; Virginia Code §§22.1-78, 22.1- 277.01:1 & 22.1-279.6. (1950), as amended.

Section 9-19.5. Interim Alternative Educational Settings for Weapons and Drugs and Infliction of Serious Bodily Injury; interim alternative setting requirements. — A. Students with disabilities who (1) carry or possess a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or local educational agency; (2) knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency; or (3) inflict serious bodily injury upon another person at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency may be disciplined pursuant to School Board policies governing weapons and drugs and may be placed in an interim alternative educational setting for up to forty-five school days. These options are available even if a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

For purposes of this forty-five (45) school day removal, "illegal drugs" and "controlled

substance" are defined as follows:

a. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 U.S.C. § 812(c).
b. Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

B. Any interim alternative educational setting shall be selected by the IEP team, so as to enable the student to continue to progress in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The student must also receive, as appropriate, an FBA, behavioral intervention services and modifications designed to address the behavior so it does not recur. (Adopted June 13, 2013; Ordinance Number 12/13-115; Effective Date: July 1, 2013; Revised January 11, 2018; Ordinance Number 17/18-41; Effective Date: January 11, 2018)

Legal Authority – 20 U.S.C. § 1415; 29 U.S.C. § 705; Virginia Code §§22.1-78, 22.1- 277.01:1 & 22.1-279.6. (1950), as amended.

Section 9-19.6. Change of Placement by Hearing Officer. — A. In addition to the other options for removal, a hearing officer may order a change in the placement for a student with a disability to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the hearing officer determines that maintaining the current placement of such student is substantially likely to result in injury to the student or others. Additional forty-five (45) school day removals may be authorized by the hearing officer as necessary. (Adopted June 13, 2013; Ordinance Number 12/13-116; Effective Date: July 1, 2013)

Legal Authority – 20 U.S.C. § 1415; 29 U.S.C. § 705; Virginia Code §§22.1-78, 22.1- 277.01:1 & 22.1-279.6. (1950), as amended.

Section 9-19.7. Students Not Identified as Disabled. — A. Students for whom the parents assert there is a disability but who have not yet been identified as disabled may be subjected to the same measures applied to students without disabilities if the school division did not have knowledge of the disability before the behavior that precipitated the disciplinary action occurred. A school division will be found to have knowledge of the student's disability if before the behavior that precipitated the disciplinary action occurred, if any one of the following should have taken place:

(1) the parent expressed concern in writing to supervisory or administrative personnel of the school division, or to a teacher of the student, that the student is in need of special education and related services; or
(2) the parent requested an evaluation of the student for special education eligibility; or
(3) the student's teacher or other school personnel had expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education or to other supervisory personnel of the school division that suggests the presence of a disability.

B. Suffolk Public Schools would not be found to have knowledge of a student's disability if:

(1) the parents refused to allow an evaluation of the student or refused special education services; or
(2) the student was evaluated and found not eligible for special education services.

C. If a request for an initial evaluation is made during the period when a student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. If the student is found eligible as a child with a disability, taking into consideration information from the evaluation conducted by Suffolk Public School and information provided by the parents, then the student must be provided special education and related services. Pending the results of the evaluation, the student shall remain in the educational placement determined by school authorities which placement can include suspension or expulsion without services. (Adopted June 13, 2013; Ordinance Number 12/13-117; Effective Date: July 1, 2013; Revised February 8, 2018; Ordinance Number 17/18-42; Effective Date: February 8, 2018)

Legal Authority - Virginia Code §§22.1-78 & 22.1-277.01:1 (1950), as amended.

Section 9-19.8. Disciplining certain students who violate alcohol and drug policies. — Students who are identified as disabled under Section 504 of the Rehabilitation Act and who engage in the illegal use of drugs or alcohol may be disciplined for violating Suffolk Public Schools' alcohol and drug policies to the same extent as non-disabled students. The student is not entitled to a due process hearing under special education procedures in this circumstance but does retain the protections afforded to regular education students.

B. Nothing in these procedures prevents the reporting of a crime to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities. (Adopted February 9, 1995; Revised June 13, 2013; Ordinance Number 12/13-118; Effective Date: July 1, 2013; Revised January 11, 2018; Revised February 8, 2018; Ordinance Number 17/18-43; Effective Date: February 8, 2018)

Legal Authority – 20 U.S.C. § 1415; 29 U.S.C. § 705; Virginia Code §§22.1-78, 22.1- 277.01:1 & 22.1-279.6. (1950), as amended.

Article 20 - Student Health Services and Requirements

Section 9-20.1. Employment of school nurses. — Suffolk Public Schools will employ school nurses, physicians, physical therapists, occupational therapists and speech therapists who meet such standards as may be determined by the Board of Education. (Adopted February 9, 1995; Revised September 14, 1995; Revised June 13, 2013; Ordinance Number 12/13-119; Effective Date: July 1, 2013)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-20.2. Contagious diseases; exclusive requirements. — Students shall be excluded from school when suffering from contagious diseases. (Adopted February 9, 1995; Revised September 14, 1995)

Legal Authority - Virginia Code §22.1-272 (1950), as amended.

Section 9-20.3. Treatment of medical emergencies. — No treatment of injuries except first aid will be given in the schools. Exceptions are made to this policy only in cases of medical necessity. (Adopted February 9, 1995; Revised September 14, 1995)

Legal Authority - Virginia Code §22.1-274 (1950), as amended.

Section 9-20.4. Rights of students. — Religious beliefs and constitutional rights of students shall be respected within constraints of legal requirements for health instruction, examination and treatment. (Adopted February 9, 1995; Revised September 14, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-20.5. Administration of medicines. — Administration of medicines will be permitted on school property only where medically necessary and under the direct supervision of appropriate staff members. (Adopted February 9, 1995; Revised September 14, 1995)

Legal Authority - Virginia Code §22.1-274 (1950), as amended.

Section 9-20.6. Physical examination requirement; reports placed in child's health record. — A. Before any child is admitted for the first time to any public preschool, kindergarten or elementary school (Grades K through 5) such child must have a report from (1) a qualified licensed physician, or a licensed nurse practitioner or licensed physician assistant acting under the supervision of licensed physician of a comprehensive physical examination of a scope as

prescribed by the State Department of Health performed within the 12 months prior to the date such pupil first enters such public kindergarten or elementary school; or (2) records establishing that such pupil furnished such report upon prior admission to another school or school division and providing information contained in such report.

B. Physical examination reports shall be placed in the child's health record at the school and made available for review by any employee or official of the State Department of Health or any local health department at the request of such employee or official.

C. A physical examination shall not be required of any child whose parent or guardian objects on religious grounds and who shows no visible evidence of sickness. The parent or guardian shall state in writing that to the best of the parent or guardian's knowledge the child is in good health and free from communicable or contagious disease. (Adopted February 9, 1995; Ordinance 23/24-60, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §22.1-270 (1950), as amended.

Section 9-20.7. Student immunizations required; notice required; when child being home instructed; conditional enrollment; exemption. — A. No student is admitted by a school unless at the time of admission the student or the student's parent submits documentary proof of immunization as required by Va. Code §§ 22.1-271.2 and 32.1-46 to the admitting official of the school or unless the student is exempted from immunization as described below or is a homeless child or youth as defined in Va. Code § 22.1-3 (1950), as amended.

B. If a student does not have documentary proof of immunization, the school will notify the student or the student's parent:

(i) that it has no documentary proof of immunization for the student;

(ii) that it may not admit the student without proof unless the student is exempted, including any homeless child or youth as defined in Va. Code § 22.1-3 (1950), as amended;

(iii) that the student may be immunized and receive certification by a licensed physician, physician assistant, advanced practice registered nurse, registered nurse or an employee of a local health department; and

(iv) how to contact the local health department to learn where and when it performs these services.

C. Any parent, guardian, or other person having control or charge of a child being home instructed or exempted or excused from school attendance shall comply with immunization requirements provided in Va. Code § 22.1-32.1-46 (1950), as amended, in the same manner and to the same extent as if the child has been enrolled in and is attending school.

D. Any student whose immunizations are incomplete may be admitted conditionally if that student provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within 90 calendar days. If the student requires more than two doses of hepatitis B vaccine, the conditional enrollment period will be 180 calendar days. The immunization record of each student admitted conditionally is reviewed periodically until the required immunizations have been received. Any student admitted conditionally who fails to comply with the student's schedule for completion of the required immunizations will be excluded from school until the student's immunizations are resumed.

E. No certificate of immunization is required for the admission to school of any student if:

(i) the student or the student's parent submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or

(ii) the school has written certification from a licensed physician, physician assistant, advanced practice registered nurse, or local health department that one or more of the required immunizations may be detrimental to the student's health, indicating the specific nature and probable duration of the medical condition or circumstance that contraindicates immunization.

(Adopted February 9, 1995; Revised September 14, 1995; Revised June 13, 2013; Ordinance Number 12/13-120; Effective Date: July 1, 2013; Ordinance 23/24-61, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §§ 22.1-272.2, 22.1-271.4, 32.1-46, 54.1-2952.2, 54.1-2957.02. (1950), as amended.

Section 9-20.7:1. Homeless pupils; medically indigent children. — A. If a pupil is a homeless child or youth as defined in Va. Code § 22.1-3 (1950), as amended, and for that reason cannot furnish the required report or records, and the person seeking to enroll the pupil furnishes to the school division an affidavit so stating and also indicating that, to the best of the person's knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division's homeless liaison, who, as soon as practicable, assists in obtaining the necessary physical examination by the local health department or other clinic or physician's office and immediately admits the pupil.

B. The health departments of the counties and cities of the Commonwealth conduct such required physical examinations for medically indigent children, upon request, without charge and may provide such examinations to others on such uniform basis as the department establishes. (Adopted June 13, 2013; Ordinance Number 12/13-121; Effective Date: July 1, 2013; Ordinance 23/24-62, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §22.1-272 (1950), as amended.

Section 9-20.8. Immunization Record; failure to complete required form; filing of report with local health department. — A. Every school records each student's immunizations on the school immunization record. The school immunization record is a standardized form provided by the State Department of Health, which will be a part of the mandatory permanent student record.
B. Parents/Guardians of students entering school must complete a health information form as required by state law. Such forms must be returned within 15 days of receipt unless reasonable extensions have been granted by the superintendent or superintendent's designee. Upon failure of the parent to complete such form within the extended time, the superintendent may send the parent written notice of the date he intends to exclude the child from school; however, no child who is a homeless child or youth as defined in subdivision 6 of Virginia Code Section 22.1-3 are to be excluded from school for such failure to complete such form. Such records are open to inspection by officials of the State Department of Health and the local health departments. The school immunization record will be transferred by the school whenever the school transfers any student's permanent academic or scholastic records.
C. Within 30 calendar days after the beginning of each school year or entrance of a student, each admitting official will file a report with the local health department. The report will be filed on forms prepared by the State Department of Health and will state the number of students admitted to school with documentary proof of immunization, the number of students who have been admitted with a medical or religious exemption and the number of students who have been conditionally admitted, including those students who are homeless children or youths as defined in Va. Code § 22.1-3 (1950), as amended. (Adopted February 9, 1995; Revised September 14, 1995; Revised June 13, 2013; Ordinance Number 12/13-122; Effective Date: July 1, 2013; Ordinance 23/24-63, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §22.1-272 (1950), as amended.

Section 9-20.9. Communicable diseases generally; confidential information; exclusion of students and employees. — A. The School Board recognizes the importance of protecting its students and employees from the transmission of communicable diseases which present a threat to their health and safety while also protecting their legitimate interests and rights of students and employees with communicable diseases. The School Board directs the superintendent to act in compliance with applicable law to exclude from school attendance or work in the school setting any person who has a communicable disease. The decision to remove the student or employee and the decision to re-admit the student or to permit the employee to return to work shall be made by the superintendent based upon consultation with the local health department, the student or employee's physician, physician assistant, advanced practice registered nurse and/or other medical authorities.
B. The identity of a student or employee who has a communicable disease is kept confidential and revealed only to appropriate authorities as determined by the superintendent of

Schools. An alternative educational program should be made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or where otherwise required by law.

C. School Board policy and administrative procedures concerning the exclusion of employees and students with communicable diseases are consistent with the requirements of law including the policies of Virginia Department of Education and should reflect current medical knowledge and research. (Adopted February 9, 1995; Revised June 13, 2013; Ordinance Number 12/13-123; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-106; Effective Date: July 1, 2016; Ordinance 23/24-64, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §§ 22.1-253.13:3, 22.1-254, 22.1-271.3, 22.1-272, 32.1-36.1, 54.1-2952.2, 54.1-2957.02 (1950), as amended.

Section 9-20.10. Bloodborne, contagious or infectious diseases; identity of student or employee kept confidential; alternative education; training required; superintendent to develop guidelines. — A. The attendance at work of students or employees who suffer blood borne diseases which are infectious or contagious that may be transmitted by exchange of body secretions is determined by the superintendent on a case by case basis. The superintendent obtains the advice of the Public Health Director to assist with the determination. The employee may be excluded from work or school pending the superintendent's decision. The superintendent issues regulations setting forth the procedures to be followed to effectuate this policy.

B. The identity of a student or employee who has tested positive for human immunodeficiency virus is kept confidential; except as provided for in School Board Policy Section 9-20.10:1.

C. An alternative educational program is made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or is otherwise required by law.

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

E. The superintendent adopts regulations setting forth the procedures to be followed to effectuate this policy. (Adopted February 9, 1995; Revised January 15, 2004, Ordinance Number 03/04-13, Effective: July 1, 2004; Revised February 8, 2018; Ordinance Number 17/18-44; Effective Date: February 8, 2018; Ordinance 19/20-51; Revised/Effective Date: January 9, 2020)

Legal Authority - Virginia Code §§ 22.1-271.3, 32.1-36.1, and 3.1-45.2 (1950), as amended.

Section 9-20.10:1. Possible exposure to viral infections; confidentiality of information;

implied consent for testing; court order for testing in certain situations. — A. Upon notification by a School Board employee who believes the employee has been involved in a possible exposure-prone incident which may have exposed the employee to the blood or body fluids of a student, the superintendent shall contact the local health director, who, upon immediate investigation of the incident, shall determine if a potentially harmful exposure has occurred and make recommendations based upon all information available to the health director regarding how the employee can reduce any risks from such exposure. The superintendent shall share these recommendations with the School Board employee.

B. The superintendent and the School Board employee shall not divulge any information provided by the local health director regarding the student involved, except as described herein. The information provided by the local health director is subject to confidentiality requirements set forth in the Code of Virginia Section 32.1-35 *et. seq.* (1950), as amended.

C. Whenever any school board employee is directly exposed to body fluids of any person in a manner which may, according to current guidelines of the Center for Disease Control and Prevention, transmit human immunodeficiency virus or hepatitis B or C viruses, the person whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. Such person shall also be deemed to have consented to the release of such test results to the school board employee who was exposed. If the person whose blood specimen is sought for testing is a minor, consent for obtaining such specimen shall be obtained from the parent, guardian or person standing in loco parentis of such minor shall be notified prior to initiating such testing. If the parent or guardian or person standing in loco parentis withholds such consent, or is not reasonably available, the person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or Suffolk Public Schools may petition the juvenile and domestic relations district court in the county or city where the minor resides or resided or, in the case of a nonresident, the county or city where the school board has its principal office, for an order requiring the minor to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy.

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

D. Except if the person to be tested is a minor, and the person whose blood specimen is sought for testing refuses to provide such specimen, any person identified by this policy who was potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses in the manner prescribed by this policy, or the employer of any such person, may petition, on a form to be provided by the Office of the Executive Secretary of the Supreme Court of Virginia, the general district court of the county or city in which the person whose specimen is sought resides

or resided, or, in the case of a nonresident, the county or city where the school board has its principal office, for an order requiring the person to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy. A copy of the petition, which shall specify the date and location of the hearing, shall be provided to the person whose specimen is sought. At any hearing before the court, the person whose specimen is sought or the person's counsel may appear. The court shall be advised by the State Health Commissioner or the Commissioner's designee prior to entering any testing order. If the general district court determines that there is probable cause to believe that a person identified by this policy has been exposed in the manner prescribed by this policy, the court shall issue an order requiring the person whose bodily fluids were involved in the exposure to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy. If a testing order is issued, both the petitioner and the person from whom blood specimen is sought shall receive counseling and opportunity face-to-face disclosure of any test results by a licensed practitioner or trained counselor. (Adopted December 11, 2003; Ordinance Number 03/04-8; Effective: July 1, 2004; Revised September 8, 2011; Ordinance Number 11/12-10; Effective Date: September 9, 2011; Revised June 9, 2016; Ordinance Number 15/16-107; Effective Date: July 1, 2016; Ordinance 21/22-26, Revised November 4, 2021)

Legal Authority – Virginia Code §§22.1-271.3 & 32.1-45.1 (1950), as amended.

Section 9-20.11. Administering medicines to students; responsibility of principal. — A. The School Board discourages the administration of medication during school hours and request that whenever possible the administration of medication should be scheduled other than during school hours. It is recognized that this is not always possible and Suffolk Public Schools will cooperate in the administration of medication that must be given during school hours.
B. Each principal is charged with providing for the administration of medication within his or her area of control. The principal, school nurse or other designated staff member will administer medication. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-274 (1950), as amended.

Section 9-20.11:1. Prescription medications; **Nonprescription Medications; Self-Administration of Medications; Sharing, borrowing etc., of medication prohibited; Self-Administration of Asthma medication and Auto-Injectable Epinephrine; school nurse trained in administration of epinephrine; ordered and trained administration of stock albuterol; superintendent to develop regulations. —** A. Employees of the School Board may give medication prescribed for individual students, but only pursuant to the written order of a physician, physician assistant, or nurse practitioner and with written permission from the student's parent or guardian. Such medicine must be in the appropriate pharmacy labeled container and delivered to the principal, school nurse or school division designee by the parent or guardian of the student.

B. Employees of the School Board may give nonprescription medication to students only with the written order of a physician, physician assistant, or nurse practitioner and with written permission of the parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medicine is to be given. Such medicine must be in the original container and delivered to the principal, school nurse or school division designee by the parent or guardian of the student.

C. Self-administration of any medication with the exception of asthma medication and auto-injectable epinephrine, as discussed herein, is prohibited for students.

D. Sharing, borrowing, distributing, manufacturing or selling any medication is prohibited.

E. Students with a diagnosis of asthma or anaphylaxis, or both, are permitted to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, in accordance with this policy during the school day, at school-sponsored activities, or while on a school bus or other school property. For a student to possess and self-administer asthma medication, or auto-injectable epinephrine, or both, the following conditions must be met:

(i) Written parental consent that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, is on file with the school;

(ii) Written notice from the student's health care provider is on file with the school, indicating the identity of the student, stating the diagnosis of asthma or anaphylaxis, or both, and approving self-administration of inhaled asthma medications or auto-injectable epinephrine, or both, that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication;

(iii) An individualized health care plan is prepared, including emergency procedures for any life-threatening conditions;

(iv) There is a consultation with the student's parent before any limitations or restrictions are imposed on a student's possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at any point during the school year is revoked;

(v) Self-administration of inhaled asthma medications and auto-injectable epinephrine is consistent with the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care Procedure Manual, which are jointly issued by the Virginia Department of Education and the Virginia Department of Health, and

(vi) Information regarding the health condition of the student may only be disclosed to school board employees in accordance with state and federal law governing the disclosure of information contained in student scholastic

records.

Permission granted to a student to possess and self-administer asthma medications or auto-injectable epinephrine, or both, will be effective for a period of 365 calendar days, and must be renewed annually. However, a student's right to possess and self-administer inhaled asthma medication or auto-injectable epinephrine, or both, may be limited or revoked after appropriate school personnel consult with the student's parents.

F. Each enrolled student who is diagnosed with diabetes, with parental consent and written approval from the prescriber, is permitted to carry with him/her and use supplies, including a reasonable and appropriate short-term supply of carbohydrates, an insulin pump, and equipment for immediate treatment of high and low blood glucose levels, and self-check his/her own blood glucose levels on a school bus, on school property, and at school-sponsored activities.

A School Board employee, as defined in Va. Code § 22.1-274.E, who is a registered nurse, licensed practical nurse, or certified nurse aide and who has been trained in the administration of insulin, including the use and insertion of insulin pumps, and the administration of glucagon, may assist a student who is diagnosed with diabetes and who carries an insulin pump with the insertion or re-insertion of the pump or any of its parts. Prescriber authorization and parental consent shall be obtained for any such employee to assist with the insertion or re-insertion of the pump or any of its parts. Nothing in this policy requires an employee to assist with the insertion or re-insertion of the pump or any of its parts.

G. Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice insurance, any school nurse, School Board employee, employee of a local governing body or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess epinephrine and administer it to any student believed to be having an anaphylactic reaction.

H. Albuterol inhalers and valved holding chambers are stocked in each school in the division to be administered by any school nurse, licensed athletic trainer under contract with the school division, employee of the School Board, employee of a local appropriating body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers for any student believed in good faith to be in need of such medication.

I. The superintendent shall develop a regulation for administration of medicines to students. The regulations shall include provisions for the handling, storage, monitoring, documentation and disposal of medication. (Adopted June 13, 2013; Ordinance Number 12/13-124; Effective Date: July 1, 2013; Revised February 8, 2018; Ordinance Number 17/18-45, Effective Date: February 8, 2018; Revised December 13, 2018; Ordinance Number 18/19-59, Effective Date: December 13, 2018; Revised/Effective Date: June 9, 2022; Ordinance Number 20/21-42; Ordinance 23/24-65, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §§ 22.1-78, 22.1-274, 22.1-274.01:1, 22.1-274.2, 54.1-2952.2, 54.1-2957.02, 54.1-3408 (1950), as amended.

Section 9-20.11:2. Recommending psychotropic medications prohibited; definition of psychotropic medications. — A. School personnel are prohibited from recommending the use of psychotropic medications for any student. School health staff, classroom teachers, or other school professionals may recommend that a student be evaluated by an appropriate medical practitioner with the written consent of the student's parent. In addition, school personnel may consult with a medical practitioner who is serving the student with the written consent of the student's parent.

B. For the purpose of this policy, "psychotropic medications" means those medications that are prescribed with the intention of altering mental activity or state, including, but not limited to, antipsychotic, antidepressant, and anxiolytic medication and behavior-altering medication.

Legal Authority — Virginia Code § 22.1-274.3 (1950) as amended.

Section 9-20.11:3. Administering naloxone or other opioid antagonist. Pursuant to an oral, written, or standing order issued by (1) a prescriber within the course of his professional practice; or (2) the Commissioner of Health or his designee in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, the following individuals after having completed a training program may possess and administer naloxone or other opioid antagonist to any person believed to be experiencing or about to experience a life-threatening opioid overdose:

(i) school nurses;
(ii) local health department employees that are assigned to a Suffolk Public School pursuant to an agreement between the local health department and the School Board;
(iii) other school board employees; or
(iv) individuals contracted by the School Board to provide school health services.

Legal Authority - Virginia Code §§ 22.1-78 and 54.1-3408 (X).

Section 9-20.12. Student permission to psychiatric or psychological examinations, testing or treatment; prior consent required; psychiatric or psychological testing defined. — A. No student enrolled in Suffolk Public Schools shall be required to admit without prior consent to psychiatric or psychological examinations, testing or treatments in which the primary purpose is to reveal information concerning (i) political affiliations; (ii) mental and psychological problems potentially embarrassing to the student or his family; (iii) sex behavior and attitudes; (iv) illegal, anti-social, self-incriminating and demeaning behavior; (v) critical appraisals of other individuals with whom respondents have close family relationships; (vi) legally recognized privileged and analogous relationships such as those of lawyers, physicians and ministers; or (vii) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such programs).

B. Prior consent to any psychiatric or psychological examination, testing or treatment means

the prior written consent of the student's parent or guardian or if a student is emancipated of the student. Any such examination, testing or treatment within the definition of human research shall be conducted in accordance with §22.1-16.1 of the Code of Virginia (1950) as amended.

C. As used herein, psychiatric or psychological examination, testing or treatment are intended to have their ordinary and customary meaning which refers to a recognized medical or therapeutic discipline practice by licensed professionals. These terms do not include ordinary classroom activities or teaching techniques. (Adopted February 9, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 9-20.13. Child abuse and neglect reporting requirements; posted notice requirement; complaints of abuse and neglect against school personnel. — A. Every employee of the School Board who, in his professional or official capacity, has reason to suspect that a child is an abused or neglected child, in compliance with the Code of Virginia § 63.2-1509 et seq., shall immediately report the matter to:

(i) the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;

(ii) to the Virginia Department of Social Services' toll-free child abuse and neglect hotline; or

(iii) to the person in charge of the school or department, or his designee, who shall make the report forthwith to the local or state agency.

The person making the report to the local or state agency must notify the person making the initial report when the report of suspected abuse or neglect is made to the local or state agency, and of the name of the individual receiving the report, and must forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report.

B. The School Board shall post in each school a notice that (i) any teacher or other person employed there who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report such suspected cases of child abuse or neglect to local or state social services agencies or the person in charge of the relevant school or his designee; and (ii) all persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose. The notice shall also include the Virginia Department of Social Services' toll-free child abuse and neglect hotline.

C. The School Board and the local department of social services shall adopt a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student, against school personnel. The interagency agreement shall be based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services. (Adopted October 12, 2000; Ordinance Number 00/01-06; Revised June 13, 2013; Ordinance Number 12/13-125; Effective Date: July 1, 2013)

Legal Authority - Virginia Code §§ 22.1-253.13:7.A, 22.1-29.1, 63.2-1509 & 63.2-1511 (1950), as amended.

Section 9-20.14. Goal of policy stated; definitions; concussion management team; required training; parent and student review of training materials; removal for activities; return to play; helmet replacement and reconditioning; superintendent to review policy biennially and make recommendations; policy can be provided to non-school organizations. — A. The School Board desires the safe return to activity for all student-athletes participating in extracurricular physical activities following an injury, but particularly after a concussion. The goal of this policy is to ensure:

(i) that coaches, school staff, volunteers, student-athletes, and their parents or guardian are aware of the short-term and long-term effects of concussions;

(ii) that concussed student-athletes are identified, removed from play immediately, and referred appropriately; and

(iii) that concussed student-athletes are returned to play only after receiving appropriate medical care, given adequate time to heal, and are symptom free.

B. The following definitions shall apply to this section:

Concussion: *a brain injury that is characterized by an onset of impairment of cognitive and/or physical functioning, and is caused by a blow to the head, face or neck, or a blow to the body that causes a sudden jarring of the head (i.e., a helmet to the head, being knocked to the ground). A concussion can occur with or without a loss of consciousness, and proper management is essential to the immediate safety and long-term future of the injured individual.*

Licensed Health Care Provider: *a physician, physician assistant, osteopath or athletic trainer licensed by the Virginia Board of Medicine; a neuropsychologist licensed by the Board of Psychology; or a nurse practitioner licensed by the Virginia State Board of Nursing.*

Return-to-Learn: *instructional modifications that support a controlled, progressive increase in cognitive activities while the student recovers from a brain injury allowing the student-athlete to participate in classroom activities and learn without worsening symptoms and potentially delaying healing.*

Return to Play: *to participate in a non-medically supervised practice, game, or athletic competition.*

C. A Concussion Management Team ("CMT") shall be appointed by the Superintendent of Schools and shall consist of a school administrator, an athletic administrator, a licensed healthcare provider, a coach, a parent or guardian of a student-athlete, a student athlete, and any such other person the Superintendent determines will assist the CMT in its actions. The CMT shall develop concussion training materials for school personnel, volunteers, student-athletes, and parents of student-athletes. The CMT shall also develop concussion reporting, management, and review protocols for the school division. The CMT shall maintain a record of all incidents where a student-athlete has been removed from a game, competition, or practice

because he or she has been suspected of sustaining a concussion. The CMT shall meet at least once per semester and shall evaluate the division's training materials, concussion reporting, management, and review protocols annually.

D. Every Coach, Assistant Coach, School Staff, Adult Volunteer, or other person serving in a coaching or advisory role over student-athletes during games, competitions, or practices shall receive training in the signs and symptoms of sports-related concussions, strategies to reduce the risk of concussions, how to seek proper medical treatment for concussions, and the process by which a concussed student-athlete may safely return to practice or competition. Each school and the CMT shall maintain a written record of the names and dates of completion for all persons completing the school's concussion training. Each school shall ensure that no person is allowed to coach or advise a student-athlete in any practice, game, or competition who has not completed the school's concussion training within the previous twelve months.

E. In order to participate in any extracurricular physical activity, each student-athlete and the student-athlete's parent or guardian must review, on an annual basis, information on concussions provided by Suffolk Public Schools. After having reviewed materials describing the short- and long-term health effects of concussions, each student-athlete and the student-athlete's parent or guardian must sign a statement acknowledging receipt of such information, in a manner approved by the Board of Education.

F. A student-athlete suspected by a student-athlete's coach, athletic trainer, or team physician of sustaining a concussion or brain injury in a practice, game, or competition is removed from the activity at that time. A student-athlete who has been removed from play, evaluated, and suspected to have sustained a concussion or brain injury does not return to play that day or until the student-athlete is

(i) evaluated by an appropriate licensed health care provider as determined by the Board of Education and

(ii) in receipt of written clearance to return to play from such licensed health care provider.

The licensed health care provider evaluating student-athletes suspected of having a concussion or brain injury may be a volunteer.

In determining whether a student-athlete removed from play is suspected of having sustained a concussion, an appropriately licensed health care provider or other properly trained individual, shall evaluate the student-athlete at the time of removal utilizing a standardized concussion sideline assessment instrument (e.g., Sideline Concussion Assessment Tool (SCAT-II; SCAT III, ChildSCAT3), the Standardized Assessment of Concussion (SAC), or the Balance Error Scoring System (BESS)).

The determination of whether a student-athlete removed from play is suspected of having sustained a concussion shall be the sole determination of the licensed health care provider or other properly trained individual conducting the concussion sideline assessment. Such determination is final and may not be overruled by another licensed health care provider or other properly trained individual, coach, assistant coach, school staff, or other person serving in a coaching or advisory role, the student-athlete, or the parent or guardian of the student-athlete.

The coach of a student-athlete may elect not to return the student-athlete to play, even if it is determined after the concussion sideline assessment that the student-athlete is no longer suspected of having sustained a concussion.

G. No student-athlete shall be allowed to return to extracurricular physical activities, which

includes the student-athlete's practices, games, or competitions, until the student presents a written medical release from the student-athlete's licensed health care provider. The written medical release shall certify that:

(i) the provider is aware of the current medical guidance on concussion evaluation and management;
(ii) the student-athlete no longer exhibits signs symptoms or behaviors consistent with a concussion at rest or with exertion; and
(iii) that the student-athlete has successfully completed a progressive return to sports participation program.

The length of progressive return to sports participation program shall be determined by the student-athlete's licensed health care provider but shall last a minimum of five calendar days. The coach of a student-athlete may elect not to allow a student-athlete to return to extracurricular physical activities, even after the production of written medical release from the student-athlete's licensed health care provider, if the coach observes signs and symptoms of sports-related concussions. If the student-athlete's coach makes such a decision, the coach shall communicate the observations and concerns to the student-athlete's parent or guardian within one day of the decision not to allow such student-athlete to return to extracurricular physical activities.

H. School personnel shall be alert to cognitive and academic issues that may be experienced by a student who has suffered a concussion or other head injury, including:

(i) difficulty with concentration, organization and long-term and short-term memory;
(ii) sensitivity to bright lights and sounds; and
(iii) short-term problems with speech and language, reasoning, planning and problem solving.

School personnel shall accommodate the gradual return to full participation in academic activities by a student who has suffered a concussion or other head injury as appropriate, based on the recommendation of the student's licensed health care provider as to the appropriate amount of time that such student needs to be away from the classroom.

I. All helmets used in school physical activities must conform to the National Operations Committee on Standards for Athletic Equipment (NOCSAE) and certified as conforming by the manufacturer at the time of purchase. Reconditioned helmets that have been purchased must be recertified as conforming to the NOCSAE by the re-conditioner.

J. The superintendent is responsible for developing, and biennially recommending to the School Board any required updates to this policy relative to procedures regarding the identification and handling of suspected concussions in student-athletes.

K. The school division may provide this policy and the Board of Education's Guidelines for Policies on Concussions in Student-Athletes to organizations sponsoring athletic activity for student-athletes on school property. The school division does not enforce compliance with the policy or Guidelines by such organizations. (Adopted June 13, 2013; Ordinance Number 12/13-126; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-108; Effective Date: July 1, 2016; Revised October 13, 2016; Ordinance Number 16/17-22; Effective Date: July 1, 2017; Ordinance 25/26-29, Revised/Effective: September 25, 2025)

Legal Authority - Virginia Code §§ 22.1-78, 22.1-271.5; Virginia Board of Education Guidelines for Policies on Concussions in Students.

Section 9-20.15. Student-Athletic Sudden Cardiac Arrest. – A. In order to participate in any extracurricular physical activity, each student-athlete and the student-athlete's parent or guardian must review, on an annual basis, information provided by the school division on symptoms that may lead to sudden cardiac arrest. After reviewing the materials, each student-athlete and the student-athlete's parent or guardian must sign a statement acknowledging receipt of such information, in a manner approved by the Virginia Board of Education.

B. A student-athlete who is experiencing symptoms that may lead to sudden cardiac arrest must be immediately removed from play. A student-athlete who is removed from play shall not return to play until the student-athlete is evaluated by and receives written clearance to return to physical activity by an appropriate licensed health care provider as determined by the Virginia Board of Education. The licensed health care provider evaluating student-athletes may be a volunteer. The superintendent is responsible for developing, biennially reviewing, and updating procedures to implement this policy. (Adopted: Ordinance 22/23-68, Effective: February 9, 2023; Ordinance 25/26-29, Revised/Effective: September 25, 2025)

Legal Authority – Virginia Code § 22.1-271.8 (1950), as amended.

Article 21 - Solicitations

Section 9-21.1. Students fundraising; approval request; principal to maintain list. — A. All fundraising activities conducted for the benefit of Suffolk Public Schools must provide an educational benefit to students. Fundraising efforts shall be authorized under conditions that do not conflict with instructional programs. Fundraising refers to the raising of non-appropriated funds by students, parents or others for the educational benefit of students and their schools.

B. Fundraising shall be permitted by students attending middle and high schools provided such activities are approved in writing and carefully monitored and regulated by the school principal or designee. Elementary school students may not participate in door-to-door solicitation. Students are not excused from class to participate in fundraising activities. No grade is affected by a student's participation, or lack of participation, in a fundraising activity.

C. Each principal develops and maintains a list of all fundraising activities pursuant to procedures adopted by the school superintendent. No fundraising shall be approved for any school activity until the activity has been approved. At the end of each school year the school superintendent will issue a report on each school's fundraising activities and the educational benefit for students setting forth items purchased from the fundraising activity. (Adopted February 9, 1995, Ordinance 19/20-52; Revised/Effective Date: January 9, 2020; Ordinance 22/23-70, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-78, and 22.1-70 (1950), as amended.

Article 22 - Student Fees, Fines and Charges

Section 9-22.1. Fees allowed; materials provided free of charge; what fees are charged; when fees are not allowed; grounds for waiver of fees; notice of fee required; annual notice to parents; consequences for non-payment; action by School Board. — A. The School Board charges student fees and takes action to recover funds for the loss of or damage to School Board property in accordance with the state and federal law. No fee may be charged unless it has been approved by the School Board.

B. The School Board provides, free of charge, such textbooks as are required for courses of instruction for each child attending public schools. Consumable materials such as workbooks, writing books, and drawing books may be purchased by the School Board and either provided to students at no cost or sold to students at a retail price not to exceed seven percent added to the publisher's price. If sold, the School Board ensures that workbooks, writing books, and drawing books are furnished to students who are unable to afford them at a reduced price or free of charge. Fees are not charged to students for instructional materials, textbooks, or other materials used by a School Board employee that are not directly used by a public-school student.

C. The following fees are charged for the following:

1. Optional services, such as parking or locker rental;
2. Student-selected extracurricular activities;
3. Class dues; however, class dues are not mandatory, and programs and activities covered by class dues include class activities.
4. Field trips or educationally-related programs that are not required instructional activities;
5 Fees for musical instruments, so long as the instruction in the use of musical instruments is not part of the required curriculum;
6. Distance learning classes for enrichment and not necessary to meet the requirements for a diploma;
7. Summer school, unless the classes are required for remediation as prescribed by the Standards of Quality, § 22.1-253.13:1 of the Code of Virginia;
8. Lost or damaged library books, school equipment, materials, resources and property;
9. Lost or damaged textbooks, in accordance with § 22.1- 243 of the Code of Virginia; however, textbooks shall be provided free of charge;

10. A fee not to exceed a student's pro rata share of the cost of providing transportation for voluntary extracurricular activities, in accordance with § 22.1-176 of the Code of Virginia; and

D. Fees may not be charged:

1) as a condition of school enrollment, except for students who are not of school age or who do not reside within the jurisdiction;

2) for instructional programs and activities, or materials required for instruction, except as specified in by 8 VAC 20-720-80.H;

3) for textbooks or textbook deposits; however, a reasonable fee or charge for lost or damaged textbooks may be charged;

4) for pupil transportation to and from school; or

5) for summer school programs or other forms of remediation required by the Standards of Quality.

For any fee chargeable under this policy, the fee cannot exceed $750 plus any collection fees charged by a 3rd party agency. The superintendent is authorized to set the fee schedule that will be uniformly applied throughout the school division.

E. Fees are reduced or waived for economically disadvantaged students and students whose families are undergoing economic hardships and are financially unable to pay them, including but not limited to, families receiving unemployment benefits or public assistance, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI) or Medicaid; foster families caring for children in foster care; and families that are homeless.

F. Each time a fee is charged, notice is given that a fee waiver may be requested. The notice includes directions as to how to apply for a waiver.

G. This policy is provided to parents annually and posted on the division's website.

H. The consequences for non-payment of fees include exclusion from the activity related to the fee.

I. The School Board, upon recommendation of the superintendent, may take action against a pupil or the pupil's parent for any actual loss, breakage, or destruction of property owned by or under the control of the School Board, when such loss, breakage, or destruction is caused or committed by such pupil in pursuit of his studies, or failure to return property. Such action may include seeking reimbursement from a pupil or pupil's parent for any such loss, breakage, or destruction of or failure to return school property. (Adopted February 9, 1995; Revised: October 9, 2008; Ordinance Number 08/09-19; Effective: October 10, 2008; Ordinance 23/24-12, Revised/Effective: August 10, 2023)

Legal Authority - Virginia Code §22.1-6 (1950), as amended.

Article 23 - Student Records

Section 9-23.1. Permanent and Cumulative Records Generally, Superintendent Responsible for; Interpretation of Policy. — A. The Suffolk City School Board shall maintain accurate and complete individual, permanent and cumulative records for every student enrolled in Suffolk Public Schools. These records shall include cumulative and confidential information and shall be the student's official school record. Such records, identified as education records in Title 20, Section 1232(g) of the United States Code and in Chapter 14 of Title 22.1 of the Code of Virginia (1950), as amended, shall be maintained in compliance with all federal and state law.

B. The superintendent and/or his or her designee(s) shall be responsible for the collection of data, record maintenance and security, access to, and use of records, confidentiality of personally identifiable information, and dissemination of information from records, and destruction of records, including the destruction of personally identifiable information regarding a student with a disability at the request of the parents. The superintendent shall also provide for notification of all Suffolk Public School personnel of policy and procedures for management of education records and notification of parents and students of their rights regarding student records, including the right to obtain, upon request, a copy of Suffolk Public Schools' written policy and procedure on the management of the education records and their location.

C. The superintendent or his or her designee(s) shall be present for interpretation and explanation of student records when all parties have access to those records with the exception of designated professional personnel within the school division. The superintendent shall provide for the periodic evaluation of records by professional personnel and the removal of data no longer educationally useful. Parent(s) of students and eligible students shall be informed prior to destruction of records and provided a copy if desired. Suffolk Public Schools will provide a copy of this policy on request to a parent or eligible student. (Adopted February 9, 1995; Revised May 13, 1999)

Legal Authority - Virginia Code §22.1-287 (1950), as amended.

Section 9-23.2. **Definitions. —** A. For the purpose of this policy, Suffolk Public Schools has used the following definitions or terms:

(1) Authorized representative – any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 CFR § 99.31(a)(3) to conduct, with respect to federal- or state-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

(2) Directory information - information contained in a student's education record that would

not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include information such as the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution attended. Directory information may not include the student's social security number. Directory information may include a student identification number or other unique personal identifier used by a student for accessing or communicating in electronic systems if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user or a student ID number or other unique personal identifier that is displayed on a student ID badge, if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity such as a PIN or password or other factor known or possessed only by the authorized user.

(3) Early childhood education program – a Head Start program or an Early Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children's cognitive, social, emotional, and physical development and is a state prekindergarten program, a program under section 619 or Part C of the Individuals with Disabilities Education Act, or a program operated by a local educational agency.

(4) Education program - any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution.

(5) Education records - any information recorded in any way including handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche maintained by the School Board or an agent of the school division which contains information directly related to a student, except:

(i) records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another person except a temporary substitute for the maker of the record;

(ii) records created and maintained for law enforcement purposes by the School Board's law enforcement unit, if any. A law enforcement unit is any individual, office, department, or division of the school division that is authorized to enforce any local, state, or federal law, refer enforcement matters to appropriate authorities

or maintain the physical security and safety of the school division;

(iii) in the case of persons who are employed by the School Board but who are not in attendance at a school in the division, records made and maintained in the normal course of business which relate exclusively to the person in the person's capacity as an employee;

(iv) records created or received after an individual is no longer in attendance and that are not directly related to the individual's attendance as a student;

(v) grades on peer-graded papers before they are collected and recorded by a teacher; and

(vi) any electronic information, such as email, even if it contains personally identifiable information regarding a student, unless a printed copy of the electronic information is placed in the student's file or is stored electronically under an individual student's name on a permanent and secure basis for the purpose of being maintained as an educational record.

For purposes of this policy, electronic information that exists on a backup server, a temporary archiving system, or on a temporary basis on a computer is not an education record and is not considered as being maintained. Electronic communications via emails or facsimiles regarding any matter associated with a child with disabilities, including matters related to Individualized Education Plan (IEP) meetings, disciplinary actions, or service delivery, are part of the child's educational record.

(6) "Eligible student" means a student who has reached age 18.

(7) "Parent" means a parent of a student, including a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

(8) "Student" means any person who attends or has attended a school in Suffolk Public Schools regarding whom Suffolk Public Schools maintains education records or personally identifiable information.

(Adopted February 9, 1999; Revised May 13, 1999; Revised November 9, 2006; Ordinance Number 06/07-6; Effective Date: July 1, 2007; Revised June 13, 2013; Ordinance Number 12/13-127; Effective Date: July 1, 2013; Ordinance Number 21/22-27; Revised: November 4, 2021; Ordinance 24/25-67; Revised/Effective: January 16, 2025)

Legal Authority – Virginia Code §22.1-289 (1950), as amended.

Section 9-23.3. Notice Requirement. — If disciplinary action is taken by Suffolk Public Schools in regard to the incident upon which the adjudication or conviction was based, notice shall be provided to the parent or guardian in accordance with state law. With the consent of the parent or guardian, or in compliance with a court order, Suffolk Public Schools must also notify the court

of the disciplinary action. If disciplinary action is not taken against the student, every notice of adjudication or conviction received by the school superintendent, and information contained in the notice, shall be maintained by the superintendent and by any others to whom the information has been disseminated separately from all other records concerning the student. (Adopted February 9, 1999; Revised May 13, 1999)

Legal Authority - Virginia Code §22.1-280.1 (1950), as amended.

Section 9-23.4. Dissemination of Information about Court Proceedings; Notification in writing of any disciplinary action; record maintained by Superintendent; petitions and reports. — A. The superintendent or superintendent's designee shall disseminate the notice or information regarding an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G. contained in a notice received pursuant to §16.1-305.1 of the Code of Virginia (1950), as amended, to the school personnel responsible for the management of student records and to other relevant school personnel, including, but not limited to, the principal of the school in which the student is enrolled. The principal shall further disseminate such information to licensed instructional personnel and other school personnel who:

(1) provide direct educational support services to the student; and

(2) have a legitimate educational interest in such information.

B. A parent, guardian, or other person having control or charge of a student, and, with the consent of a parent or in compliance with a court order, the court in which the disposition was rendered, shall be notified in writing of any disciplinary action taken with regard to any incident upon which the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 was based and the reasons therefor. The parent or guardian shall also be notified of his or her right to review, and to request an amendment of, the student's scholastic record.

C. Every notice of adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 received by the superintendent, and information contained in the notice, which is not a disciplinary record as defined in Board of Education regulations, shall be maintained by the superintendent and by any others to whom the superintendent disseminates it, separately from all other records concerning the student. However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260, the notice shall become a part of the student's disciplinary record.

If the child is not enrolled in the division when notification is received pursuant to Va. Code § 16.1-305.1, the superintendent forwards the notification to the superintendent of the school

division where the child is enrolled or where the child intends to enroll, as evidenced by the division's receipt of a request from another division for the child's scholastic record.

Any notice of disposition received pursuant to Va. Code § 16.1-305.1 shall not be retained after the student has been awarded a diploma or a certificate as provided in Va. Code § 22.1-253.13:4.

D. The superintendent shall not disclose information contained in or derived from a notice of petition received pursuant to Va. Code § 16.1-260 or report received pursuant to Va. Code § 66-25.2:1 except as follows:

(i) If the juvenile is not enrolled as a student in a public school in the division to which the notice or report was given, the superintendent shall promptly so notify the intake officer of the juvenile court in which the petition was filed or the Director of the Department which sent the report and may forward the notice of petition or report to the superintendent of the division in which the juvenile is enrolled, if known.

(ii) Prior to receipt of the notice of disposition in accordance with Va. Code § 16.1-305.1 the superintendent may disclose the fact of the filing of the petition and the nature of the offense to the principal of the school in which the student is enrolled if the superintendent believes that disclosure to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel within the division. The principal may further disseminate the information regarding a petition, after the student has been taken into custody, whether or not the child has been released, only to those students and school personnel having direct contact with the student and need of the information to ensure physical safety or the appropriate educational placement or other educational services.

(iii) If the superintendent believes that disclosure of information regarding a report received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel, the superintendent may disclose the information to the principal of the school in which the student is enrolled. The principal may further disseminate the information regarding such a report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

(Adopted February 9, 1999; Revised May 13, 1999; Ordinance Number 98/99-10; Revised June 13, 2013; Ordinance Number 12/13-128; Effective Date: July 1, 2013; Ordinance 21/22-28, Revised November 4, 2021; Ordinance 24/25-68, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §22.1-288.2 (1950), as amended.

Section 9-23.4:1. Protective Orders and Orders Prohibiting Contact with a Child. — Any school principal who receives notice that a circuit court, general district court, juvenile and

domestic relations district court, or magistrate has issued a protective order for the protection of any child who is enrolled at the school, or any other order prohibiting contact with such a child, notifies licensed instructional personnel and other school personnel who:

(i) provide direct educational or support services to the protected child or the child subject to the order,

(ii) have a legitimate educational interest in such information, and

(iii) are responsible for the direct supervision of the protected child or the child subject to the order that such order has been issued.

(Adopted November 4, 2021; Ordinance 21/22-29)

Legal Authority - Virginia Code §22.1-288.2 (1950), as amended.

Section 9-23.5. Annual Notification Requirement; retains records for seven years. — A. Suffolk Public Schools shall annually notify parents and eligible students of their rights under the Federal Educational Rights and Privacy Act (FERPA) including:

(a) the right to inspect and review the student's education records and the procedure for exercising this right;

(b) the right to request amendment of the student's education records that the parent believes to be inaccurate, misleading or in violation of the student's privacy rights and the procedure for exercising this right;

(c) the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;

(d) the type of information designated as directory information, if any, and the right to opt out of release of directory information;

(e) that the school division releases records to other institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;

(f) the right to opt out of the release of the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;

(g) a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest; and

(h) the right to file complaints with the Office of the Chief Privacy Officer in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

B. After a child with a disability graduates, ages out of, or otherwise leaves any public school, the school retains the special education records of the child for at least seven years. The school notifies the parents of each such child of the opportunity to obtain such records during the retention period. (Adopted February 9, 1999; Revised May 13, 1999; Revised June 13, 2013; Ordinance Number 12/13-129; Effective Date: July 1, 2013; Ordinance 24/25-69; Revised/Effective: January 16, 2025)

Legal Authority - Family Educational Rights and Privacy Act of 1974, 20 U.S.C.A. §1232g; 34 C.F.R. §99.1 e*t seq.,* Va. Code § 22.1-289(I)

Section 9-23.6. Procedure to Inspect Education Records; Written Request Required; Principal to Arrange for Access — A. Parents of students or eligible students may inspect and review the student's education records relating to their children, within a reasonable period of time, which shall not exceed 45 days, and before any meeting regarding an IEP or hearing involving a student with a disability. Further, parents shall have the right to a response from Suffolk Public Schools to reasonable requests for explanations and interpretations of the education record.

B. Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

C. The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students. (Adopted February 9, 1999; Revised May 13, 1999, Ordinance Number 98/99-10; Revised June 13, 2013; Ordinance Number 12/13-130; Effective Date: July 1, 2013)

Legal Authority - Virginia Code §22.1-289 (1950), as amended.

Section 9-23.7. Limits on Access; Non-disciplinary Record Separately Maintained. — A. When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

B. When disciplinary action is taken by Suffolk Public Schools in regard to an incident upon which an adjudication of delinquency or a conviction of acts specified in §6.1-305.1 of the Code of Virginia (1950), as amended, the parent or guardian must be notified of the action, the reasons therefore and his/her right to review and to request amendment of the student's education records. Every notice of adjudication or conviction received by the superintendent and information in the notice which is not a disciplinary record, shall be maintained by the superintendent and other school personnel separately from all other records concerning such

student unless Suffolk Public Schools takes disciplinary action based on an incident which was the basis for the adjudication or conviction. (Adopted February 9, 1999; Revised May 13, 1999)

Legal Authority - Virginia Code §22.1-289 (1950), as amended.

Section 9-23.8. Refusal to Provide Copies; Fees for Copies of Records. — A. Although Suffolk Public Schools cannot deny parents access to their children's education records, Suffolk Public Schools will not provide a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student the right to inspect and review records.

B. Fees for copies are charged in accordance with state and federal law and regulations, including the Virginia Freedom of Information Act and FERPA. (Adopted February 9, 1999; Revised May 13, 1999; Revised June 13, 2013; Ordinance Number 12/13-131; Effective Date: July 1, 2013; Ordinance 24/25-70, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §22.1-289 (1950), as amended.

Section 9-23.9. Types, Locations, and Custodians of Education Records; Scholastic Record Information Listed; Authority of Principal — A. Suffolk Public Schools shall provide parents on request a list of the types and locations of education records collected, maintained, or used by Suffolk Public Schools.

B. The following is a list of the types of records that Suffolk Public Schools maintain, their locations, and their custodians. The Scholastic Record includes a variety of information. This information can generally be divided into ten categories which, when put together, constitute a student's cumulative record. These categories are:

Types	Location	Custodian	Information
Academic	Enrolled school	Principal	Includes report cards, transcripts, attendance professional technical competency.
Health	Enrolled school	Principal School Nurse	Includes school entrance physical (Virginia blue form), annual health data, cumulative health data, May Physical

			Fitness Test Results, and medication chart.
Non-academic	Enrolled school	Principal Classroom Teacher	Includes Screening Committee form (if student not tested), planning information, termination information withdrawal/graduation
Test Profiles	Enrolled school	Principal Classroom Teacher	Includes college entrance board scores, Student profile sheets, student test record, Virginia Literacy Passport Test (Pass/ Fail Status as applicable
Registration	Enrolled school	Principal	Includes Birth Certificate affidavit, student registration form
Discipline	Enrolled school	Principal Assistant Principal	Includes referrals, incident reports, suspension, admini-strative hearing and expulsion letters
Due Process	Enrolled school	Principal Special Education Coordinators	Administrative reviews, court records, decisions, support documentation, written initial request
Law Enforcement	Enrolled school	Principal Assistant Principal	Includes notices of petition and adjudication
Legal	Enrolled school	Principal	Includes custody actions and copies subpoenas

Special Services	Enrolled school	Principal Special Education Coordinator Classroom Teacher	Includes contract services, gifted and talented, homebound, 504 plans, special education, and English as a Second Language

Scholastic Records are housed in the vault of the school to which a student attends. Copies of IEP's, gifted and talented information, and 504 plans are also housed at the School Board Office. If a student withdraws or transfers to a school outside Suffolk Public Schools, the school maintains the student's original record for a period of five (5) years. After five (5) years, the records are boxed in alphabetical order and transferred to central records at the maintenance department. The records of students who graduate are also housed in the school from which a student graduates for a period of five (5) years. These records are also transferred to central records at the maintenance department after a period of five (5) years.

C. The principal and his/her designee are the custodian(s) of school records for his/her school. One of the maintenance secretaries has been designated as the custodian of records for the central records room. The Coordinator of Special Education and his/her designee is the custodian of special education files housed at Central Office. The Assistant Superintendent for Administration and Pupil Personnel is the custodian of 504 files housed at the Central Office. (Adopted February 9, 1999; Revised May 13, 1999)

Legal Authority - Virginia Code §22.1-289 (1950), as amended.

Section 9-23.10. Release of Student Records; Consent required for disclosure of education records; limited exceptions. — A. The parent/legal guardian of any student enrolled in Suffolk Public Schools may authorize the release of their student's data/records to any individual or Agency upon completion and execution of a Consent for Release of Student Data/Records form.

B. When parental consent is required in order to release a student's records, and the parent refuses to give such consent, Suffolk Public Schools shall use informal means to secure the consent. If the parent continues to refuse to give consent, Suffolk Public Schools shall provide written notification to the person/agency requesting the information, that parental consent is required and has been refused. If Suffolk Public Schools wishes to disclose the information and has been unable to secure the necessary consent through informal means, Suffolk Public Schools may use more formal measures, as appropriate, to effect release of information.

C. Suffolk Public Schools discloses information from a student's education records only with the written consent of the parent or eligible student. However, subject to the following exceptions

Suffolk Public Schools may disclose education record information without consent:

(1) To school officials who have a legitimate educational interest in the records. A school official is:

- (a) A person employed by School Board as an administrator, supervisor, instructor or support staff member
- (b) A person appointed or elected to the School Board
- (c) A person employed or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist
- (d) A contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education records
- (e) A person who is a teacher or school official, including teachers and school officials in other schools, who have legitimate educational interests in the student
- (f) A school official who has a legitimate educational interest if the official is:
  - (i) Performing a task that is specified in his or her position description or by a contract agreement;
  - (ii) Performing a task related to the student's education;
  - (iii) Performing a task related to the discipline of a student;
  - (iv) Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.

(2) To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. When a pupil transfers from one school division to another, the scholastic record or a copy of the scholastic record and a copy of the complete student disciplinary record, including copies of any relevant correspondence sent to the pupil or pupil's parent and copies of any correspondence and documentation relating to the pupil's placement in an alternative education program pursuant to Va. Code § 22.1-209.1:2 or Va. Code § 22.1-277.2:1, is transferred to the school division to which the pupil transfers if requested by such school division.

(3) To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs.

(4) In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.

(5) For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or principal's designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of the law-enforcement or correctional personnel's duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or principal's designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.

(6) To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which:

(a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
(b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
(c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and

(d) requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.

(7) To accrediting organizations to carry out their functions.

(8) To parents of an eligible student who claim the student as a dependent for income tax purposes.

(9) To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.

(10) To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
(a) the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
(b) the parties to whom the division disclosed the information.

(11) To an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.

(12) Directory information so designated by Suffolk Public Schools.

(13) When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

The school division discloses or makes available to the guardian ad litem, on request, any information, records, or reports concerning a student for whom a petition for guardianship or conservatorship has been filed that the guardian ad litem determines are necessary to perform the guardian ad litem duties under Va. Code § 64.2-2003.

The school division will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom it discloses personally identifiable information from education records. (Adopted February 9, 1999; Revised June 13,

2013; Ordinance Number 12/13-132; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-109; Effective Date: July 1, 2016; Revised February 8, 2018; Ordinance Number 17/18-46; Effective Date: February 8,2018; Ordinance Number 21/22-30, Effective: November 4, 2021; Ordinance 24/25-71; Revised/Effective: November 14, 2024)

Legal Authority - Family Educational Rights & Privacy Act of 1974, 20 S.C.A. § 1232g; 34 C.F.R. §99.1 et. seq., Va. Code § 22.1-289 (B).

Section 9-23.11. Record of Requests for Disclosure; Directory Information defined; Release of additional information permitted. — A. Suffolk Public Schools maintains a record, kept with the education records of each student, indicating all individuals (except school officials who have a legitimate educational interest in the records), agencies, or organizations, which request or obtain access to a student's education records. The record will indicate specifically the legitimate interest the party had in obtaining the information. The record of access will be available only to parents, to the school official and the official's assistants who are responsible for the custody of such records, and to persons or organizations which audit the operation of the system.

B. The school division will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom it discloses personally identifiable information from education records.

C. The requirements related to records of disclosure stated above do not apply to disclosures made pursuant to an ex parte order issued by a court at the request of the United States Attorney General (or any federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) seeking to collect education records relevant to an authorized investigation or prosecution of international terrorism as defined in 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

D. Personal information will only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student. If a third party permits access to information, or fails to destroy information, the division will not permit access to information from education records to that third party for a period of at least five years.

E. School Board notifies parents and eligible students at the beginning of each school year what information, if any, Suffolk Public Schools has designated as directory information, the right to refuse to let Suffolk Public Schools designate any or all of such information as directory information and the period of time to refuse, in writing, that the parent or eligible student does not want any or all of those types of information designated as directory information in accordance with FERPA. The following items of student information are considered "directory information".

(1) Student's name

(2) Student's address

(3) Telephone listing

(4) Electronic mail address

(5) Photograph

(6) Date and place of birth

(7) Major Field of Study

(8) Grade Level

(9) Enrollment status

(10) Participation in officially recognized activities and sports

(11) Height and weight of a member of an athletic team

(12) Dates of attendance

(13) Degrees, awards and honors received, except for information regarding the Modified Standard Diploma or other certificate that is awarded only to students with disabilities

(14) Most recent educational institution attended

Directory information may be made available on an individual basis or printed in school directories, team rosters, class lists, yearbooks, etc. should the school wish to do so, without parental consent. Principals shall advise parents of all incoming students that if they do not wish any or all of the directory information items to be released, they must notify the school, in writing, within fifteen days.

F. Parents and eligible students may not use the right to opt out of directory information disclosures to:

1) prevent disclosure of the student's name, identifier, or institutional email address in a class in which the student is enrolled; or
2) prevent an educational agency or institution from requiring the student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information designated as directory information and that has been properly designated as directory information.

(Adopted February 9, 1999; Revised May 13, 1999; Ordinance Number 98/99-10; Revised May 12, 2005; Ordinance Number 04/05-28; Effective: May 12, 2005; Revised June 13, 2013; Ordinance Number 12/13-133; Effective Date: July 1, 2013; Ordinance Number 19/20-63; Revised March 20, 2020; Ordinance Number 21/22-31; Effective: November 4, 2021; Ordinance 24/25-72, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §22.1-287.1 (1950), as amended.

Section 9-23.12. Correction of Education Records; Right to File Complaint; Record Expungement. — A. Parents or eligible students shall be notified of their right to challenge the content and to ask to have records corrected (including expungement) that they believe are inaccurate, misleading, or in violation of their privacy rights. The procedures for the amendment of records that a parent or eligible student believes to be inaccurate are as follows:

(1) Parents or the eligible student must request in writing that Suffolk Public Schools amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.

(2) Suffolk Public Schools shall decide whether to amend the record in accordance with the request within a reasonable period of time. If it decides not to comply, the school division shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.

(3) Upon request, Suffolk Public Schools shall arrange for a hearing, and notify parents or eligible student, reasonably in advance, of the date, place, and time of the hearing. The hearing shall be held within a reasonable period of time after the request.

(4) The parent or eligible student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

(5) The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of Suffolk Public Schools. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records in accordance with FERPA.

(6) Suffolk Public Schools shall prepare a written decision which will include a summary of the evidence presented and the reasons for the decision within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing.

(7) If Suffolk Public Schools decide that the information is inaccurate, misleading, or in violation of the student's right of privacy, it shall amend (including expungement) the record and notify the parents or eligible student, in writing, that the record has been amended.

(8) If Suffolk Public Schools decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

(Adopted February 9, 1999; Revised June 13, 2013; Ordinance Number 12/13-134; Effective Date: July 1, 2013; Ordinance 21/22-32; Effective: November 4, 2021)

Legal Authority - Family Educational Rights and Privacy Act of 1974, 20 U.S.C.A. §1232g; 34 C.F.R. §99.1 *et. seq.*

Section 9-23.13. Confidentiality of HIV and Drug and Alcohol Treatment Records — Suffolk Public Schools shall comply with the confidentiality requirements of §32.1-36.1 of the Code of Virginia (1950), as amended, providing for the confidentiality of records related to any test for Human Immunodeficiency Virus (HIV). In addition, Suffolk Public Schools shall maintain confidentiality of drug and alcohol treatment records as required by federal and state law. (Adopted February 9, 1999; Revised June 13, 2013; Ordinance Number 12/13-135; Effective Date: July 1, 2013)

Legal Authority - Virginia Code § 32.1-36.1 (1950), as amended.

Section 9-23.14. Access to student record information by military recruiters generally; parental objection to release of information; same access to students required. — A. Suffolk Public Schools will provide, upon request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings unless a parent or eligible student has submitted a written request that the student's name, address and telephone listing not be released without the prior written consent of the

parent or eligible student.

B. Suffolk Public Schools shall notify parents at the beginning of the school year of the option to deny military recruiters access to the student's educational record.

C. Suffolk Public Schools will provide military recruiters the same access to secondary school students that is provided to post-secondary educational institutions or to prospective employers of those students. (Adopted: May 12, 2005; Ordinance Number 04/05-27; Effective Date: May 12, 2005; Revised: June 13, 2013; Ordinance Number 12/13-136; Effective Date: July 1, 2013; Revised February 8, 2018; Ordinance Number 17/18-47; Effective Date: February 8, 2018)

Legal Authority – Virginia Code § 22.1-288 (1950), as amended; 20 U.S.C. §7908.

Section 9-23.15. Audit or Evaluation of Education Programs. — Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the federal Secretary of Education, and state and local educational authorities may have access to education records in connection with an audit or evaluation of federal- or state- supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs.

Any authorized representative other than an employee must be designated by a written agreement which:

(a) designates the individual or entity as an authorized representative;

(b) specifies the personally identifiable information to be disclosed, specifies that the purposes for which the personally identifiable information is disclosed to the authorized representative is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or comply with federal legal requirements that relate to those programs; and specifies a description of the activity with sufficient specificity to make clear that the work falls within the exception of 34 CFR § 99.31(a)(3) including a description of how the personally identifiable information will be used;

(c) requires the authorized representative to destroy personally identifiable information when the information is no longer needed for the purpose specified;

(d) specifies the time period in which the information must be destroyed; and

(e) establishes policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personally identifiable information from further disclosure and unauthorized use, including limiting use of personally identifiable information to only authorized representatives with

legitimate interests in the audit or evaluation of a federal- or state-supported education program or for compliance or enforcement of federal legal requirements related to such programs. (Adopted June 13, 2013; Ordinance Number 12/13-137; Effective Date: July 1, 2013)

Legal Authority – Virginia Code Section §§ 2.2-3704, 2.2-3804, 16.1-260, 6.1-305.1, 16.1 - 305.2, 22.1-287, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-289, 23-2.1:3, 32.1-36.1.

Section 9-23.16. Unauthorized Disclosure of Electronic Records; Disclosure to Federal Agencies; Disclosure of information relating to Home Instruction Students; High School Credit-Bearing Courses Taken in Middle School. — A. In cases in which electronic records containing personally identifiable information are reasonably believed to have been disclosed in violation of federal or state law applicable to such information, the school division shall notify, as soon as practicable, the parent of any student affected by such disclosure, except as otherwise provided in Va. Code §§ 32.1-127.1:05 or 18.2-186.6. Such notification shall include the (i) date, estimated date, or date range of the disclosure; (ii) type of information that was or is reasonably believed to have been disclosed; and (iii) remedial measures taken or planned in response to the disclosure.

B. Notwithstanding any other provision of law or policy, no member or employee of the School Board will transmit personally identifiable information, as that term is defined in FERPA and related regulations, from a student's record to a federal government agency or an authorized representative of such agency except as required by federal law or regulation.

C. For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course. The School Board specifies, by regulation, the deadline and procedures for making such a request. Notice of this provision is provided to parents. (Adopted June 9, 2016; Ordinance Number 15/16-110; Effective Date: July 1, 2016; Ordinance Number 21/22-33; Effective November 4, 2021)

Legal Authority – Virginia Code §§ 2.2-3704, 2.2-3804, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-254.1, 22.1-287, 22.1-287.02, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2. 22.1-289, 23-2.1:3, 32.1-36.1 (1950), as amended.

Section 9-23.17. Records of Students receiving Home Instruction. **—** Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of Home Instruction pursuant to School Board Policy Section 8-42.2 *et. seq*. or subdivision B 1 of Va. Code § 22.1-254. However, the superintendent or School Board may disclose, with the written consent of a student's parent, such information to the extent provided by the parent's consent. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school

division receiving home instruction. (Adopted October 13, 2016; Ordinance Number 16/17-21; Effective Date: July 1, 2017)

Legal Authority – Virginia Code § 22.1-254.1 (1950), as amended.

Article 24 - Foreign Exchange Program

Section 9-24.1. Foreign exchange programs encouraged. — The School Board recognizes that as the nations of the world become more interdependent, it becomes increasingly important that high school students develop a sense of global citizenship. Educational travel and exchange play an important role in this learning process, and the School Board will provide an essential service when it supports student exchange programs. With this in mind, the School Board hereby adopts policies governing the foreign exchange program for Suffolk Public Schools. (Adopted March 13, 2003; Ordinance Number 02/03-6; Effective: July 1, 2003)

Legal Authority – Virginia Code § 22.1-79(5) (1950), as amended.

Section 9-24.2. Classification of foreign exchange students; F-1 students defined; J-1 students defined. — A. There are two classifications applicable to foreign exchange students and they include F-1 and J-1.

B. A student is classified as F-1 when that student has residence in a foreign country to which they plan to return and has come to the United States temporarily and solely for the purpose of cultural and educational study. For any student classified as F-1, enrollment in Suffolk Public Schools must be authorized by the United States Immigration and Naturalization Service and Suffolk Public Schools must issue an I-20 and must charge subsidized tuition.

C. A student is classified as J-1 when that student has residence in a foreign country to which they plan to return and has come temporarily to the United States as a visitor or participant in a program that has been approved by the United States Information Agency. (Adopted March 13, 2003; Ordinance Number 02/03-6; Effective: July 1, 2003)

Legal Authority – Virginia Code § 22.1-79(5) (1950), as amended.

Section 9-24.3. Criteria for enrollment of F-1 foreign exchange students; evaluation of transcript; grade placement; issuance of diploma; tuition required. — A. Authorization for the enrollment of students classified as F-1 into the foreign exchange program of Suffolk Public Schools must be approved by the Assistant Superintendent for Administrative Services. In reviewing requests for student enrollment pursuant to this section, the school superintendent or superintendent's designee shall consider the following: (i) translated and certified copies of the student's transcripts with an explanation of the curriculum; (ii) appropriate medical records; (iii) immunization records; (iv) proof of host family residency; (v) permission to participate in

interscholastic athletics if desired, and (vi) appropriate insurance information.
B. The student's transcript will be evaluated based on equating credits earned in the school system of another country to the credits required by Suffolk Public Schools.
C. Grade placement will be determined by equating credits earned in the school system of another country to the credits required by Suffolk Public Schools.
D. Students in the F-1 classification who meet the graduation requirements of the Commonwealth of Virginia and of Suffolk Public Schools will be eligible to receive a diploma, except for F-1 foreign students who have been awarded a diploma or a certificate of completion in the student's home country.
E. Students in the F-1 classification shall be charged full unsubsidized tuition which must be remitted to the school superintendent or superintendent's designee in the form of a money order or certified check issued in the United States prior to enrollment in Suffolk Public Schools. (Adopted March 13, 2003; Ordinance Number 02/03-6; Effective: July 1, 2003)

Legal Authority – Virginia Code § 22.1-79(5) (1950), as amended.

Section 9-24.4. Criteria for enrollment of J-1 foreign exchange students; local representative required; visa required. — A. Agents for approved programs (CSIET endorsed) must submit visitor/student applications to the school superintendent or superintendent's designee and the application must be received prior to August 15 of the school year in which the exchange student is to be enrolled in Suffolk Public Schools. All applications must include the following: (i) translated and certified copies of the student's transcripts with an explanation of the curriculum; (ii) appropriate medical records; (iii) immunization records; (iv) proof of host family residency; (v) permission to participate in interscholastic athletics, if desired; and (vi) appropriate insurance forms.
B. All approved exchange programs pursuant to this section, must have a representative to coordinate, supervise, and monitor placement and progress of the foreign exchange student who resides in one of the cities comprising the Hampton Roads metropolitan area.
C. All applicants for foreign exchange student status pursuant to this section, must hold a J-1 exchange visitor's visa. (Adopted March 13, 2003; Ordinance Number 02/03-6; Effective: July 1, 2003)

Legal Authority – Virginia Code § 22.1-79(5) (1950), as amended.

Section 9-24.5. Proficient in English language required; availability of space; right to limit enrollment; residence of host family; when enrollment not allowed; grade classification; course selection; issuance of diplomas prohibited; permanent record created. — A. All J-1 foreign exchange students must demonstrate proficiency in written and spoken English sufficient to function in regular classes without special assistance.
B. Enrollment as a J-1 foreign exchange student will be dependent upon the availability of space at the school wherein enrollment is being sought. The school superintendent or

superintendent's designee will make the determination regarding placement of the exchange student in collaboration with the host school principal.

C. Schools will accept no more than ten (10) exchange students per year.

D. The Suffolk City School Board reserves the right to limit the number of applications received from any one agency and also to limit the number of exchange students from any one country being placed in any one high school. Applications for enrollment will be processed and students placed in the order the applications were received.

E. The host family of a J-1 foreign exchange student must reside in the city of Suffolk and the exchange student will attend school in his/her zone.

F. J-1 foreign exchange students who have been awarded a diploma or certificate of completion in the student's home country will not be enrolled in Suffolk Public Schools.

G. Grade classification will be determined by the age of the student and the number of years of school completed in the student's home country.

H. Course selection will be determined by appropriate school personnel.

I. No diplomas will be issued to J-1 foreign exchange students. Foreign exchange students who are placed in grade 12 will be permitted to participate fully in commencement exercises and to be recognized with a school certificate for satisfactory attendance and participation in Suffolk Public Schools.

J. A permanent record will be created for the year of attendance in Suffolk Public Schools by the foreign exchange student; however, no class rankings or GPA will be computed for foreign exchange students. (Adopted March 13, 2003; Ordinance Number 02/03-6; Effective: July 1, 2003)

Legal Authority – Virginia Code § 22.1-79(5) (1950), as amended.

Section 9-24.6. Foreign exchange students subject to policies etc., enrollment in American literature etc. required; not eligible for driver license. — A. Foreign exchange students are subject to the same policies, rules of conduct and attendance requirements applicable to all other students enrolled in Suffolk Public Schools.

B. Foreign exchange students must be enrolled in an American literature course and at least a United States history or a United States government
course. (Adopted March 13, 2003; Ordinance Number 02/03-6; Effective: July 1, 2003)

Legal Authority – Virginia Code § 22.1-79(5) (1950), as amended.

Section 9-24.7. Annual notification to foreign exchange agencies and organizations required. — The school superintendent or superintendent's designee shall annually notify foreign exchange agencies and organizations of the policies of the School Board regarding the enrollment of foreign exchange students in Suffolk Public Schools. (Adopted March 13, 2003; Ordinance Number 02/03-6; Effective: July 1, 2003)

Legal Authority – Virginia Code § 22.1-79(5) (1950), as amended.

Article 25 - Wellness Policy

Section 9-25.1. General Statement of Policy; reliance upon research-based programs; social, emotional and mental health elements of wellness; role of School Health Advisory Board (SHAB); annual updates required. — A. Schools, in partnership with families, other local agencies, and community organizations play an important role in promoting student and staff wellness. The School Board believes that for students to achieve personal, academic, developmental, and social success, the school division needs to create positive, safe, and health-promoting learning environments at every level, in every setting, throughout the school year. In revising this policy, it is therefore the goal of the School Board to establish a system-wide culture of wellness within Suffolk Public Schools that aligns with the Centers for Disease Control and Prevention's Whole School, Whole Community, Whole Child ecological framework, with the child being at the center of policies, practices, and procedures to improve and strengthen the alignment between learning and health.

B. To assist with the implementation of this overall goal, the School Board strongly supports reliance upon research-based programs and practices as well as data-based decision-making. The School Board also strongly supports school environments that encourage and model nutritious eating habits and physical activity, both of which are linked to academic success and lifelong good health.

Among other things, research shows that two components – good nutrition and physical activity before, during, and after the school day – are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture's (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism, and better performance on cognitive tasks. Conversely, less-than-adequate consumption of specific foods including fruits, vegetables, and dairy products, is associated with lower grades among students. In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education, and extracurricular activities do better academically with positive changes in behavior and motivation.

C. While this policy focuses heavily on the physical well-being of our schools and students, the School Board also believes in the critical nature of the social, emotional, mental and other elements of wellness. Additional priorities, policies, and procedures will address these important factors of our student's overall wellbeing. To foster and promote a culture of wellness in Suffolk Public Schools, the School Board's five (5) wellness priorities for the foreseeable future, include the following:

1. Establishing a Wellness Council at every school; led by the principal or the principal's designee

2. Integrating wellness activities into classroom instruction and into the various areasof the school;

3. Expanding elementary social emotional learning (SEL) curriculum and developing and endorsing standards for middle school grade levels; and,

4. Ensuring a student wellness specialist for the school division is in place to provide coordination and guidance to school-based wellness councils.

D. A Local Wellness Policy Team will be created by the school superintendent to include, but not limited to, school administrator, division administrator, parent, student, food services representative, teacher of physical education, nurse, public health professional, physician, nutritionist, parks and recreation representative, and mental health professional, and will be responsible for developing, implementing, and periodically reviewing and recommending updates to this policy. This team will work in collaboration with the School Health Advisory Board (SHAB) to ensure that the wellness policy vision and objectives are being carried out. Elementary and secondary schools will be represented, and actions will be taken to ensure the general public is invited to participate.

E. Furthermore, the public will be provided an annual update on the content of this policy, where they can access the policy and details for those who wish to obtain additional information. In addition, the public will be provided a triennial (every three years) update on (i) the extent to which schools are in compliance with the policy as measured by a school assessment; (ii) the extent to which the school division's wellness policy compares to model wellness policies; and (iii) a description of progress made in attaining the goals of the policy. This policy is to be read in conjunction with, Sale of Food Items on School Premises, and Fundraising and Charitable Solicitations, among others.

Legal Authority - 42 U.S.C. § 1758b.; 7 C.F.R. 210.31; Code of Virginia, 1950, as amended, § 22.1-207.4; 8 VAC 20-740-30; 8 VAC 20-740-40

Section 9-25.2. School Meals; goals of the division; participation in the National School Lunch Program and others; alternate nutrition-related programs; unflavored water made available. — A**.** Suffolk Public Schools is committed to serving healthy meals to children that meet the nutritional requirements in accordance with all USDA standards along with prescribed nutrient levels, calorie requirements for ages/grade levels served, as specified in 7 CFR 210.10 or 220 as applicable.

B. The goals of the school division's school meal programs are to improve the diet and health of school children, to help mitigate childhood obesity, to model healthy eating habits, to support the development of lifelong healthy eating patterns, and to support healthy choices while also accommodating cultural food preferences and special dietary needs. Meals should also be appealing and attractive and every effort is made to serve in a clean and pleasant environment.

All Suffolk schools have closed campuses and students should remain at school during their meal period.

C. All schools within the school division participate in the National School Lunch Program (NSLP) and the School Breakfast Program (SBP). In addition, the school division participates in the Summer Food Service Program (SFSP).

D. In addition, the school division operates other nutrition-related programs and activities including alternative breakfast models. Further, individual schools may sponsor promotions or special events, such as food tastings, that highlight nutritious foods.

E. Water is recognized as an essential nutrient. To encourage and further support water consumption free, safe, unflavored drinking water will be available to all students on every school campus and high traffic areas before, during, and after the school day. All water sources and containers will be maintained on a regular basis to ensure good hygiene standards. The school division will make drinking water available where school meals are served during mealtimes by providing cups upon request and by permitting students to go to drinking fountains. In addition, students will be allowed to bring and carry water bottles filled with only water with them throughout the day. Teachers and Staff are encouraged to role model health drinking behaviors. (Ordinance 24/25-44, Revised/Effective: September 12, 2024)

Legal Authority - 42 U.S.C. § 1758b.; 7 C.F.R. 210.31; Code of Virginia, 1950, as amended, § 22.1-207.4; 8 VAC 20-740-30; 8 VAC 20-740-40.

Section 9-25.3. Competitive Foods and Beverages; nutrition education; nutrition promotion; fundraisers. — A. The School Board supports the notion that all foods and beverages offered to students on the school campus during the school day support healthy eating. Therefore, all foods and Suffolk Public Schools' beverages sold outside of the reimbursable school meal programs, including a la carte items and vending options must meet the USDA Smart Snacks in School nutritional standards, available at www.healthiergeneration.org/smartsnacks.

All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day must meet or exceed the USDA Smart Snacks nutritional standards. These standards apply in all locations where foods and beverages are sold, which may include, but are not limited to school stores, fundraisers, and snack or food carts. Additionally, no food or beverage outside of what is sold by Food and Nutrition Services should be sold during breakfast or lunch service.

B. The primary goal of nutrition education is to influence lifelong eating behaviors in a positive manner. Nutrition education teaches behavior-focused skills and may be offered as a part of a comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote their health and to make positive choices regarding food and nutrition.

Nutrition education will be taught by health and physical education teachers at the middle and high school levels, and by physical education teachers at the elementary level. The school

division will include in its health and physical education curriculum essential topics on nutrition and healthy eating – for elementary students, where practicable, and for middle and high school students as required in the curriculum. Nutrition education and topics may also be integrated into other classrooms and other school settings, when applicable.

The school division will commit to periodically posting information related to health and wellness on its website for families and the broader community. Among other things, menus for the federal lunch program, as well as nutritional information, will be posted on the school division's website. Individual schools' websites will at a minimum contain a link to the school division's website.

C. Like nutrition education, the primary goal of nutrition promotion is to influence lifelong eating behaviors in a positive manner through creating positive food environments that encourage healthy nutrition choices and encouraging participation in school meals programs, as research indicates that school meals are more healthful than other alternatives. Suffolk Public Schools Food and Nutrition Services department will also host periodic food-tasting opportunities for the purpose of gaining feedback on new food choices that could be offered as a part of the school breakfast and lunch programs.

D. When sponsoring fundraisers involving food and beverage sales, schools and school staff members are encouraged to offer healthy foods and non-food products, as well as various physical activities that promote a healthy lifestyle, such as 5K and 10K races. In addition, principals and School Wellness Councils will encourage PTA/PTOs and other parent organizations to sponsor fundraisers that involve the sale of healthy foods and non-food products. Food and beverage fundraisers during the school day must meet the Smart Snacks. Additionally, no fundraisers or sales of food or beverages of any kind should be conducted during the breakfast and lunch service. Fundraisers outside of school hours, including restaurant nights are acceptable; however, flyers and other marketing material in schools must promote and portray healthy food product options that meet the Smart Snacks standards. Schools are permitted to allow 30 school-sponsored fundraisers per site during the school day to be exempt from Smart Snack Standards. These exempt fundraisers are tracked and monitored by the school principal and records are kept on file in the Main Office. (Ordinance 24/25-45; Revised/Effective: September 12, 2024)

Legal Authority - 42 U.S.C. § 1758b.; 7 C.F.R. 210.31; Code of Virginia, 1950, as amended, § 22.1-207.4; 8 VAC 20-740-30; 8 VAC 20-740-40

Section 9-25.4. Food given to students and classroom celebrations; food and beverage marketing in schools; physical activity; recess (elementary); health and physical education. — A. Schools should strive to offer foods and beverages on the school campus during the school day that meet or exceed the USDA Smart Snacks nutritional standards. As a result, teachers and other school staff are encouraged to give students only healthy snacks during the school day. "Healthy snacks" are defined as any food or beverage that meets the requirements of Smart Snacks.

Likewise, teachers, other school staff, parents, and PTA/PTOs and other parent organizations shall encourage healthy food choices during classroom celebrations and parties, and are to be aware of and collaborate with the school registered nurse or school staff to address the needs of students with food and other allergies, as well as other serious health conditions. Further, while it is impossible to prevent all food-sharing by students during lunch, classroom celebrations and other classroom events, to the extent practicable, teachers and other school staff shall take precautions to limit the amount of food-sharing that occurs between and among students. In addition, parents should advise their children about the potentially life-threatening consequences of sharing their food with other students who may have food allergies and/or other serious health conditions. Teachers are also encouraged to provide non-food treats and rewards to students, including in class treasure boxes and other incentive systems.

B. The school division strives to encourage a school environment that provides opportunities for all students to practice healthy eating habits throughout the school day. Further, the school division strives to teach students how to make informed nutritional choices. However, such efforts may be negatively impacted if students hear or see advertising on school division property that is inconsistent with information the school division has emphasized during its nutrition education and health promotion efforts.

For purposes of this section, “food advertising and marketing” is defined as any oral, written, or graphic statement made for the purpose of promoting the sale of a food or beverage product, where any such statement is made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product.

The school division will promote student’s health by permitting only the advertising and marketing of foods and beverages that are permitted to be sold on the school campus, which includes those items maintaining the nutritional standards of Smart Snacks, serving to promote student health, preventing childhood obesity, and combating problems associated with poor nutrition and physical inactivity. However, this restriction shall not apply to advertisements on students’ clothing; on the packages of food brought from home by students or staff for personal consumption; the use by a teacher of an advertisement as a part of a media or other lesson; scoreboards, marquees, and other fixtures where a logo already appears. As the Division, School Nutrition Services, Athletic Departments, and PTAs/PTOs consider new contracts, equipment and product purchasing (and replacement), decisions should reflect the applicable marketing guidelines established by this policy.

C. Research continues to show that students who are more physically active are more successful students and more productive future professionals. Considering the nature of the traditional learning environment, it is imperative that we integrate physical activity into all areas of the school building as well as before, during, and after the school day. To accomplish this, the school division is committed to creating a school environment that promotes active movement outside of the traditional opportunities to engage in physical activity. Not only does the school division encourage daily active recess and a comprehensive physical education program, but schools are highly encouraged to integrate physical activity into field trips as well as the core subject classrooms through kinesthetic learning, active lessons, brain boosters, and physical

activity breaks. Core subjects include science, mathematics, language arts, and social studies.

The school division is committed to providing professional development and support for teachers and staff to build skills and knowledge around implementing these practices through the expansion of the wellness integration model across the division. Teachers will strive to serve as role models by being physically active alongside their students whenever feasible.

Additionally, the school division offers opportunities for students to participate in physical activity either before and/or after the school day through a variety of methods and activities. Such methods and activities include, but are not limited to, intramurals, middle school sports, and varsity sports.

The school division also supports active transport to and from school, to include activities such as walking or biking where such activities may be conducted in a safe manner. The goal of this comprehensive plan around physical activity is to encourage at least 60 minutes a day of physical activity for all students in addition to other physical activity outside of the school environment and to support the learning environment as evidenced by research and best practice. The school division will provide a program of physical activity for elementary students consisting of at least 30 minutes each day of physical activity – or an average of 150 minutes in Suffolk Public Schools per week – during the regular school year. The goal for secondary schools (grades 6 through 12) is to strive for at least 150 minutes per week on average during the regular school year. Such physical activity will be provided by, but is not limited to, physical education, recess, classroom-based physical activity (including active academics and active brain boosters), before- and after school activities, and other programs and physical activities deemed appropriate by the School Board.

D. All elementary schools shall offer at least 30 minutes of recess (to include transition time) on most days during the school year. For example, elementary schools will not be required to offer recess on early-release days or on days where school begins later than the regular start time. Barring inclement weather, each such recess period will be held outside. Recess monitors or teachers will encourage students to be active. Schools are encouraged to limit the number of times recess is affected during the school year and should not eliminate recess for an extended period of time for alternative instruction or programming.

Taking away recess as a means for punishment for an individual student or a whole class is prohibited. Additionally, physical activity (running laps, push-ups, etc.) shall not be imposed as a consequence for misbehavior. In the event recess must be conducted inside – due to inclement weather, for example – teachers and other staff shall, to the extent possible, promote physical activity through games, stations and cooperative play.

Furthermore, to the extent practicable, the school division will ensure that its playgrounds and other facilities are safe and that playground and other equipment is available for students to be active. The school division will see to it that necessary inspections and repairs are conducted on all such equipment, and will strive to make playground equipment accessible to students with physical and mental disabilities.

E. The school division will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state

standards. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health and nutrition standards.

Physical education will be taught by licensed and qualified health and physical education teachers who are required to complete annual professional development training.

All elementary students should receive physical education for at least 45 minutes per week throughout the school year. However, a number of factors may prevent an elementary school from providing 45 minutes of physical education each week for all students including, but not limited to, scheduling; assemblies and instructional activities; early, late and all-day closures due to inclement weather; and the length of the school day.

Middle school students in sixth and seventh grades are required to take a year-long health and physical education class. High school students in ninth and tenth grades are required to take a health and physical education class in order to earn two full credits toward graduation. Both middle and high school physical education instruction should consist of an average of 110 minutes per week.

Legal Authority - 42 U.S.C. § 1758b.; 7 C.F.R. 210.31; Code of Virginia, 1950, as amended, § 22.1-207.4; 8 VAC 20-740-30; 8 VAC 20-740-40

Section 9-25.5. Essential Physical Activity Topics in Health and Physical Education; wellness concepts incorporated in content areas required; community partnerships; wellness council. — A. Each school organizes and maintains a physical and health education program in accordance with Board of Education regulations and State Board of Health guidelines. Such health instruction includes evidence-based essential topics on physical activity and health as wells as (1) incorporates standards that recognize the multiple dimensions of health by including mental health and the relationship of physical and mental health so as to enhance student understanding, attitudes, and behavior that promote health, well-being and human dignity, and (2) may include an age-appropriate program of instruction on the safe use of and risks of abuse of prescription drugs that is consistent with curriculum guidelines developed by the Board of Education and approved by the Board of Health.

B. The school division and individual schools are encouraged to take other steps to promote wellness. For example, the division and schools may want to consider implementing one of more of the following:

(1) Schools in the school division are encouraged to incorporate wellness concepts into the content areas, such as teaching nutrition and health related concepts in core curriculum, as applicable. Specifically, school staff members are encouraged to promote the “9-5-2-1-0” message (a minimum of 9 hours of sleep; 5 fruits and vegetables each day; 2 or fewer hours of TV and video games each day; 1 hour or more of moderate to vigorous physical activity each day; and, almost zero sugar-sweetened drinks) and other research-based topics;

(2) The school division will foster relationships with community partners (for example, the Suffolk Health Department, the City Planning Department, PTAs and other parent organizations, hospitals, colleges and universities, local businesses, etc.) to support various aspects of this policy; or

(3) Community Health Promotion and Engagement Throughout the school year, the school division will strive to promote to parents and guardians the benefits of healthy eating and physical activity. Families may be informed of and invited to participate in various school- and division-sponsored activities such as food tastings, running events, and fitness nights.

To the extent practicable, schools will open their indoor and outdoor physical activity facilities and spaces to students, families, community, and other organizations outside of school hours while complying with all applicable regulations of Suffolk Public Schools regarding Use or Rental of School Facilities for all school division facilities.

C. Each secondary and elementary school in the school division shall establish a Wellness Council and identify a wellness champion to lead wellness coordination in the school building. Among other things, once implemented, each such council shall meet regularly and encourage implementation of strategies set forth within this policy. Wellness Councils will also help create and support school wellness goals and provide assistance in the triennial assessment of their respective schools.

Among other participants, schools should consider including the following staff and community members on their Wellness Council: a school administrator, one or more teachers, a school counselor, a school secretary, a member of the school's PTA or other parent organization, a local business person, a physician or pediatrician, the school cafeteria manager, the school's C-Fit representative, one or more students, the public health nurse, and so forth.

Legal Authority - 42 U.S.C. § 1758b.; 7 C.F.R. 210.31; Code of Virginia, 1950, as amended, § 22.1-207.4; 8 VAC 20-740-30; 8 VAC 20-740-40

Section 9-25.6. Recordkeeping and report to the public; annual notification of policy; triennial progress reports. — A. The school division will develop and maintain a plan to manage and coordinate the implementation of this wellness policy. The plan will identify roles, responsibilities, actions, and timelines. Further, the school division will establish and maintain appropriate staffing and procedures infrastructure for the management, oversight, implementation, communication about, and monitoring of this policy and its established goals and objectives. The school division will retain records to document compliance with this policy as required by the Healthy, Hunger Free Kids Act of 2010. Documentation may include, but will not be limited to:

(1) The written wellness policy;

(2) Documentation demonstrating compliance with community involvement requirements, including:

(a) efforts to actively solicit membership from the required stakeholder groups; and

(b) this group's participation in the development, implementation, and periodic review and update of the wellness policy;

(3) Documentation of the triennial assessment for each school in the school division;

(4) Documentation demonstrating compliance with public notification requirements, including:

(a) methods by which the wellness policy, and triennial assessments are made available to the public:

(b) efforts to annually notify families about the availability of the wellness policy; and

(5) The implementation plan.

B. The school division will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy, the implementation status, and opportunity to get involved with the wellness policy through the school website and meetings of the School Board. Additionally, contact information for the division policy leader(s) identified in this policy will be provided on the school division's website.

C. Every third year, the school division will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

(a) The extent to which each school is in compliance with the wellness policy;

(b) The extent to which the school division's wellness policy compares to model wellness policies; and

(c) A description of the progress made in attaining the goals of the school division's wellness policy.

The triennial report will be published in the fall following every third full school year of implementation. The school division will notify families of the availability of the triennial report.

Legal Authority - 42 U.S.C. § 1758b.; 7 C.F.R. 210.31; Code of Virginia, 1950, as amended, § 22.1-207.4; 8 VAC 20-740-30; 8 VAC 20-740-40

Section 9-25.7. Revisions to the policy; assessment required as part of triennial report;

school wellness action plans; involvement of school officials. — A. The School Health Advisory Board (SHAB) and established work group will monitor the implementation of this policy and will propose modifications to the wellness policy based on the results of each triennial progress report, and/or as school division priorities change.

B. All schools will complete an assessment as part of the triennial report to evaluate the extent to which each school is in compliance with this policy and to identify wellness goals for the creation of a School Wellness Action Plan.

C. School Wellness Action Plans will be created by each school with the leadership of the wellness champion, school wellness council, and the principal. Division goals identified in the implementation plan as well as individual school goals may be included in the plans. Annual School Wellness Action Plans will be developed at the beginning of each school year and will be assessed for progress at the end of the school year.

D. Under the broad oversight of the School Health Advisory Board (SHAB) and local wellness policy team, the Specialist for Student Wellness, Employee Wellness Coordinator, Health and Physical Education Curriculum Specialist and a representative from Food and Nutrition Services for the school division shall be responsible for the direct coordination of this policy and for working with schools to promote compliance therewith. The school officials' responsibilities will include communication with students, staff, families, the community, SHAB, and the School Board around the contents, implementation, School Wellness Action Plans, triennial assessments, and periodic review of this policy. (This policy shall have an effective date of July 1, 2021)(Ordinance 21/22-20, Adopted on August 12, 2021)

Legal Authority – 42 U.S.C. § 1758b.; 7 C.F.R. 210.31; Code of Virginia, 1950, as amended, § 22.1-207.4; 8 VAC 20-740-30; 8 VAC 20-740-40

Article 26 - Restraint and Seclusion

Section 9-26.1. Statement of Policy; limited use of physical restraint. — A. The School Board believes that every child is valued as a contributor in the education process and school staff must ensure that children are treated with dignity, respect, and special care. When there is a need to manage aggressive or violent behavior of students in emergency situations by trained personnel, there must be a balance between maintaining an effective and safe learning environment for students and school staff and safeguarding the rights and protections of students and staff. This balance should be reflected in policies that include processes and procedures ensuring that physical restraint and seclusion should only be used in emergency situations when other less intrusive alternatives have failed. The use of corporal punishment and abusive interventions, and mechanical restraint are not authorized, permitted, or condoned in the public schools of Virginia or in Suffolk Public Schools.

B. Physical restraint and seclusion may only be used by trained employees of Suffolk Public Schools for the purpose of behavioral intervention in accordance with this policy and the Virginia

Board of Education Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia. The School Board encourages the use of positive behavioral interventions and supports to reduce and prevent the need for the use of physical restraint and seclusion. (Adopted March 14, 2013; Ordinance Number 12/13-32; Revised: June 13, 2013; Ordinance Number 12/13-149; Effective Date: July 1, 2013; Ordinance 24/25-46, Revised/Effective: January 16, 2025)

Legal Authority – Virginia Code § 22.1-78 (1950), as amended.

Section 9-26.2. Statement of Purpose. — The purpose of this policy is to provide information to all persons working with children within Suffolk Public Schools on how violent and aggressive behaviors of students in emergency situations are to be managed. The policy addresses the division's philosophy, expectations, and procedures for the systematic management of the full range of violent and aggressive behaviors of students. Also, the policy will focus on the processes to occur when extreme behaviors are presented, and the procedures staff must follow to ensure that incidents are properly documented, recorded, and reported to appropriate school officials and parents. (Adopted March 14, 2013; Ordinance Number 12/13-33; Revised: June 13, 2013; Ordinance Number 12/13-150; Effective Date: July 1, 2013)

Legal Authority - Virginia Code § 22.1-78 (1950), as amended.

Section 9-26.3. Definitions. — For the purpose of this policy the following terms shall have the following meaning —

(a) "Aversive stimuli" means interventions that are intended to induce pain or discomfort to a student for the purposes of punishing the student or eliminating or reducing maladaptive behaviors, such as:

1. Noxious odors and tastes;
2. Water and other mists or sprays;
3. Blasts of air;
4. Corporal punishment as defined in § 22.1-279.1 of the Code of Virginia;
5. Verbal and mental abuse;
6. Forced exercise when:
    a. The student's behavior is related to the student's disability;
    b. The exercise would have a harmful effect on the student's health; or
    c. The student's disability prevents participation in such activities.
7. Deprivation of necessities, including:
    a. Food and liquid at a time it is customarily served;
    b. Medication; or
    c. Use of the restroom.

(b) "Behavioral intervention plan" or "BIP" means a plan that utilizes positive behavioral interventions and supports to address:

(i) behaviors that interfere with a student's learning or that of others, or

(ii) behaviors that require disciplinary action.

(c) "Business day" means Monday through Friday, 12 months of the year, exclusive of federal and state holidays (unless holidays are specifically included in the designation of business days).

(d) "Calendar days" means consecutive days, inclusive of Saturdays and Sundays. Whenever any period of time fixed by this chapter expires on a Saturday, Sunday, federal holiday, or state holiday, the period of time for taking such action shall be extended to the next day that is not a Saturday, Sunday, federal holiday, or state holiday.

(e) "Child with a disability" or "student with a disability" means a public elementary or secondary school student evaluated in accordance with the provisions of 8VAC20-81 as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disability (referred to in 8VAC20-81 as an emotional disability), an orthopedic impairment, autism, traumatic brain injury, other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities who, by reason thereof, requires special education and related services. This also includes developmental delay under 8VAC20-81-80 M 3. If it is determined through an appropriate evaluation that a child has one of the disabilities identified but only needs related services and not special education, the child is not a child with a disability under 8VAC20-81. If the related service required by the child is considered special education rather than a related service under Virginia standards, the child would be determined to be a child with a disability. As used in this chapter, the disability categories set forth in this definition and the terms "special education" and "related services" shall have the meanings set forth in 8VAC20-81-10.

(f) "Corporal punishment" means the infliction of, or causing the infliction of, physical pain on a student as a means of discipline.

(g) "Day" means calendar day unless otherwise designated as business day or school day.

(h) "Evaluation" means procedures used in accordance with 8VAC20-81 to determine whether a child has a disability and the nature and extent of the special education and related services the child needs.

(i) "Functional behavioral assessment" or "FBA" means a process to determine the underlying cause or functions of a student's behavior that impede the learning of the student or the learning of the student's peers. A functional behavioral assessment may include a review of existing data or new testing data or evaluation as determined as set forth in 8VAC20-750-70.

(j) "Individualized education program" or "IEP" means a written statement for a child with a disability that is developed, reviewed, and revised at least annually in a team meeting in accordance with the Regulations Governing Special Education Programs for Children with Disabilities in Virginia (8VAC20-81). The IEP specifies the individual educational needs of the child and what special education and related services are necessary to meet the child's educational needs.

(k) "Individualized education program team" or "IEP team" means a group of individuals described in 8VAC20-81-110 that is responsible for developing, reviewing, or revising an IEP for

a child with a disability.

(l) "Mechanical restraint" means the use of any material, device, or equipment to restrict a student's freedom of movement. The term "mechanical restraint" does not include the devices implemented by trained school personnel or used by a student that have been prescribed by an appropriate medical or related service professional and are used with parental consent and for the specific and approved purposes for which such devices were designed, such as:

1. Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
2. Vehicle restraints, including seat belts, when used as intended during the transport of a student in a moving vehicle;
3. Restraints for medical immobilization;
4. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm; or
5. High chairs and feeding stations used for age or developmentally appropriate students.

(m) "Pharmacological restraint" means a drug or medication used on a student to control behavior or restrict freedom of movement that is not:

(i) prescribed by a licensed physician or other qualified health professional under the scope of the professional's authority for the standard treatment of a student's medical or psychiatric condition and

(ii) administered as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional's authority.

(n) "Physical restraint" means a personal restriction that immobilizes or reduces the ability of a student to move freely. The term "physical restraint" does not include:

(i) briefly holding a student to calm or comfort the student;

(ii) holding a student's hand or arm to escort the student safely from one area to another; or

(iii) the use of incidental, minor, or reasonable physical contact or other actions designed to maintain order and control.

(o) "Restraint" means mechanical restraint, physical restraint, or pharmacological restraint.

(p) "Seclusion" means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Provided that no such room or space is locked, the term "seclusion" does not include:

(i) time-out, as defined in this chapter;

(ii) in-school suspension;

(iii) detention;

(iv) student-requested breaks in a different location in the room or in a separate room;

(v) removal of a student for a short period of time from the room or a separate area of the room to provide the student with an opportunity to regain self-

control, so long as the student is in a setting from which the student is not physically prevented from leaving;

(vi) removal of a student for disruptive behavior from a classroom by the teacher as provided in § 22.1-276.2 of the Code of Virginia; or

(vii) confinement of a student alone in a room or area from which the student is physically prevented from leaving during the investigation and questioning of the student by school personnel regarding the student's knowledge of or participation in events constituting a violation of the code of student conduct, such as a physical altercation, or an incident involving drugs or weapons.

(q) "School day" means any day, including a partial day, that students are in attendance at school for instructional purposes. The term has the same meaning for all students in school, including students with and without disabilities.

(r) "School personnel" means individuals employed by Suffolk Public Schools on a full-time or part-time basis or as independent contractors or subcontractors as instructional, administrative, and support personnel and include individuals serving as a student teacher or intern under the supervision of appropriate school personnel.

(s) "Section 504 plan" means a written plan of modifications and accommodations under Section 504 of the Rehabilitation Act of 1973 (29 USC § 794).

(t) "Student" means any student, with or without a disability, enrolled in a public elementary or secondary school as defined in § 22.1-1 of the Code of Virginia.

(u) "Time-out" means a behavioral intervention in which the student is temporarily removed from the learning activity but in which the student is not confined. (Adopted March 14, 2013; Ordinance Number 12/13-34; Revised: June 13, 2013; Ordinance Number 12/13-151; Effective Date: July 1, 2013: Ordinance Number 20/21-7: Revised: January 14, 2021)

Legal Authority – Virginia Code § 22.1-78 (1950), as amended.

Section 9-26.4. Prohibited Actions; Emergency Exceptions. — A. The following actions are prohibited in Suffolk Public Schools:

1. Use of mechanical restraints.
2. Use of pharmacological restraints.
3. Use of aversive stimuli.
4. Use of prone restraints (i.e. lying face down) or any other restraints that restrict a student’s breathing or harm the student.
5. Use of seclusion that restricts a student's breathing or harms the student.
6. Use of physical restraint or seclusion as:
   - (i) punishment or discipline;
   - (ii) a means of coercion or retaliation;
   - (iii) a convenience;
   - (iv) to prevent property damage, or in any manner other than as provided in 8VAC20-750-40 and 8VAC20-750-50.

7. Use of corporal punishment.
8. Use of seclusion rooms or freestanding units not meeting the standards set forth in this chapter.
9. Use of restraint or seclusion when medically or psychologically contraindicated as stated in documentation by the IEP team, the student's Section 504 team, school professionals, or by a licensed physician, psychologist, or other qualified health professional under the scope of the professional's authority.

B. School personnel may implement physical restraint or seclusion only when other interventions are or would be, in the reasonable judgment of the particular school personnel implementing physical restraint or seclusion in an emergency situation, ineffective and only to:

1. Prevent a student from inflicting serious physical harm or injury to self or others;
2. Quell a disturbance or remove a student from the scene of a disturbance in which such student's behavior or damage to property threatens serious physical harm or injury to persons;
3. Defend self or others from serious physical harm or injury;
4. Obtain possession of controlled substances or paraphernalia that are upon the person of the student or within the student's control; or
5. Obtain possession of weapons or other dangerous objects that are upon the person of the student or within the student's control.

C. Physical restraint and seclusion shall be discontinued as soon as the imminent risk of serious physical harm or injury to self or others presented by the emergency situation has dissipated.

D. Nothing in this section shall be construed to require school personnel to attempt to implement a less restrictive intervention prior to using physical restraint or seclusion when, in the reasonable judgment of the school personnel in an emergency situation, a less restrictive intervention would be ineffective.

E. Unless a student's damage to property creates an imminent risk of serious physical harm or injury to the student or others, the damage of property does not itself indicate an imminent risk of serious physical harm or injury and shall not be the justification for the restraint or seclusion of a student.

F. Any incident involving physical restraint or seclusion in any of the circumstances described in this section shall be subject to the requirements of Section 9-26.5. (Adopted: March 14, 2013; Ordinance Number 12/13-35; Effective Date: July 1, 2013; Ordinance 20/21-7; Revised: January 14, 2021)

Legal Authority – Virginia Code § 22.1-78 (1950), as amended.

Section 9-26.5. Seclusion and standards for use; continuous visual monitoring required. — A. Use of seclusion in Suffolk Public Schools must meet the following structural and physical standards for rooms designated by the school to be used for seclusion:

1. Any seclusion room or area shall be free of any objects or physical features that may cause injury to the student.
2. Any seclusion room or area shall be of sufficient dimensions and shall have sufficient lighting, heating, cooling, and ventilation to comport with the dignity and safety of the student.
3. Windows in the seclusion room shall be constructed to minimize breakage and otherwise prevent the occupant from harming himself.
4. All space in the seclusion room shall be visible through the door, either directly or by mirrors.

B. Suffolk Public Schools must provide for the continuous visual monitoring of any seclusion, either by the presence of school personnel in the seclusion room or area or observation by school personnel through a window, viewing panel, or half-door.

C. By regulations the school superintendent will address the appropriate use and duration of seclusion based upon the age and development of the student. (Adopted March 14, 2013; Ordinance Number 12/13-36; Effective Date: July 1, 2013; Ordinance 20/21-7; Revised: January 14, 2021)

Legal Authority – Virginia Code § 22.1-78 (1950), as amended.

Section 9-26.6. Notification and Reporting Requirements. — A. When any student has been physically restrained or secluded:

1. The school personnel involved shall report the incident and the use of any related first aid to the school principal or the principal's designee as soon as possible by the end of the school day in which the incident occurred; and

2. The school principal or the principal's designee, or other school personnel shall make a reasonable effort to ensure that direct contact is made with the student's parent, either in person or through telephone conversation, or other means of communication authorized by the parent, such as email, to notify the parent of the incident and any related first aid on the day the incident occurred.

B. When any student has been physically restrained or secluded after the regular school day, the notifications required by subsection A of this section shall be made as soon as practicable in compliance with Suffolk Public Schools school crisis, emergency management, and medical emergency response plan required by § 22.1-279.8 of the Code of Virginia.

C. As soon as practicable, but no later than two school days after an incident in which physical restraint or seclusion has been implemented, the school personnel involved in the incident or other school personnel, as may be designated by the principal, shall complete and provide to the principal or the principal's designee a written incident report. Suffolk Public Schools must provide the parent with a copy of the incident report within seven calendar days of the incident.

The written incident report shall contain information sufficient to inform the parent about

the incident. Such information would typically include the following:

1. Student name, age, gender, grade, and ethnicity;
2. Location of the incident;
3. Date, time, and total duration of incident, including documentation of the beginning and ending time of each application of physical restraint or seclusion;
4. Date of report;
5. Name of person completing the report;
6. School personnel involved in the incident, their roles in the use of physical restraint or seclusion, and documentation of their completion of the division's training program;
7. Description of the incident, including the resolution and process of return of the student to the student's educational setting, if appropriate;
8. Detailed description of the physical restraint or seclusion method used;
9. Student behavior that justified the use of physical restraint or seclusion;
10. Description of prior events and circumstances prompting the student's behavior, to the extent known;
11. Less restrictive interventions attempted prior to the use of physical restraint or seclusion, and an explanation if no such interventions were employed;
12. Whether the student has an IEP, a Section 504 plan, a BIP, or other plan;
13. If a student, school personnel, or any other individual sustained bodily injury, the date and time of nurse or emergency response personnel notification and the treatment administered, if any;
14. Date, time, and method of parental notification of the incident, as required by this section; and
15. Date, time, and method of school personnel debriefing.

D. Following an incident of physical restraint or seclusion, Suffolk Public Schools must ensure that, within two school days, the principal or the principal's designee reviews the incident with all school personnel who implemented the use of physical restraint or seclusion to discuss:

1. Whether the use of restraint or seclusion was implemented in compliance with this chapter and local policies; and
2. How to prevent or reduce the future need for physical restraint or seclusion.

E. As appropriate, depending on the student's age and developmental level, following each incident of physical restraint or seclusion Suffolk Public Schools must ensure that, as soon as practicable, but no later than two school days or upon the student's return to school, the principal or the principal's designee shall review the incident with the student involved to discuss:

1. Details of the incident in an effort to assist the student and school personnel in identifying patterns of behaviors, triggers, or antecedents; and

2. Alternative positive behaviors or coping skills the student may utilize to prevent or reduce behaviors that may result in the application of physical restraint or seclusion.

F. The principal or the principal's designee shall regularly review the use of physical restraint or seclusion to ensure compliance with the School Board's policy and procedures. When there are multiple incidents within the same classroom or by the same individual, the principal or the principal's designee shall take appropriate steps to address the frequency of use. (Adopted March 14, 2013; Ordinance Number 12/13-37; Effective Date: July 1, 2013; Ordinance 20/21-7; Revised: January 14, 2021)

Legal Authority – Virginia Code § 22.1-78 (1950), as amended.

Section 9-26.7. Superintendent to develop regulations; memorandum of understanding with law enforcement; annual review required; posting on website; encourage parent involvement. — A. The school superintendent will develop and implement regulations that meet or exceed the requirements of this Article and that include, at a minimum, the following:

1. A statement of intention that Suffolk Public Schools will encourage the use of positive behavioral interventions and supports to reduce and prevent the need for the use of physical restraint and seclusion.

2. Examples of the positive behavioral interventions and support strategies consistent with the student's rights to be treated with dignity and to be free from abuse that Suffolk Public Schools uses to address student behavior, including the appropriate use of effective alternatives to physical restraint and seclusion.

3. A description of initial and advanced training for school personnel that addresses:

   (i) appropriate use of effective alternatives to physical restraint and seclusion and;

   (ii) the proper use of restraint and seclusion.

4. A statement of the circumstances in which physical restraint and seclusion may be employed, which shall be no less restrictive than that set forth in School Board Policy Section 9-26.4 and Section 9-26.5.

5. Provisions addressing the:

   a. Notification of parents regarding incidents of physical restraint or seclusion, including the manner of such notification;

   b. Documentation of the use of physical restraint and seclusion;

   c. Continuous visual monitoring of the use of any physical restraint or seclusion to ensure the appropriateness of such use and the safety of the student being physically restrained or secluded, other students, school personnel, and others. These provisions shall include exceptions for emergency situations in which securing visual monitoring before implementing the physical restraint or seclusion would, in the reasonable judgment of the school personnel implementing the physical restraint or seclusion, result in serious physical harm or injury to persons; and

   d. Securing of any room in which a student is placed in seclusion. These provisions shall ensure that any seclusion room or area meets specifications for size and viewing panels that ensure the student's safety at all times, including during a fire or other emergency, as required by this chapter.

B. Suffolk Public Schools memorandum of understanding with local law enforcement must include language in the memorandum of understanding regarding the use of seclusion and restraint by law enforcement personnel in school settings.

C. Suffolk Public Schools must review procedures regarding physical restraint and seclusion at least annually and will recommend to the School Board updates to School Board policies as appropriate. In developing, reviewing, and revising its policies, the School Board must consider the distinctions in emotional and physical development between elementary and secondary students and between students with and without disabilities.

D. Consistent with § 22.1-253.13:7 D of the Code of Virginia, a current copy of a school division's policies and procedures regarding restraint and seclusion shall be posted on the school division's website and shall be available to school personnel and to the public with printed copies made available as needed to citizens who do not have online access.

E. In developing their policies and procedures, Suffolk Public Schools will give due consideration to practices that encourage parent involvement and collaboration with regard to these matters.(Adopted March 14, 2013; Ordinance Number 12/13-38; Revised March 14, 2013; Ordinance Number 12/13-152; Effective Date: July 1, 2013; Ordinance 20/21-7; Revised: January 14, 2021)

Legal Authority - Virginia Code § 22.1-78 (1950), as amended.

Section 9-26.8. IEP or Section 504 Plan Development; required discussion regarding need for FBA or BIP; Team responsibility to refer for evaluation. — A. In the initial development

and subsequent review and revision of a student's IEP or Section 504 plan, the student's IEP or Section 504 team shall consider whether the student displays behaviors that are likely to result in the use of physical restraint or seclusion. If the IEP or Section 504 team determines that future use is likely, the team shall consider, among other things, the need for:

(i) an FBA;

(ii) a new or revised BIP that addresses the underlying causes or purposes of the behaviors as well as de-escalation strategies, conflict prevention, and positive behavioral interventions;

(iii) any new or revised behavioral goals; and

(iv) any additional evaluations or re-evaluations.

Within 10 school days following the second school day in a single school year on which an incident of physical restraint or seclusion has occurred, the student's IEP or Section 504 team shall meet to discuss the incident and to consider, among other things, the need for:

(i) an FBA;

(ii) a new or revised BIP that addresses the underlying causes or purposes of the behaviors as well as de-escalation strategies, conflict prevention, and positive behavioral interventions;

(iii) any new or revised behavioral goals; and

(iv) any additional evaluations or re-evaluations.

B. For students, other than those described in subsection A of this section, of which an incident of physical restraint or seclusion has occurred, a meeting shall be held within 10 school days of the second school day in a single school year of the incident. A team consisting of the parent, the principal or the principal's designee, a teacher of the student, school personnel involved in the incident (if not the teacher or administrator already invited), and other appropriate school personnel, such as a school psychologist, school counselor, or school resource officer, as determined by the school division, shall meet to discuss the incident and to consider, among other things, the need for:

(i) an FBA;

(ii) a new or revised BIP that addresses the underlying causes or purposes of the behaviors as well as de-escalation strategies, conflict prevention, and positive behavioral interventions; and

(iii) a referral for evaluation.

C. Nothing in this section shall be construed to:

(i) excuse the team convened under subsection B of this section or its individual members from the obligation to refer the student for evaluation if the team or members have reason to suspect that the student may be a student with a disability; or

(ii) prohibit the completion of an FBA or BIP for any student, with or without a disability, who might benefit from these measures but whose behavior has resulted in fewer than two incidents of physical restraint or seclusion in a single school year.

(Adopted: March 14, 2013; Ordinance Number 12/13-39; Revised: June 13, 2013; Ordinance Number 12/13-153; Effective Date: July 1, 2013; Ordinance 20/21-7; Revised: January 14, 2021)

Legal Authority – Virginia Code § 22.1-78 (1950), as amended.

Section 9-26.9. Annual Reporting. — The principal or the principal's designee shall submit to the division superintendent a report on the use of physical restraint and seclusion in the school based on the individual incident reports completed and submitted to the principal or the principal's designee by school personnel pursuant to 8VAC20-750-60C. The division superintendent shall annually report the frequency of such incidents to the Superintendent of Public Instruction on forms that shall be provided by the Department of Education and shall make such information available to the public. (Adopted March 14, 2013; Ordinance Number 12/13-40; Effective Date: July 1, 2013; Ordinance 20/21-7; Revised: January 14, 2021)

Legal Authority – Virginia Code § 22.1-78 (1950), as amended.

Section 9-26.10. Training Requirement. Suffolk Public Schools must ensure the following:

1. That all school personnel receive training that focuses on skills related to positive behavior support, conflict prevention, de-escalation, and crisis response, including follow-up support and social-emotional strategy support for students, staff, and families;

2. That all school personnel receive initial training regarding the regulations, policies, and procedures governing the use of physical restraint and seclusion;

3. Provide advanced training in the use of physical restraint and seclusion for at least one administrator or designee in every school building and for school personnel assigned to work with any student whose IEP or Section 504 team determines the student is likely to be physically restrained or secluded; and

4. That any initial or advanced training is evidence-based.

(Ordinance 20/21-7, Effective: January 14, 2021)

Legal Authority – Virginia Code Section 22.1-279.1:1 (1950), as amended; 8VAC-750-100.

Section 9-26.11. Authority of Teachers, Resource Officers, and Department of Juvenile Justice; civil immunity for teachers. — Nothing in this chapter shall be construed to modify or restrict:

1. The initial authority of teachers to remove students from a classroom pursuant to § 22.1-276.2 of the Code of Virginia;

2. The authority and duties of school resource officers as defined in § 9.1-101 of the Code of Virginia, except to the extent governed by a memorandum of understanding between the local law enforcement agency and Suffolk Public Schools;

3. The authority of the Virginia Department of Juvenile Justice with regard to students in its custody at any of its sites or in any of its programs; or

4. The civil immunity afforded teachers employed by the School Board for any acts or omissions resulting from the supervision, care, or discipline of students when such acts or omissions are within such teacher's scope of employment and are taken in good faith in the course of supervision, care, or discipline of students, unless such acts or omissions were the result of gross negligence or willful misconduct, as provided in § 8.01-220.1:2 of the Code of Virginia.

(Ordinance 20/21-7, Effective: January 14, 2021)

Legal Authority – Virginia Code Section 22.1-279.1:1 (1950), as amended; 8VAC-750-110.

Article 27 - Service Animals In Suffolk Public Schools

Section 9-27.1. Service Animals Permitted; Service animal defined; School Officials. — A. An individual with a disability is permitted to be accompanied by the individual's service animal on school property when required by law, subject to the conditions of this policy.

B. A "service animal" means a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition, except for miniature horses as provided for in Section 9-27.4. The work or tasks performed by a service animal must be directly related to the individual's disability or necessary to mitigate a disability.

C. School officials can ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person's disability and may not require documentary proof of certification or licensing as a service animal. (Adopted March 10, 2016; Ordinance Number 15/16-5; Effective Date: March 10, 2016; Ordinance 22/23-13, Revised/Effective: November 10, 2022)

Legal Authority – Virginia Code §§ 22.1-78, 3.2-6521, 51.5-44 (1950), as amended; 28 C.F.R. 35.104, 35.136.

Section 9-27.2. Requirements for Service Animals on School Property. — A person who wants to be accompanied by the person's service animal on school property must (1)have the service animal vaccinated as required by law; (2) ensure that the service animal is in good health and (3) maintain control of the service animal at all times. The service animal must have a harness, backpack, vest identifying the service animal as a trained service animal, leash (blaze orange in color for hearing dogs), or other tether unless either the handler is unable because of a disability to use a harness, backpack, vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control. (Adopted March 10, 2016; Ordinance Number 15/16-5; Effective Date: March 10, 2016; Revised February 14, 2019; Ordinance Number 18/19-66; Effective Date: February 14, 2019; Ordinance 21/22-34, Revised November 4, 2021)

Legal Authority – Virginia Code §22.1-78 (1950), as amended; 28 C.F.R. §§ 35.104, 35.136.

Section 9-27.3. Service Dogs In Training; Guide Dogs; Hearing Dogs; Harness, backpack or vest required; Cannot Disrupt Educational Process; Other Requirements. — A. A dog that is in training to become a service animal may be permitted on school property when accompanied by an experienced trainer of service animals. The dog must be at least six months of age. Trainers must wear a jacket identifying the organization to which they belong. Persons conducting continuing training of a service animal may be accompanied by a service animal while on school property for the purpose of school business. Persons who are part of a three-unit service dog team may be accompanied by a service dog while on school property provided that person is conducting continuing training of a service dog. A three-unit service dog team consists of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog. The dogs may accompany these persons while on school property for school purposes.

B. A dog that is in training to become a guide dog or a currently trained guide dog that is undergoing continuing training must be in a harness.

C. A dog that is in training to become a hearing dog or a currently trained hearing dog that is undergoing continuing training must be on a blaze orange leash.

D. A dog that is in training to become a service dog or a currently trained service dog that is undergoing continuing training must be in a harness, backpack, or a vest identifying the dog as a trained service dog.

E. The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.

F. All requirements of this policy which apply to service animals, such as annual written requests, and supervision, care and damages, also apply to dogs in training. (Adopted March

10, 2016; Ordinance Number 15/16-5; Effective Date: March 10, 2016; Revised: February 14, 2019; Ordinance Number 18/19-67; Effective Date: February 14, 2019)

Legal Authority – Virginia Code §22.1-78 (1950), as amended; 28 C.F.R. § 35.136.

Section 9-27.4. Miniature horses; factors to be considered; **all other requirements applicable. —** A. Suffolk Public Schools will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

B. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the school division considers the following factors:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
2. Whether the handler has sufficient control of the miniature horse;
3. Whether the miniature horse is housebroken; and
4. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

C. All additional requirements outlined in this policy, which apply to service animals, also apply to miniature horses. (Adopted March 10, 2016; Ordinance Number 15/16-5; Effective Date: March 10, 2016)

Legal Authority – Virginia Code §22.1-78 (1950), as amended; 28 C.F.R. § 35.136.

Section 9-27.5. Extra Charges Prohibited. — The owner or handler of a service animal is not required to pay an admission fee or a charge for the animal to attend events for which a fee is charged. (Adopted March 10, 2016; Ordinance Number 15/16-5; Effective Date: March 10, 2016)

Legal Authority – Virginia Code §22.1-78 (1950), as amended; 28 C.F.R. § 35.136.

Section 9-27.6 Supervision and Care of Service Animals. — The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up. (Adopted March 10, 2016; Ordinance Number 15/16-5; Effective Date: March 10, 2016)

Legal Authority – Virginia Code §22.1-78 (1950), as amended; 28 C.F.R. § 35.136.

Section 9-27.7. Damages to school property and injures. — The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal. (Adopted March 10, 2016; Ordinance Number 15/16-

5; Effective Date: March 10, 2016)

Legal Authority – Virginia Code §22.1-78 (1950), as amended; 28 C.F.R. § 35.136.

Section 9-27.8. Removal of service animals from school property. — A. A school administrator can require an individual with a disability to remove a service animal from school property under the following circumstances:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
    a. The presence of the animal poses a direct threat to the health or safety of others; or
    b. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

B. If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal. (Adopted March 10, 2016; Ordinance Number 15/16-5; Effective Date: March 10, 2016)

Legal Authority – Virginia Code §22.1-78 (1950), as amended; 28 C.F.R. § 35.136.

Section 9-27.9. Denial of Access and Grievance. — If a school official denies a request for access of a service animal or a dog in training, the disabled individual or parent or guardian can file a written grievance with the school division's Section 504 Coordinator. (Adopted March 10, 2016; Ordinance Number 15/16-5; Effective Date: March 10, 2016)

Legal Authority – Virginia Code §22.1-78 (1950), as amended; 28 C.F.R. § 35.136.

Article 28 — Name, Image and Likeness

Section 9-28.1. Must comply with VHSL regulations, etc.; pay for play prohibited; student responsible for knowing NIL requirements before engaging in activities. — A. A student may earn compensation from the use of their name, image and likeness ("NIL") consistent with current VHSL regulations and provided:

(1) The compensation is not contingent on specific athletic performance or achievement (e.g., financial incentives based on points scored);

(2) The compensation (or prospective compensation) is not provided as an inducement to attend a particular school ("recruiting") or to remain enrolled at a particular school;

(3) The compensation is commensurate with market value;

(4) The compensation is not provided by the school or an agent of the school (e.g., booster club, foundation, etc.);

(5) The NIL activities do not interfere with a student-athlete's academic obligations;

(6) The NIL activity does not interfere with a student-athlete's athletic obligations, (i.e. student signs a contract to wear specific athletic wear that interferes with the student athlete wearing a school sponsored practice/game jersey or equipment;

(7) A student does not miss athletic practice, competition, travel, or other team obligations in order to participate in a NIL opportunity.

B. "Pay for play" (receiving payments simply for being a student-athlete) and improper recruiting inducements remain prohibited.

C. In addition to complying with this policy, student-athletes who engage in commercial activities using their NIL must also comply with any other applicable VHSL bylaws and policies, and any applicable school policies. It is the student's responsibility to know and understand any NCAA, NAIA, NJCAA requirements before engaging in covered activities. In order to protect eligibility, students are encouraged to closely review League rules and policies prior to engaging in any activities covered by this policy. VHSL staff are available to answer questions regarding specific cases as they arise. International students may also be subject to local laws and rules from their home countries, as well as U.S. immigration laws and rules related to their Student Visa. (Ordinance 23/24-3, Effective: Aug 10, 2023)

Legal Authority — Virginia Code § 22.1-78 (1950), as amended.

Section 9-28.2. Permissible NIL activities; advertising commercial product or service; autographs; representation. — A. A student may receive compensation for officiating, instructing, teaching or coaching skills in a sport/activity. A student may use their NIL to promote or advertise the availability of such instruction, provided they adhere to school policies for renting facility space in a manner consistent with the general public and compensation is paid by the lesson recipient (or the recipient's family member) and not another individual or entity.

B. A student may receive compensation for the use of their NIL in non-school promotional activities and to advertise or promote the sale or use of a commercial product or service, provided there is no school involvement and no VHSL or school logos, marks, or mascots are used in the advertisement or promotion. A student may not wear or display a school uniform or any other school issued apparel in any endorsement or advertisement.

C. A student may receive compensation for their autograph in conjunction with a non-school promotional activity; however, no VHSL or school logos/marks may be used in conjunction with the sale of the autograph. Compensation for an autograph during a required team related activity (e.g., team community service event) or other school event (music concert, play, etc.) is prohibited.

D. A student may use the services of a professional service in the following NIL activities:

(1) Advice, representation, and marketing of NIL activities;

(2) A student is not permitted to use a professional service provider for NIL activities who is an employee or independent contractor of the member school.

(3) A fee arrangement must be consistent with typical industry arrangements and must not be discounted as a result of athletic ability.

(Ordinance 23/24-3, Effective: Aug 10, 2023)

Legal Authority — Virginia Code § 22.1-78 (1950), as amended.

Section 9-28.3. Prohibited NIL activities; certain activities are prohibited. NIL cannot be used by equipment companies; collectives are also prohibited. — A student is not permitted to sell items provided by the school until the student has exhausted eligibility for high school activities. The use of VHSL or school marks and logos is prohibited for any NIL activity. A student may not reference their involvement in high school activities at their school when promoting a business activity.

B. Students are not permitted to promote activities associated with the following:

1. Adult entertainment products and services;

2. Contraceptive products and/or sexual enhancement products;

3. Alcohol products;

4. Casinos and gambling, including sports betting, the lottery, and betting in connection with video games, online games, and devices;

5. Tobacco and electronic smoking products and devices (vaping); banned or illegal substances;

6. Opioids and prescription pharmaceuticals;

7. Controlled dangerous substances; and/or;

8. Weapons, firearms, and ammunition.

C. A student's NIL may not be used by an equipment company or manufacturer to publicize the fact the school uses its equipment.

D. The use of Collectives is banned for all VHSL student athletes. Collectives are defined as, an organization formed to benefit student athletes, usually at a specific school. The models may vary however the basic premise of most is that an alumnus, group of alumni, or booster clubs, band together to form a company whose goal is to provide NIL opportunities to student athletes of that school. (Ordinance 23/24-3, Effective: Aug 10, 2023)

Legal Authority — Virginia Code § 22.1-78 (1950), as amended.

Section 9-28.4. Violations. — Any student who is in violation of this policy is not in good standing and may lose eligibility in one or more activities or athletic programs. (Ordinance 23/24-3, Effective: Aug 10, 2023)

Legal Authority — Virginia Code § 22.1-78 (1950), as amended.

CHAPTER 10 – Community Relations Goals

Article 1 - School Community Relations Goals

Section 10-1.1. Goals and Standards. — A. The School Board recognizes that good school-community relations are essential to securing public input and public support for educational programs. The Suffolk School Board sets goals and standards for school-community relations and regularly evaluates its relationship with the public. The School Board also regularly evaluates its programs for maintaining good communication and good relations with parents,

community organizations, other governmental organizations, non-profit organizations, businesses and industries and the community at large.

B. Through its school community relations programs, the School Board encourages the community to:

(1) Take an active interest in the schools and participate in their activities. If schools are to obtain their goals the community must contribute time, effort and talent to engage in cooperative planning for school operations and program improvement, to review goals of education in its schools, to observe educational processing and to gather valued data so that it can make informed judgments;

(2) Place a high priority on education and make funds available for an educational system that supports learning for all children. If schools are to obtain their goals the community must provide enough financial support to make it possible for the school system to offer its students safe educational services that would make up the deficits of the economically poor and the otherwise educationally disabled. The community must provide the funds needed for experimentation and discovery for creative development of promising practices and for successful program implementation to achieve full education opportunities for everyone; and

(3) Establish partnerships with the schools to enhance learning opportunities. If schools are to obtain their goals, the community must engage in extensive school industry, cooperative education, employ youth and provide on-the-job training and re-training after school is over and involve all its interactive agencies in offering educational opportunities that will continue throughout life. (Adopted January 12, 1995; Ordinance 25/26-30, Revised/Effective: September 25, 2025)

Legal Authority - Virginia Code §§ 22.1-78, 22.1-253.13:7.C.4.

Section 10-1.2. Home involvement encouraged. — The School Board believes that school community cooperation and communication begin with the student, the parent and the teacher and extend to other community persons, to agencies and other staff members. The school must help the home know the student's progress, the home must help the school understand the student's strengths and problems. The school community communication is also needed at city-wide levels so that the concerns and knowledge of the community can bear upon educational decisions and further show that community support for educational programs can be secured. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253.13:6 (1950), as amended.

Section 10-1.3. School Visitors Generally; Parents; Board Members. **—** A. Visitors are welcome in the schools as long as their presence is not disruptive. Upon arriving at a school, all visitors must report to the administrative office and sign-in. Potential visitors, including parents, who are registered sex offenders, should consult School Board Policy Section 10-19.3, and

Crimes Against Minors Registry Information before arriving at school property or school sponsored activities. The school division expects mutual respect, civility and orderly conduct from all individuals on school property and at school events. Unauthorized persons, including suspended and expelled students, will be requested to leave school grounds by the building administrator. Unauthorized persons who fail to leave the school grounds or school activity as requested will be considered trespassers. The School Board authorizes the superintendent to take all necessary actions regarding the safety, order and preservation of the educational environment on School Board property or at school division sponsored activities. Law enforcement may be called to enforce this policy.

Anyone, including students, who enters a school at nighttime without the consent of an authorized person except to attend an approved meeting or service or who enters or remains on any school property, including school buses, in violation of (i) any direction to vacate the property by an authorized individual or (ii) any posted notice which contains such information, posted at a place where it reasonably may be seen may be prosecuted.

B. Parents are encouraged to visit the schools on scheduled days for conferences with teachers, assemblies, PTA meetings, volunteer service and other school programs. Noncustodial parents are not denied, solely on the basis of their non-custodial status, the opportunity to participate in any of the student's school or day care activities in which such participation is supported or encouraged by the policies of the School Board.

C. Periodically, Board members may visit schools within the division. The purpose of these visits is to assist in fulfilling their responsibilities and increase understanding of actual educational practices. School Board members follow the same procedures applicable to all other visitors when visiting a school. (Adopted June 9, 2016; Ordinance Number 15/16-111; Effective Date: July 1, 2016; Revised February 14, 2019; Ordinance Number 18/19-57; Effective Date: February 14, 2019; Ordinance 22/23-14, Revised/Effective: November 10, 2022)

Legal Authority – Virginia Code §§18.2-128, 18.2-415, 22.1-4.3, and 22.1-79, as amended.

Section 10-1.4. Participation by Parents and Members of the Community. **—** The School Board supports and encourages the active participation of parents and members of the community in providing and extending educational opportunities for children. The involvement of parents, volunteers and others in the community who can serve as a resource to schools is a fundamentally important component of successful school programs. The administration of each school directs the activities of parents, volunteers and other community resources at the building level. (Adopted January 11, 2018; Ordinance Number 17/18-49; Effective: January 11, 2018)

Legal Authority – Virginia Code § 22.1-78 (1950), 8 VAC 20-131-270 as amended.

Article 2 - Public Information Program

Section 10-2.1. Community to be kept informed. — The Suffolk School Board recognizes the importance of providing information regarding the school division to the community. The School Board utilizes appropriate means and media in order to:

a. explain the programs, achievements, and needs of the school division;

b. keep students, parents/guardians, and staff members fully informed about Board policies and procedures as well as their own rights and responsibilities;

c. communicate factual information regarding the school division: and

d. involve students, parents/guardians, and the community in discussions regarding education programs, student activities, and Board policy.

(Adopted January 12, 1995; Ordinance 24/25-73, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §§ 22.1-78, 22.1-253.13:7 (1950), as amended.

Article 3 - News Media Relations

Section 10-3.1. Use of news media; news releases; approval of principal required. — A. The news media have an important role in informing the people about their public schools. Whenever an opportunity arises for the school superintendent or staff members at his request to participate in radio or television programs designed to inform the public every effort shall be made to accept it. Principals shall furnish timely and accurate information about activities and developments in their schools.

B. News releases by the schools shall be encouraged as a means of informing the public of programs, activities and accomplishments.

C. Routine news and information concerning school events, personnel, students and programs is released only with the approval of the principal. All other matters representing the official position of the School Board prepared for publication by any of its employees shall be approved by the school superintendent prior to release to the public. The principal of each school with the approval of the school superintendent is authorized to arrange for announcements in the school regarding community programs scheduled activities or events he believes have educational or recreational value. (Adopted August 21, 1997; Ordinance 22/23-71, Revised/Effective: February 9, 2023)

Legal Authority - Virginia Code §§ 22.1-287, 22.1-287.1(1950), as amended.

Section 10-3.2. Official records open to inspection; Access to records; Identification required. — A. All official records of the School Board, except where specifically exempt by

law, are open to inspection and copying by any citizen of the Commonwealth during the regular office hours of the custodian of such records as provided for by the Virginia Freedom of Information Act. Access to such records shall not be denied to the citizens of the Commonwealth or any media organizations, including, but not limited to, representatives of radio and television stations broadcasting in or into the Commonwealth. The School Board shall make reasonable efforts to reach an agreement with the requester concerning the production of the records requested, including, where the School Board has the capability, the option of posting the records on a website or delivering the records through an electronic mail address provided by the requester.

B. Unless otherwise specified by the superintendent, inspection of records takes place at the central office of Suffolk Public Schools, and records are not removed from that site. Copies may be requested in lieu of or at the time of inspection, subject to the charges listed below. Nonexempt records maintained in an electronic database are produced in any tangible medium or format identified by the requester that is regularly used in the ordinary course of business by Suffolk Public Schools, including posting the records on a website or delivering the records through an electronic mail address provided by the requester.

C. One of the following forms of identification must be presented, or a photocopy thereof must be provided, before any person is allowed to inspect any records or receive copies of any records: (i) press identification identifying requester as a representative of a newspaper or magazine with circulation in the Commonwealth or of a radio or television station broadcasting in or into the Commonwealth, or (ii) driver's license or other official photo identification showing that requester is a citizen of the Commonwealth. The superintendent or superintendent's designee is present during inspection or copying of records. (Adopted November 11, 1999; Revised June 9, 2016; Ordinance Number 15/16-112; Effective Date: July 1, 2016)

Legal Authority-Virginia Code §2.2-3704 (1950), as amended.

Section 10-3.3. Request procedures; Responding to requests; Time for processing requests; costs for processing request; how charges are determined. — A. The School Board complies with the Virginia Freedom of Information Act. Except as otherwise specifically provided by law, all public records are open to citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth and representatives of radio and television stations broadcasting in or into the Commonwealth during the regular office hours of the custodian of such records. Requests for access to records shall be made with reasonable specificity. Requests shall be directed to Suffolk Public Schools central office at 100 N. Main Street, P.O. Box 1549, Suffolk, Virginia 23439-1549. Requesters should make their requests using Suffolk Public Schools Request for Public Records Form, however use of the form is not mandatory. Requests received at the central office via telephone are transcribed onto the Suffolk Public Schools Request for Public Records Form by central office staff. Written requests other than on required form are appended to a copy of the form by central office staff, who fill out as much of the form as possible.

Officers, employees, and members of the School Board who fail to provide public records as required by FOIA because they altered or destroyed the requested records with the intent to avoid the provisions of FOIA are subject to penalties in their individual capacity of up to $100 per record altered or destroyed.

Building office personnel shall provide the Request for Public Records Form and a copy of this policy upon request to any person interested in obtaining access to records, and instruct the requester to direct the request to the central office. Telephone inquiries are redirected to the central office. Any written requests received by building personnel are immediately forwarded to the central office with a notation indicating the date and time the request was received.

B. Promptly, but in all cases within five working days of receiving the request, the school division provides the requested records to the requester or makes one of the following responses in writing:

(a) The requested records are being entirely withheld because their release is prohibited by law or because the Virginia Freedom of Information Act gives their custodian discretion to withhold them. The response will identify with reasonable particularity the volume and subject matter of the withheld records, and, with respect to each category of withheld records, cite the specific Virginia Code section(s) or other law that authorizes the withholding of the records.

(b) The requested records are being provided in part and are being withheld in part because the release of part of the records is prohibited by law or the custodian has exercised his discretion to withhold a portion of the records. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) or other law which authorizes the withholding of the records. When a portion of a requested record is withheld, the school division deletes or excises only that portion of the record to which an exemption applies and releases the remainder of the record.

(c) The requested records could not be found or do not exist. If the school division knows that another public body has the requested records, the response includes contact information for the other public body.

(d) It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such response specifies the conditions which make a response impossible. If the response is made within five working days, one of the preceding responses is provided within an additional seven-day period.

The school division may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search and a response within the time outlined above will prevent the school division from meeting its operational responsibilities. Before proceeding with the petition, the school division will make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.

C. When processing the request, the five-day period begins on the first working day following the day the request is received by the central office or by a building office, and ends at the close

of business on the fifth working day following receipt of the request. “Day One” is considered the day after the request is received. The 5-day period does not include weekends and holidays. The reason behind a request for public records from Suffolk Public Schools is irrelevant and a requestor does not have to state why they want the records before there is a response to the request. VFOIA does, however, allow Suffolk Public Schools to require a requestor to provide their name and legal address. Any time that elapses between the time the requester is notified of an advance cost determination pursuant to the procedures detailed below and the time that the requester responds to that notice is not counted in calculating the five working days.

SUFFOLK Public Schools will make one of the following responses to a request within the 5-day time period:

1. We provide the records requested in their entirety.
2. We withhold all of the records requested, because all of the records are subject to a specific statutory exemption or exemptions. If all of the records are being withheld, we must send a response in writing. That writing must identify the volume and subject matter of the records withheld and state the specific section(s) of the Code of Virginia that allows us to withhold the records.
3. We provide some of the records requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide the remainder of the record. We must provide the requestor a written response stating the specific section(s) of the Code of Virginia that allows portions of the requested records to be withheld.
4. We inform the requestor in writing that the requested records cannot be found or do not exist (we do not have the records requested). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response.
5. If it is practically impossible for Suffolk Public Schools to respond to the request within the 5-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us 7 additional working days to respond to the request, giving us a total of 12 working days to respond to the request.

If a request is made for a very large number of records and Suffolk Public Schools cannot provide the records within 12 working days without disrupting school division’s organizational responsibilities, a petition maybe filed with the court for additional time to respond to the request. However, Suffolk Public Schools will make a reasonable effort to reach an agreement with the requestor concerning the production of the records before we go to court to ask for more time.

D. Except with regard to scholastic records requested pursuant to subdivision A 1 of Va. Code § 2.2-3705.4 that must be made available for inspection pursuant to the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and such requests for scholastic records by a parent or legal guardian of a minor student or by a student who is 18 years of age or older, Suffolk Public Schools may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying or searching for the requested records and makes all

reasonable efforts to supply the requested records at the lowest possible cost. Suffolk Public Schools does not impose any extraneous, intermediary or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the schools. Any duplicating fee charged by Suffolk Public Schools will not exceed the actual cost of duplication. Prior to conducting a search for records, Suffolk Public Schools notifies the requestor in writing that it may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquires of the requestor whether the requestor would like to request a cost estimate in advance of the supplying of the requested records as set forth in Va. Code § 2.2-3704.F. A requestor may request that Suffolk Public Schools estimate in advance the charges for supplying the records requested. This will allow the requestor to know about any costs upfront, or give the requestor the opportunity to modify the request in an attempt to lower the estimated costs.

The requestor may have to pay for the records requested from the Suffolk Public Schools. VFOIA allows Suffolk Public Schools to charge for the actual costs of responding to VFOIA requests. This includes items like staff time spent searching for the requested records, copying costs or any other costs directly related to supplying the requested records. It does not include general overhead costs. Any costs incurred by the Suffolk Public Schools in estimating the cost of supplying the requested records will be applied toward the overall charges to be paid by the requestor for the supplying of such requested records.

If Suffolk Public Schools should estimate that it will cost more than $200 to respond to a request, Suffolk Public Schools may require the requestor to pay a deposit, not to exceed the amount of the estimate, before proceeding with the request. The five days that we have to respond to the request does not include the time between when we ask for a deposit and when the requestor responds.

If a requestor owes us money from a previous VFOIA request that has remained unpaid for more than 30 days, Suffolk Public Schools may require payment of the past-due bill before it will respond to a new FOIA request.

E. The name and contact information for the person the School Board has designated as its Freedom of Information Act (FOIA) Officer is listed in regulation promulgated by Suffolk Public Schools and posted at the School Board office and on the division's website. The FOIA Officer serves as a point of contact for members of the public in requesting public records and coordinates the School Board's compliance with FOIA. The FOIA officer receives training at least once during each consecutive period of two calendar years beginning on the date on which the FOIA Officer last completed a training session by the School Board's legal counsel or the Virginia Freedom of Information Advisory Council.

F. After receiving a request for records, the FOIA Officer promptly determines whether any requested documents exist and, if they do, the number and location of those records. Where a portion of individual records must be redacted prior to inspection and copying, the cost of doing this is taken-into-account. Costs for production of public records will be based on the number of hours involved in order to provide the public records and they included the following: (1) Staff member search time, charged by the quarter hour; depending on the staff member conducting

the search hourly wage rate; (2) Computer search time, charged by the quarter hour depending on the staff member conducting the search hourly wage rate; (3) Computer printouts will be charged at a per page rate as set by Suffolk Public Schools; (4) Photocopies (including those necessary to perform redactions) will be charged at a per page rate as set by Suffolk Public Schools; (5) Incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges) will be set at its actual costs. (Adopted June 9, 2016; Ordinance Number 15/16-113; Effective Date: July 1, 2016; Revised February 8, 2018; Ordinance Number 17/18-50; Effective Date: February 8, 2018; Ordinance Number: 19/20-53; Revised/Effective Date: January 9, 2020; Ordinance 23/24-66, Revised/Effective: January 11, 2024)

Legal Authority – Virginia Code §§ 2.2-3704, 2.2-3704.2, 2.2-3714 (1950), as amended.

Section 10-3.4. Responsibility of Superintendent; Cost determination; Custodian of Records; Central Office Responsibility. — A. The superintendent or the superintendent's designee, after receiving a request, promptly makes an initial determination as to whether the requested records will be provided to the requester, will be withheld, either completely or in part, or if it is practically impossible to provide the requested records or to determine whether they are available within five days. If the superintendent or superintendent's designee is unsure whether the requested documents should be provided to the requester, legal advice is promptly sought. If the superintendent or superintendent designee is uncertain whether the requested records exist or where they may be located, efforts are promptly initiated to locate the records or determine whether they exist. If the requested records will be made available either in whole or in part, the superintendent or the superintendent's designee promptly consults with central office staff to determine the cost involved to assemble the records for inspection and copying. Where portions of individual records must be redacted prior to inspection and copying, the cost of doing this is taken into account.

B. Costs charged the requester will be based on the employee who performs the search hourly rate of pay, not including fringe benefits, along with any incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges). All costs for search time, including computer searches, computer printouts, and photocopying are set forth in the schedule of fees adopted by Suffolk Public Schools.

If the requester has asked for an advance determination of the cost, or if the cost is expected to exceed $200, the requester shall be notified in advance of the cost associated with the request. If the cost of the request is determined to exceed $200, Suffolk Public Schools may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. No further action shall be taken until the requester responds, and the requester must agree to pay the estimated amount before any further processing of the request is performed.

Before processing a request for records, the superintendent or superintendent's designee may

require the requester to pay any amounts owed to Suffolk Public Schools for previous requests for records that remain unpaid 30 days or more after billing.

C. If records of Suffolk Public Schools have been transferred to any entity, including any other public body, for storage, maintenance or archiving, the school division remains the custodian of the records for purposes of responding to requests and is responsible for retrieving and supplying the records to the requester.

D. Any records to be disclosed are assembled for inspection and copying by central office staff, under the direction and supervision of the superintendent or a designee. Central office staff are responsible for recording the date the request was received, verifying photo identification and signature and recording and assembling additional information about the request as indicated on Request for Public Records Form. (Adopted June 9, 2016; Ordinance Number 15/16-114; Effective Date: July 1, 2016)

Legal Authority – Virginia Code § 2.2-3704 (1950), as amended.

Section 10-3.5. Virginia Freedom of Information Act; public record defined; not required to create a public record; rights of citizens; making a request for public records; penalties for altering or destroying public records; School FOIA Officer; Training required; types of records; commonly used exemptions. — A. The Virginia Freedom of Information Act (FOIA), located at § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials and public employees. Suffolk Public Schools and the School Board complies with the Virginia Freedom of Information Act (FOIA). The policy of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

Except as otherwise specifically provided by law, all public records are open to citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth and representatives of radio and television stations broadcasting in or into the Commonwealth during the regular office hours of custodian of such records. All requests for information are processed in accordance with School Board Policy Section 10-3.3.

B. A public record is any writing or recording – regardless of whether it is a paper record, an electronic file, an audio or video recording or record in any other format – that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open to the public and may only be withheld if a specific statutory exemption applies.

C. Suffolk Public Schools is not required to create a new record if the record does not already exist. However, Suffolk Public Schools may abstract or summarize information under such terms

and conditions as agreed between the requester and Suffolk Public Schools. Public records maintained by Suffolk Public Schools in an electronic data processing system, computer database, or any other structured collection of data will be made available to a requester at a reasonable cost, not to exceed the actual cost in accessing, duplicating, supplying, or searching for the requested records.

D. Citizens of the Commonwealth and representatives of the media have the right to request to inspect or receive copies of public records, or both. Citizens of the Commonwealth and representatives of the media have the right to request that any charges for the requested records be estimated in advance. If a citizen of the Commonwealth or representative of the media believes that their FOIA rights have been violated, the citizen or media representative may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, they may contact the FOIA Council for a nonbinding advisory opinion.

E. Records may be requested by U.S. mail, fax, e-mail, in person or over the phone. FOIA does not require that a request be in writing, nor that it specifically state that records are being requested under FOIA. As a practical matter, it may be helpful to both the requestor and the person receiving the request to put the request in writing. This creates a record of the request. It also gives us a clear statement of what records are requested, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to a FOIA request if it is not put in writing.

A request must identify the records sought with “reasonable specificity.” This is a common-sense standard. It does not refer to or limit the volume or number of records requested; instead, it requires the requestor to be specific enough so that we can identify and locate the records that are requested.

A request must ask for existing records or documents. FOIA creates a right to inspect or copy records; it does not apply to general questions about the work of Suffolk Public Schools nor does it require Suffolk Public Schools to create a record that does not exist.

A requestor may choose to receive electronic records in any format used by Suffolk Public Schools in the regular course of business. For example, if requested records are maintained in an Excel file, the requestor you may elect to receive those records electronically, via e-mail or on a computer disk or to receive a printed copy of those records.

If Suffolk Public Schools should have questions about a request, Suffolk Public Schools may request additional information in order to clarify the type of records sought, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but Suffolk Public Schools may need to discuss a request to ensure that the division understands what records are being sought.

F. Officers, employees, and members of the School Board who fail to provide public records as required by FOIA because they altered or destroyed the requested records with the intent to avoid the provisions of FOIA are subject to penalties in their individual capacity of up to $100 per record altered or destroyed.

G. The position and contact information for the person designated by the School Board and Suffolk Public Schools as its Freedom of Information (FOIA) Officer is the Public Information Officer for Suffolk Public Schools. The FOIA Officer serves as a point of contact for members of the public in requesting public records and coordinates the School Board's and Suffolk Public Schools' compliance with FOIA.

H. The FOIA officer receives training at least once during each consecutive period of two calendar years beginning on the date on which the FOIA Officer last completed a training session from the School Board's legal counsel or the Virginia Freedom of Information Advisory Council.

I. The following is a general description of the types of records held by Suffolk Public Schools:

(a) Personnel records concerning employees and officials of Suffolk Public Schools

(b) Scholastic records

(c) Business and finance records

(d) Operational records involving support departments such as Technology, Transportation, Facilities, Food Services, etc.

(e) Agendas, minutes and other records of the meetings of the School Board and committees appointed by the School Board, which can also be found on the division's website at spsk12.net

(f) Records of contracts to which Suffolk Public Schools is a party

J. The Code of Virginia allows any public body to withhold certain records from public disclosure. Suffolk Public Schools commonly withholds records subject to the following exemptions:

(a) Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
(b) Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
(c) Vendor proprietary information (§ 2.2-3705.1 (6))
(d) Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))

(e) Records related to critical incident response (§ 2.2-3705.2 (14))
(f) Scholastic records (§ 2.2-3705.4(1) and 20 U.S.C. § 1232g)

The general policy of Suffolk Public Schools is to invoke (i) the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of Suffolk Public Schools; (ii) the contract negotiations exemption whenever it applies in order to protect Suffolk Public Schools bargaining position and negotiating strategy; (iii) the scholastic records exemption in those instances where it applies in order to protect the privacy of students and comply with other state and federal laws governing the privacy of student records. (Adopted October 13, 2016; Ordinance Number 16/17-26; Effective Date: July 1, 2017; Ordinance Number 21/22-35; Effective: November 4, 2021; Revised/Effective Date: June 9, 2022; Ordinance Number 21/22-43; Ordinance 22/23-108, Revised/Effective: July 13, 2023; Ordinance 23/24-67, Revised/Effective: February 8, 2024)

Legal Authority – Virginia Code §§ 2.2-3704, 2.2-3704.2, and 2.2-3714 (1950) as amended.

Article 4 - Community Involvement in Decision Making

Section 10-4.1. Advisors and resources; public advice considered. — A. The School Board recognizes that the public has vast resources of training and experience useful to the schools. The strength of the school system is in large measure determined by the degree to which these resources are tapped in an advisory way and to the degree that these resources are involved in supporting and improving the local educational programs. The School Board shall involve citizens both as individuals and as groups to act as advisers and resource people.
B. Advice of the public will be given careful consideration. In the evaluation of such contributions, the first concern will be for the educational program as it affects the pupils. The final decision may depart from this advice when in the judgment of the staff and the School Board, such advice is not consistent with goals adopted by the School Board current educational practices, or beyond the reach of the financial resources available. (Adopted November 11, 1999)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 5 - Public Participation at School Board Meetings

Section 10-5.1. Public Appearances before the School Board; time limits for public comments; public participation at special or call meetings. — A. Members of the community are invited and encouraged to attend meetings of the Suffolk City School Board to observe its deliberations. Any member of the community may appear in person at any regularly scheduled meeting of the School Board with any Suffolk Public Schools' related question, request or item he may wish to discuss. Persons wishing to appear before the School Board under the Agenda

Topic “Early Appearances” must complete the online Request to Speak form and forward to the Clerk of the School Board after the release of the regular meeting agenda to the public, but no later than 12:00 noon on Wednesday preceding the day of the regular School Board meeting. Persons wishing to appear before the School Board to speak on non-agenda topics under the Agenda Topic “Late Appearances” must notify the Clerk of the Board no later than 12 noon on the day of the Board meeting. Speakers may provide copies of their remarks or other information for board members.

B. A maximum of forty-five (45) minutes will be allowed at the beginning of each regularly scheduled meeting for members of the community to present their concerns regarding agenda topics to the School Board. Each person will be allowed no more than five (5) minutes and no less than three (3) minutes to speak before the School Board. If more than fifteen (15) persons would like to address the School Board, the Clerk of the School Board will notify all who gave notice to speak at the Early Appearance that the first fifteen (15) persons who provided notice as required by subsection A, will be given three (3) minutes each to make their presentation. When fifteen (15) speakers have spoken or when the forty-five (45) minutes allotted for Early Appearances has expired, any remaining speakers who expressed an interest in speaking under the agenda item entitled “Early Appearances” will be allowed to speak under the agenda item entitled “Late Appearances” or given the opportunity to submit their comments in writing to the School Board to be read during Late Appearances.

The Chair is responsible for the orderly conduct of the meeting and rules on such matters as the appropriateness of the subject being presented and suitability of the time for such presentation. Upon recognition by the chair, the speaker shall address the Chair and if, at the conclusion of the speaker’s remarks, any member of the School Board desires further information, the member addresses the speaker only with the permission of the Chair. The School Board as a whole will have the final decision in determining the appropriateness of all such rulings. Audio visual equipment used by the School Board during any public meeting of the School Board is not available for use by persons when appearing before the School Board under the Agenda topic of Early Appearances or Late Appearances.

C. Students enrolled in a public elementary or secondary school in the division are permitted to address the School Board during any public comment or citizen participation portion of a school board meeting. Such students must follow the same sign-up procedures and rules and restrictions relating to time, place, and manner of speaking that are adopted by the School Board and applicable to all public participants.

D. Public participation of any special call meeting of the School Board will be determined by the School Board upon recommendation of the Chair. (Adopted January 12, 1995; Ordinance 20/21-8; Revised: January 14, 2021; Ordinance 22/23, February 9, 2023; Ordinance 23/24-26, Revised/Effective: November 9, 2023; Ordinance 24/25-74, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §§ 22.1-78, 22.1-79, and 22.1-253.13:7 (1950), as amended.

Section 10-5.2. Speaker to address chair. **—** Upon recognition by the chair, the speaker shall address himself to the chair and if, at the conclusion of his remarks, any member of the School Board desires further information, the member will address the speaker only with the permission of the chair. No one will be allowed to make additional presentations until everyone who wishes to speak has an opportunity to make an initial presentation. (Adopted: October 13, 2016; Ordinance Number 16/17-25; Effective Date: July 1, 2017)

Legal Authority – Virginia Code §22.1-78 (1950), as amended.

Article 6 - Distribution of Outside Communications and Materials

Section 10-6.1. Minimal intrusions; communications must be carefully reviewed; no approval for certain materials; superintendent to establish regulations; political communications; not to prohibit issue-oriented materials for classroom discussions. — A. The School Board seeks to minimize intrusions on the time of students and employees by communications from sources other than the school division. Approval must be obtained from the superintendent, or superintendent's designee, before any materials may be distributed or made available at the request of non-school organizations. Approval will be granted only for materials from governmental organizations and nonprofit community organizations regarding activities related to the educational mission of Suffolk Public Schools.

B. Communications to parents, guardians, and other citizens not directly related to Suffolk Public Schools and (i) sent home by students; or (ii) made available to citizens electronically on a school's webpage; or (iii) mailed directly to parents electronically are provided for informational purposes only and there is no endorsement whatsoever by Suffolk Public Schools or the School Board of any activity, agency or programmed referred to in communication. Nevertheless, all such communications shall be carefully reviewed before permission is granted for their distribution, electronic mailing, and/or posting electronically.

C. Approval will not be given for materials which

(1) are likely to cause substantial disruption of, or a material interference with, school activities;

(2) endorse or encourage the use or sale of guns, alcohol, tobacco products, nicotine vapor products, or any illegal substance or action;

(3) endorse or encourage any violation of the Standards of Student Conduct (see Chapter 9, Article 11 – Student Conduct); or

(4) are obscene, pornographic, or defamatory.

Materials from nonprofit community organizations approved for distribution must clearly indicate their source and must include the following statement: "These materials and the activity described herein, are not sponsored or endorsed by the Suffolk City School Board."

D. The superintendent, by regulation, will establish the time, place, and manner of distribution of approved materials. No distribution will be permitted during class time.

E. Students shall not be required to convey or deliver any material that advocates:

(1) the election or defeat of any candidate;

(2) the passage or defeat of any referendum question or

(3) the passage or defeat of any matter pending before a local school board, local governing body, the General Assembly or Congress.

F. The principals and the superintendent of schools are urged to interpret this policy strictly. Each principal is to review carefully requests to distribute materials, pamphlets, notices and other communications, direct mailing of materials electronically, or the electronic posting of materials on a school's web page and if in doubt shall seek the permission from the superintendent of schools or his designated agent. If doubt exist at the superintendent level as to whether distribution should be made, permission shall be denied until disposition of the matter is made by the School Board.

G. This Policy shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of classroom discussions or projects. (Adopted January 1, 2001; Ordinance Number 00/01-08; Effective July 1, 2001; Revised December 11, 2015; Ordinance Number 15/16-3; Effective: December 11, 2015: Ordinance Number 19/20-64; Revised March 20, 2020; Ordinance 23/24-68, Revised/Effective: January 11, 2024)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 7 - Special Interest Materials

Section 10-7.1. No endorsement of materials by School Board or Suffolk Public Schools; Review of special interest materials required; approval by superintendent required. — A. There is no endorsement by the School Board or Suffolk Public Schools of any communication made available to the public, unless the communication is directly related to Suffolk Public Schools. Since communications from school to parents and the community may be viewed by some as an endorsement by school officials, the principal shall review carefully all requests for teachers and students to distribute pamphlets, notices, or other communications or for electronic distribution of materials directly to parents or guardians or for posting of materials electronically on a school's webpage. The principal shall confer with the school superintendent if he has a question about the propriety of complying with a request for such distribution or about any distribution from his own office.

B. When outside requests are made for circulation of materials in the schools or for direct distribution to parents and guardians electronically, or for the electronic posting of materials on a school's web page, it shall be directed to the superintendent or superintendent's designee for approval. Principals shall make certain that literature of a partisan or sectarian nature is not distributed in the schools, or mailed directly to parents electronically, or posted electronically on a school's webpage. (Adopted January 12, 1995; Revised December 11, 2015; Ordinance Number 15/16-4; Effective December 11, 2015)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 10-7.2. Requests to circulate materials on schools etc.; superintendent to regulate; prohibited conduct; distribution during class time etc.; strictly prohibited. — A. All requests to circulate materials in the schools or on school property or electronic mailing or electronic posting of materials on a school's webpage, shall be directed to the superintendent or the superintendent's designee for approval. The superintendent or the superintendent's designee shall regulate the time, place, and manner of such distribution.

B. Any expression that is libelous, slanderous, or defamatory under State law is prohibited. The distribution of political campaign information is prohibited in accordance with School Board Policy Section 10-6.1. Furthermore, the superintendent or the superintendent's designee shall regulate the distribution of material where there is a reasonable basis for the belief that such publication or expressive activity would (i) create a clear and present danger; or (ii) violate school policies, regulations, or Code of Student Conduct; or (iii) materially disrupt classes, class work or the orderly operation of the school; or (iv) violate the privacy rights of others.

C. Materials shall not be distributed during class time, in classrooms, the media center or other instructional spaces, except when the distribution is related to an instructional program. However, this prohibition shall not apply to materials approved for electronic posting of materials on the school's web page, or electronic mailing to parents and guardians, which can be posted or mailed electronically at any time. (Adopted January 1, 2001; Ordinance Number 00/01-07; Effective July 1, 2001; Revised December 11, 2015; Ordinance Number 15/16-4; Effective December 11, 2015)

Legal Authority – Virginia Code §§22.1-70, 22.1-78, 22.1-278.3 (1950), as amended.

Section 10-7.3. Statement of Purpose; Organizations Approved for Distribution of Materials; Authority of Principal; Withdrawal of Approval; Superintendent to Develop Regulations. — A. The Suffolk City School Board wants to inform the public and all school employees of the criteria for distributing informational materials and announcements in the schools, direct mailing to parents or guardians electronically, or electronic posting of materials on a school's webpage through a vendor approved by Suffolk Public Schools. In this regard, the Suffolk City School Board adopts the following policy.

B. It is the responsibility of Suffolk Public Schools to provide a learning environment free from disruption and only information which has been approved for distribution may be sent home and/or made available to students and parents. Informational materials or announcements from the following organizations may be approved for direct distribution to students; direct mailing to parents or guardians electronically, or by electronic posting on a school's web page through a vendor approved by Suffolk Public Schools:

(i) Suffolk City School Public Schools;

(ii) Agencies or departments of the City of Suffolk, Commonwealth of Virginia,

or federal government;

(iii) Parent Teacher Associations; and

(iv) Licensed daycare providers operating on school campuses of Suffolk Public Schools; and

(v) organizations that promote an educational experience for students or parents, a healthy use of leisure time, and/or a special enrichment activity consistent with the education mission of Suffolk Public Schools.

Only information concerning activities sponsored by the above listed organizations may be approved for distribution by students, direct mailing to parent or guardians electronically, and/or by electronic posting on a school's webpage through a vendor approved by Suffolk Public Schools.

C. Principals shall have the authority to approve the distribution of materials received from Parent Teacher Associations.

D. Suffolk Public Schools retains the right to withdraw approval of any material previously approved for distribution if it is determined that the distribution would not be consistent with School Board Policy, regulations promulgated by Suffolk Public Schools, or could reasonably be predicted to cause substantial disruption of, or material interference with school activities.

E. The superintendent of schools may adopt regulations to ensure that this policy is implemented throughout Suffolk Public Schools and for the display, posting and/or stacking of materials not otherwise covered by this policy, direct mailing to parents or guardians electronically, or electronic posting of materials on a school's webpage through a vendor approved by Suffolk Public Schools. Adopted: October 12, 2006; Ordinance Number 06/07-5; Effective October 12, 2006; Revised December 11, 2015; Ordinance Number 15/16-4; Effective December 11, 2015)

Legal Authority – Virginia Code §22.1-79 (1950), as amended.

Section 10-7.4. Inspection of Instructional Materials; Participation in Surveys and Evaluations; Surveys Requesting Sexual Information; Youth Health Risk Behavior Survey; Right to Inspection; Physical Examinations and Screening. — A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be available for inspection by the parents or guardians of the student in accordance with School Board policies.

B. In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § 32.1-73.8, other information on controlled substance use, or any other information that the School Board deems to be sensitive in nature is to be administered, the School Board shall notify the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice will inform

the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the questionnaire or survey, how information collected by the questionnaire or survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. In any case in which a questionnaire or survey is required by state law or is requested by a state agency, the relevant state agency shall provide the School Board with all information required to be included in the notice to parents. The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent's child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall not disclose personally identifiable information. No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.

C. No student shall be required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

(1) political affiliations or beliefs of the student or the student's parent;
(2) mental or psychological problems of the student or the student's family;
(3) sex behavior or attitudes;
(4) illegal, anti-social, self-incriminating, or demeaning behavior;
(5) critical appraisals of other individuals with whom respondents have close family relationships;
(6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
(7) religious practices, affiliations, or beliefs of the student or student's parent; or
(8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

D. A parent or emancipated student may, upon request, inspect any instructional material used as part of the educational curriculum of the student and any survey created by a third party before the survey is administered or distributed to a student.

E. Should Suffolk Public Schools administer any physical examinations or screenings other than those required by Virginia law or surveys administered to a student in accordance with the Individuals with Disabilities Education Act, guidelines regarding those examinations or screenings will be developed and adopted in consultation with parents. (Adopted: November 9, 2006; Ordinance Number 06/07-7; Effective Date: July 1, 2007; Revised June 13, 2013; Ordinance Number 12/13-138; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-115; Effective Date: July 1, 2016)

Legal Authority: Virginia Code § 22.1-79.3 (1950), as amended.

Section 10-7.5. Questionnaires and surveys not to be administered during school day etc.; noted exceptions. — A. Questionnaires and surveys shall not be administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaire or survey may subsequently result in the sale for commercial purposes of personal information regarding the individual student.

B. This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

(1) college or other postsecondary education recruitment, or military recruitment;
(2) book clubs, magazines, and programs providing access to low-cost literary products;
(3) curriculum and instructional materials used by elementary schools and secondary schools;
(4) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
(5) the sale by students of products or services to raise funds for school-related or education-related activities; and
(6) student recognition programs.

(Adopted: November 6, 2006; Ordinance Number 06/07-8; Effective Date: July 1, 2007)

Legal Authority: Virginia Code § 22.1-254 (1950), as amended.

Section 10-7.5:1. Instructional Materials; participation in surveys and evaluations; surveys requesting sexual information; additional protections. — A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program are available for inspection by the parents or guardians of the student in accordance with Policy Requests for Public Records.

B. No student is required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

(1) political affiliations or beliefs of the student or the student's parent,
(2) mental or psychological problems of the student or the student's family,

(3) sex behavior or attitudes,
(4) illegal, anti-social, self-incriminating, or demeaning behavior,
(5) critical appraisals of other individuals with whom respondents have close family relationships,
(6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
(7) religious practices, affiliations, or beliefs of the student or student's parent, or
(8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

C. In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § 32.1-73.8, other information on controlled substance use, or any other information that the School Board deems to be sensitive in nature is to be administered, the School Board notifies the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice informs the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the questionnaire or survey, how information collected by the questionnaire or survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. In any case in which a questionnaire or survey is required by state law or is requested by a state agency, the relevant state agency shall provide the School Board with all information required to be included in the notice to parents. The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent's child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey do not disclose personally identifiable information.

D. No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.

E. In the event of the administration or distribution of a survey containing one or more of the subjects listed in subsection I.B. above, the privacy of students to whom the survey is administered is protected by redacting the student name and assigning an identifier.(Adopted January 9, 2020, Ordinance 19/20-54)

Legal Authority — Virginia Code § 22.1-79.3. (1950), as amended; 20 U.S.C. § 1232h.

Section 10-7.5:2. Physical examinations or screenings and parent involvement required; commercial use of information; notification of policies; notification of specific events;

definitions. — A. If Suffolk Public Schools administers any physical examinations or screenings other than:

(i) those required by Virginia law, and

(ii) surveys administered to a student in accordance with the Individuals with Disabilities Education Act, policies regarding those examinations or screenings will be developed and adopted in consultation with parents.

B. Questionnaires and surveys are not administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaires or surveys may subsequently result in the sale for commercial purposes of personal information regarding the individual student.

C. This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

(i) college or other postsecondary education recruitment, or military recruitment;

(ii) book clubs, magazines, and programs providing access to low-cost literary products;

(iii) curriculum and instructional materials used by elementary schools and secondary schools;

(iv) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

(v) the sale by students of products or services to raise funds for school-related or education-related activities; and

(vi) student recognition programs.

D. The Board provides notice of this policy directly to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy. The Board also offers an opportunity for the parent (or emancipated student) to opt the student out of participation in:

(a) activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);

(b) the administration of any survey containing one or more items listed in subsection I.B. above; or

(c) any nonemergency, invasive physical examination or screening that is required as a condition of attendance that is:

(i) administered by the school and scheduled by the school in advance; and

(ii) not necessary to protect the immediate health and safety of the student, or of other students.

E. The Board directly notifies the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled, or expected to be scheduled:

(a) activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);

(b) the administration of any survey containing one or more items listed in subsection I.B. above; or

(c) any nonemergency, invasive physical examination or screening that is:

(i) required as a condition of attendance;

(ii) administered by the school and scheduled by the school in advance; and

(iii) not necessary to protect the immediate health and safety of the student, or of other students.

F. Instructional material: the term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

G. Invasive physical examination: the term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

H. Parent: the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

I. Personal information: the term "personal information" means individually identifiable information including:

(a) a student or parent's first and last name;

(b) a home or other physical address (including street name and the name of the city or town);

(c) a telephone number; or

(d) a Social Security identification number.

J. The term “survey” includes an evaluation. (Adopted January 9, 2020, Ordinance Number 19/20-55)

Legal Authority — Virginia Code § 22.1-79.3. (1950), as amended; 20 U.S.C. § 1232h.

Section 10-7.5:3. Surveys funded by federal government; human research committee established; responsibilities of the Committee; when outcome assessments exempt; definitions. — A. Surveys, analyses or evaluations conducted as part of any program which is funded by the United States Department of Education or is otherwise subject to policies and regulations promulgated by any agency of the federal government are conducted in accordance with Policy JOB Administration of Surveys and Questionnaires, 20 U.S.C. § 1232h, and applicable federal regulations. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation will be available for inspection by the parents or guardians of the students involved.

B. Any other human research involving students must be approved and conducted under the review of a human research committee established by the school division or the school conducting the research. Such research will be conducted or authorized only after the student and the student’s parents or legally authorized representative give their informed consent, as evidenced by a signed and witnessed informed consent form in accordance with Va. Code § 32.1-162.18.

C. The human research committee will be composed of representatives of varied backgrounds to ensure the competent, complete, and professional review of human research activities. No member of the committee may be directly involved in the proposed human research or have administrative approval authority over the proposed human research except in connection with his responsibilities as a member of the committee. In deciding whether to approve proposed human research, the committee will consider the factors listed in Va. Code § 32.1-162.19.

D. Research or student learning outcomes assessments conducted in educational settings involving regular or special education instructional strategies, the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods, or the use of educational tests, whether cognitive, diagnostic, aptitude, or achievement, if the data from such tests are recorded in a manner so that subjects cannot be identified, directly or indirectly, are exempt from the requirements of this policy.

E. Definition: as used in this policy, "human research" means any systematic investigation, including research development, testing and evaluation, utilizing human subjects, that is designed to develop or contribute to generalized knowledge. "Human research" does not include research exempt from federal research regulation pursuant to 45 C.F.R. § 46.101(b).

Legal Authority — Virginia Code §§ 32.1-162.16, 32.1-162.17, 32.1162.18, 32.1-162.19, 32.1-162.20; 20 U.S.C. § 1232h.

Section 10-7.6. Notification of Policies; Notification of Specific Events; Definitions. — A. The School Board shall provide notice of Sections 10-7.4 and 10-7.5 of the policies of the School Board to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in these policies. The School Board will also offer an opportunity for the parent (or emancipated student) to opt the student out of participation in activities involving (1) the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose); (2) the administration of any survey containing one or more items listed in Section 10-7.4, subpart C; or (3) any non-emergency, invasive physical examination or screening that is (a) required as a condition of attendance; (b) administered by the school and scheduled by the school in advance; and (c) not necessary to protect the immediate health and safety of the student, or of other students.

B. The School Board will directly notify the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled, or expected to be scheduled: (1) activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose); (2) the administration of any survey containing one or more items listed in Section 10-7.4, subpart C; (3) any non-emergency, invasive physical examination or screening that is (i) required as a condition of attendance; (ii) administered by the school and scheduled by the

school in advance; and (iii) not necessary to protect the immediate health and safety of the student, or of other students.

C. As used in Sections 10-7.4 thru 10.7.6, the following terms shall have the following meaning.

1. The term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

2. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

3. The term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

4. The term "personal information" means individually identifiable information including (1) a student or parent's first and last name; (2) a home or other physical address (including street name and the name of the city or town); (3) a telephone number; or (4) a Social Security identification number.

5. The term “survey” includes an evaluation.

(Adopted June 13, 2013; Ordinance Number 12/13-139; Effective Date: July 1, 2013)

Legal Authority —Virginia Code § 22.1-78 (1950), as amended.

Article 8 - Lease of School Board Owned Property for Wireless Telecommunication Antennas and Towers

Section 10-8.1. Statement of Policy. — The School Board has received requests for wireless telecommunication providers to place wireless telecommunication antennas and towers on School Board owned property. The School Board has determined that a uniformed policy for reviewing these requests is desirable. (Adopted March 12, 1998; Revised November 12, 1998)
Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 10-8.2. Priority of Users; minimum requirements; application process etc. — A. Priority for the use of School Board owned land for wireless telecommunication antennas and towers will be given to the following entities in descending order: (i) City of Suffolk, Virginia; (ii) Public Safety Agencies including law enforcement, fire and ambulance services which are not part of the City of Suffolk, Virginia and private entities with a Public Safety agreement with the City of Suffolk, Virginia; (iii) other governmental agencies for uses which are not related to public safety and (iv) entities providing licensed commercial wireless telecommunications services

including cellular, personal communication devices (p through s) specialized mobilized radio (SMR) , enhanced specialized mobilized radio (ESMR), paging and similar services that are marketed to the general public.

B. The placement of wireless telecommunication antennae or towers on School Board owned property must comply with the following requirements:

(i) the antenna or tower will not interfere with or impair the efficiency of Suffolk Public Schools;

(ii) the antenna or tower will have no adverse impact on surrounding private property;

(iii) the applicant is willing to obtain adequate liability insurance and commit to a lease agreement which includes equitable compensation for the use of public land and other necessary provisions and safeguards. The fees shall be established by the School Board after considering comparable rates in other cities, potential expenses, risk to Suffolk Public Schools and the Suffolk City School Board and other appropriate factors;

(iv) the applicant will submit a Letter of Credit, Performance Bond or other security acceptable to the School Board to cover the costs for antenna or tower removal;

(v) the antenna or tower will not interfere with other users who have been co-located on the antenna or tower;

(vi) the applicant must reimburse the School Board for any costs which the School Board incurs because of the presence of the applicant antenna or tower;

(vii) the user must obtain all necessary land use approval and permits from the City of Suffolk;

(viii) the applicant will comply with the City of Suffolk, Virginia Zoning Ordinance relative to communication towers in the City of Suffolk;

(ix) the applicant will be required to execute a lease agreement with the School Board; and

(x) a minimum of two user spaces on the tower or antenna must be dedicated for public use which will include use by Suffolk Public Schools and

(xi) a public safety agency (i.e., law enforcement, fire and ambulance services).

C. All applicants who wish to locate a wireless telecommunication antenna or tower on property owned by the School Board must submit to the school superintendent a completed application and detailed plan that complies with the submittal requirements of the Zoning Ordinance adopted by the City of Suffolk, Virginia relative to telecommunication towers along with such other pertinent information which may be requested by the School Board.

D. The School Board may terminate any lease if it determines that any one of the following conditions exist: (i) a user's frequency broadcast unreasonable interferes with other user of higher priority regardless of whether or not this interference was adequately predicted in the technical analysis or (ii) a user violates any of the standards in this policy or any federal, state

or local law, ordinance, rule and/or regulation.

E. Before exercising its option to terminate the telecommunication lease arrangement, the School Board will provide notice to the user of the intended termination and the reasons for it and provide the user with an opportunity to address the School Board in a closed session regarding the proposed action. The requirement for notice and right to be heard shall not apply when the School Board determines that an emergency exists. In emergency situations, the School Board shall issue such notice as reasonably practicable under the circumstances.

F. Notwithstanding the above, the School Board reserves the right to deny for any reason the use of any or all School Board property by anyone or all applicants. (Adopted March 11, 1998; Revised November 12, 1998)

Legal Authority - Virginia Code §22.1-131 (1950), as amended.

Article 9 - Public Sales on School Property

Section 10-9.1. Public Sales prohibited; limited exception. — The School Board prohibits vendors from making sales within schools but does not prohibit sales by Parent-Teacher Association. (Adoption August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 10-9.2. Vendor solicitation; appointments with School Board employees; acceptance of gifts; disclosure of subsequent employment. — A. No vendor agent, or sales representative shall enter the schools to advertise or sell goods or services to employees or students except as provided herein. Anyone found soliciting goods or services to students or employees in the schools or on school property during school hours without authorization shall be subject to legal action.

B. Vendors are not permitted to make appointments with individual School Board employees without the permission of the principal, the superintendent or the superintendent's designee. No vendor is permitted to sell, arrange demonstrations of products or services or take orders for goods or services without prior authorization from the principal, or superintendent or the superintendent's designee. This does not prevent authorized representatives of firms regularly supplying goods and services to Suffolk Public Schools from having access to the schools in the course of their routine business duties.

C. No employee with responsibility for a procurement transaction may request, accept, or agree to accept from a bidder, offeror, contractor or subcontractor anything of more than minimal value unless consideration of substantially equal or greater value is exchanged.

D. No employee or former employee with official responsibility for procurement transactions may accept employment with any bidder, offeror or contractor with whom the employee or former employee dealt in an official capacity concerning procurement transactions for a period of one

year from the end of employment by the school division unless the employee or former employee provides written notification to the Suffolk Public Schools prior to commencement of employment by that bidder, offeror or contractor. (Adopted February 8, 2018; Ordinance Number 17/18-51: Effective: February 8, 2018)

Legal Authority - Virginia Code §§ 2.2-4370, 2.2-7371, 22.1-78 (1950), as amended.

Article 10 - Public Conduct on School Property

Section 10-10.1. Registration requirement; grounds for a trespass. — A. Principals shall establish procedures requiring all visitors to register at the school office upon arrival. Any persons found to be engaged in or advocating illegal activity while on school property, including school buses, is reported by the principal to the local law enforcement authority.

B. No one may possess or consume any alcoholic beverage in or on the grounds of any public school during school hours or school or student activities. In addition, no one may consume, and no organization shall serve, any alcoholic beverage in or on the grounds of any public school after school hours or school or student activities, except for religious congregations using wine for sacramental purposes only.

C. Tobacco Products and Nicotine Vapor Products, use of tobacco products and nicotine vapor products is not permitted in schools, at school-sponsored events, or in school vehicles.

D. Anyone who goes on school property after having been forbidden officially to do so either orally or in writing or by a sign posted on the property can be charged with a misdemeanor. Upon conviction, he shall be punished by a fine of not more than $1,000.00 or by confinement in jail not exceeding twelve (12) months or both. It is against the law for anyone without official consent to go upon at night any school property for any purpose other than to attend a meeting held on school property. Any person violating these provisions shall be guilty of a trespass. Upon conviction, he shall be fined not less than $5.00, and no more than $25.00. (Adopted January 12, 1995; Revised November 16, 1995; Ordinance 19/20-56)

Legal Authority - Virginia Code §§ 22.1-78, 18.2-415, 18.2-128, 22.1-79.5, 18.2-138 (1950), as amended. Also, 20 U.S.C. §§ 6083, 7973.

Section 10-10.2. Willful damage to school property; disruption of school activity; principal responsible for supervision. — A. Any person who willfully and maliciously damages, destroys or defaces any school district building, damages or removes any school property from a school building shall be guilty of a misdemeanor.

B. Any person who willfully interrupts, molest or disturb the exercise of any school or being intoxicated, disturbs, defames whether willfully or not shall be guilty of a misdemeanor.

C. The principal is lawfully in charge of and responsible for the general supervision of the buildings and grounds of his school and their use and care. Any act that is disruptive to the

normal operation of a school shall be considered in violation of state law and shall be dealt with accordingly. To comply with the state law, a principal may call upon the law enforcement officers for assistance. (Adopted January 1, 1995; Revised November 16, 1995)

Legal Authority - Virginia Code §22.1-79.3 (1950), as amended.

Section 10-10.3. Reimbursement required; smoking and use of alcoholic beverages prohibited. — A. Each student shall be required to reimburse the School Board for any actual damage or destruction of property done by the student.

B. Smoking and use of alcoholic beverages are prohibited at all times in classrooms, corridors, auditoriums, gymnasiums, cafeterias, libraries, offices, restrooms and buses. (Adopted January 12, 1995; Revised November 16, 1995)

Legal Authority - Virginia Code §22.1-79(3) (1950), as amended.

Article 11 - Community Use of School Facilities

Section 10-11.1. Use of school buildings during non-school hours; authority of School Board. — A. To ensure the security and efficient use of school property, the superintendent shall develop regulations governing the use of all school owned property. The regulation shall address the use of school division facilities, supplies, materials and equipment by employees and outside organizations. Employees are prohibited from utilizing school property for personal use or gain.

B. The superintendent, subject to the approval of the School Board, may provide for or permit the use of school buildings and grounds during non-school hours or during the school term, or during vacations for any legal assembly. School facilities also may be used as voting places in any primary, regular or special election. The superintendent shall report actions taken under this policy to the School Board at the monthly meeting of the School Board.

C. The School Board is authorized to permit the use of school property by members of the community when such use will not impair the efficiency of the school. If the School Board permits the use of its facilities by members of the community or the distribution of literature on school property or at school functions, it will permit such use or such distribution by the Boy Scouts of America, the Girl Scouts of the United States of America, and other youth groups designated as patriotic societies by federal law, to the same extent and in the same manner as all other persons or groups. (Adopted January 12, 1995; Revised November 16, 1995; Revised June 13, 2013; Ordinance Number 12/13-140; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-116; Effective Date: July 1, 2016; Revised February 8, 2018; Ordinance Number 17/18-52; Effective Date: February 8, 2018; Ordinance 19/20-57; Revised/Effective Date: January 9, 2020)

Legal Authority – §§ 22.1-70, 22.1-131, 22.1-132, 22.1-130.1, 22.1-79.3 (1950), as amended.

Section 10-11.2. Use of School Property Generally; use of school property by youth-oriented and community organizations; limits on use; charges for use; superintendent to develop regulations. — A. Suffolk Public Schools are primarily designed and constructed to support the educational programs of the school division. However, the School Board permits the use of school property upon such terms and conditions that will not impair the efficiency of the schools.

B. The School Board provides reasonable and appropriate access to school property by youth-oriented and community organizations such as the Boy Scouts of America and Girl Scouts of the USA, including their volunteers and staff, to distribute and provide instructional materials in order to encourage participation in such organizations and their activities. Any such access provided during the school day must not conflict with instructional time. Such access may also include after-school sponsored activities such as “Back to School” events, where it can be reasonably accommodated.

C. The School Board prohibits the use of school property when:

(1) Classes are in session.

(2) The use would likely result in violation of any existing local, state or federal law.

(3) The use conflicts with school functions or other previously approved uses in any manner.

(4) The request for use is not signed by a person who is 21 years of age or older who resides in the City of Suffolk and an active member of the requesting organization.

(5) The described use would conflict with a policy, procedure, or the mission of Suffolk Public Schools.

(6) The previous use of facilities by the applicant was not satisfactorily completed or this Policy and/or its accompanying Regulation were violated.

(7) It is determined by school officials that the proposed use would result in an unacceptable risk to persons or school property.

(8) The applicant organization has engaged or is engaging in conduct that is in violation of local, state, or federal law.

(9) The applicant organization promotes the use of alcohol, tobacco, nicotine, vapor or related products, illegal substances, cannabis or related paraphernalia, or

improper use of firearms.

(10) The applicant provides false information, misrepresentation, or omission of any facts in the Application (facility use request) and/or other required documents.

D. The School Board authorizes charges and fees for use of school property. These charges are designed not to limit or prohibit use, but to protect citizens from expenditures of public money appropriated for classroom instruction and for other purposes.

E. The school superintendent is authorized to promulgate regulations to implement this policy as needed and will establish a priority of use, a fee rate structure if applicable, and rules for use. The school superintendent will also report to the School Board at the end of each month actions taken under this policy. (Adopted January 12, 1995; Revised August 12, 1999; Ordinance 00/01-1; Revised May 8, 2008; Ordinance Number 07/08-11; Effective May 8, 2008; Deleted/Adopted Effective: April 11, 2024, Ordinance: 23/24-76)

Legal Authority - Virginia Code §§ 22.1-79.3, 22.1-131, 22.1-132, 22.1-132.01.

Article 12 - Use of Tobacco on School Premises

Section 10-12.1. Use of tobacco products on school property prohibited; sign-posting requirements; designated smoking areas etc. — A. The use of all tobacco products, including cigarettes, cigars, pipes, chewing tobacco and snuff is prohibited inside or within ten (10) feet of any building or vehicle owned, rented or leased by Suffolk Public Schools. Such prohibition shall apply at all times, day or night. This policy shall apply to all students, employees, visitors, volunteers or other persons conducting business with Suffolk Public Schools. The Administrator in charge of each building shall post “No Smoking” signs conspicuous to ordinary public view at or near each public entrance.

B. The use of tobacco or tobacco products by school employees is prohibited when the employee is in the presence of students on school property or while participating in a school sponsored activity.

C. Smoking by employees is prohibited at all times and under all circumstances in all school areas in which smoking is prohibited by the Virginia Indoor Clean Air Act including but not limited to school buses, classrooms, libraries, hallways, and auditoriums.

D. Each principal shall post signs stating “Smoking Prohibited” or “No Smoking” as applicable within each school building. The supervisor of transportation shall post signs visible upon entering each school bus stating “No Smoking” (Adopted January 12, 1995)

Legal Authority - Virginia Code §15.2-2801 (1950), as amended.

Article 13 - Public Gifts to the School

Section 10-13.1. Acceptance of Gifts generally; title vested in School Board; donor request to be honored. — A. The School Board shall decide whether to accept or not to accept any gift from any individual, group or organization offered to Suffolk Public Schools. The School Board may impose reasonable conditions on its acceptance of gifts.

B. When any real or personal property is given to and accepted by the School Board, it vests in the School Board and is managed by the School Board according to the wishes of the donor. The School Board, in addition to the regular settlement, it is required to make of all school funds, settles annually before the Commissioner of Accounts so far as the management of the property bequeath or devise is concerned.

C. In the case of any change in the boundaries of Suffolk Public Schools, the School Board shall make provisions for continuing fulfillment of the purposes of the donor as far as practicable and the settlement shall be made as provided for above. (Adopted January 12, 1995; Ordinance 24/25-75, Revised/Effective: November 14, 2024)

Legal Authority - Virginia Code §22.1-126 (1950), as amended.

Article 14 - Public Solicitations in the Schools

Section 10-14.1. Public solicitations prohibited; limited exceptions. — A. No employee of Suffolk Public Schools will sell or offer to sell within the school or school grounds any article or service to employees or pupils except for the regularly established school cafeteria and textbook programs.

B. This will not prevent solicitation for the United Way, the Suffolk Education Foundation, dues for employee organizations, contributions for the benefit of professional organizations, or for school organizations at regularly scheduled extra-curricular events after school hours. It is also permissible for schools to sell certain specialized merchandise pertaining to the individual school such as caps and sweaters bearing the school's name within the school building. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 15 - Advertising in the Schools

Section 10-15.1. Statement of policy; Definitions; sponsorships and partnerships permitted; sponsorship review committee; prohibitions; banners allowed. — A. The School Board recognizes that corporate and other private sponsorship of programs and activities related to education can provide valuable enhancement of the educational program offered by the School Board. For that reason, the School Board may enter into commercial, promotional

and corporate sponsorship and partnership arrangements under certain conditions.

B. The following definitions apply to this policy:

“Educational partnership” is a mutually beneficial, co-operative relationship in which partners share values, objectives and/or human or financial resources to enhance learning for students.

“Educational sponsorship” is an arrangement pursuant to which the sponsor provides money, price reductions, equipment, materials, services or other benefits in exchange for recognition of its products or entity for a specified period of time.

C. On behalf of the School Board the following may enter into sponsorships and partnerships;

(1) Principals may enter into sponsorships and partnerships for their schools when the sponsorship or partnership does not extend beyond a single school year or exceed $5,000 in value to the school.

(2) The superintendent may enter into sponsorships and partnerships which will benefit more than one school or the division as a whole. The superintendent may also enter into sponsorships and partnerships when the sponsorship or partnership extends beyond a single school year or exceeds $5,000 in value.

D. The School Board may create a Sponsorship Review Committee to approve any sponsorship or partnership which the Board determines should be considered by the Committee. The School Board shall establish criteria identifying proposed sponsorships and partnerships which must be approved by the Committee rather than by a principal or the superintendent. If the Committee’s decision regarding the proposed sponsorship or partnership is not unanimous, the decision may be appealed to the School Board by either the potential sponsor or partner or by a member of the Sponsorship Review Committee.

E. Any agreement to enter into an educational sponsorship or educational partnership must be in writing and include the following terms and conditions:

(1) A statement of the educational purpose for the relationship.

(2) A statement that the School Board has the right to terminate the agreement without penalty if it determines that the agreement is having an adverse impact on the educational experience of students.

(3) A statement that if an agreement is terminated because of an adverse impact on the educational experience of students, no other agreement for an educational partnership or sponsorship will be entered into between the School Board and the partner or sponsor

whose agreement has been terminated for a specified period of time.

(4) A statement detailing the specific benefits to the school or school division from the agreement.

(5) A statement clearly defining the roles, expectations, rights, and responsibilities of all parties to the agreement. This statement shall include a statement of whether the agreement permits the sponsor or partner to advertise in connection with the agreement and, if so, the extent of such advertising.

(6) A statement clearly defining whether the agreement creates any exclusive rights for the sponsor or partner and, if such rights are created, clearly defining those rights. If no exclusive rights are created, the agreement shall include a statement that the existence of the sponsorship or partnership will not limit the discretion of the School Board or its personnel in the use of sponsored or non-sponsored materials.

(7) The duration of the agreement.

(8) A statement that the school or School Board retains the exclusive right to authorize the use of its name, logo, or other similar information.

(9) A statement that the school or School Board must approve its identification as a partner or co-sponsor in all publicity materials.

(10) A statement of the monetary value to be received by the school or school division pursuant to the agreement.

(11) A statement defining how the benefits arising from agreement will be distributed.

(12) A statement of the basis on which students will be permitted to participate in the program or otherwise benefit from the agreement.

(13) A statement that the sponsor or partner assumes the responsibility for obtaining the consent of any student or School Board employee whose likeness may appear in any materials disseminated by the partner or sponsor.

(14) A statement disclosing any relationship between the sponsor or partner, or any of its employees or major stockholders, and any student, School Board employee, School Board member, or the superintendent.

(15) A statement that all partnerships and sponsorships will be consistent with all federal and state laws, local ordinances, school division policies and regulations, and all preexisting School Board contracts. If the terms of the partnership or sponsorship agreement establish that the employees, contractors or others acting on behalf of the partner or

sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the sponsor or partner must certify that all such persons have not been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 and any offense involving the sexual molestation or physical or sexual abuse or rape of a child, or the solicitation of any such offense, or any crime of moral turpitude.

(16) A statement that if the terms of the partnership or sponsorship agreement establish that the employees, contractors, or others acting on behalf of the partner or sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the individuals acting on behalf of the partner or sponsor may have been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense, provided that in the case of a felony conviction, the individual's civil rights have been restored by the Governor.

(17) A statement that no partnership or sponsorship shall exploit any student or School Board employee.

(18) A statement that no sponsor or partner shall be permitted to collect personal information, including names, addresses or telephone numbers of students or School Board employees because of the partnership or sponsorship.

(19) A statement that any curriculum materials provided pursuant to the agreement will be held to the same standards as other curriculum materials.

(20) A statement that any participation by any student or School Board employee in any activity established pursuant to the agreement will be purely voluntary. If a student or School Board employee wants to participate in any sponsored or partnered activity but objects to using the materials provided by the sponsor or partner, the sponsor or partner must supply substantially similar materials to which the student does not object for that student to use in the activity. If a student objects to using materials provided by the sponsor or partner, the School Board employee in charge of the activity shall provide for a means by which the student's objections are made known to other students involved in the activity and by which those objections are discussed in an educational manner.

F. No agreement shall be entered into if the sponsorship or partnership involves or gives the appearance of involving any activity which could result in the following:

(1) promotion of hostility or violence;

(2) an attack on ethnic, racial, or religious groups;

(3) discrimination prohibited by any law or School Board policy;

(4) promotion of the use of drugs, alcohol, tobacco products, nicotine vapor products, or firearms;

(5) promotion of sexual, obscene or pornographic activities; or

(6) promotion of any image that is not in keeping with the established goals and purposes of the School Board.

G. Suffolk Public Schools may allow advertising banners on school property consistent with regulations adopted by Suffolk Public Schools. (Adopted: January 12, 1995, Revised: August 16, 2018, Ordinance Number: 18/19-19, Effective Date: August 16, 2018; Ordinance 23/24-69, Revised/Effective: January 11, 2024).

Legal Authority - Virginia Code §22.1-89.4 (1950), as amended.

Article 16 - Parental Involvement

Section 10-16.1. Parental involvement encouraged; non-custodial parents not to be denied access; relations with parent organizations. — A. All staff members respect the parental rights of both parents. Parents are encouraged to visit the school on scheduled days for conferences with teachers, assemblies, PTA meetings and other school programs.

B. When parents of a student are estranged, separated or divorce, building personnel will uphold the parental rights of both parents. Unless there is a law, legally binding document, or court order to the contrary, both parents have a right to:

1. inspect and view the child's school records in accordance with School Board policy.

2. Visit the school in accordance with School Board policy and Crimes against Minors Registry Information.

3. Receive all notifications required by law.

The custodial parent has the responsibility for:

(i) keeping the school office informed of the parent's address of residence and how the parent may be contacted at all times;

(ii) providing on forms provided by Suffolk Public Schools the current address and phone numbers of the non-custodial parent unless the address is

unknown and the custodial parent signs a statement to that affect or unless a court order restricts the educational or contact rights of the parent; and

(iii) providing a copy any legal document which restricts the educational and/or contact right of the non-custodial parent.

The non-custodial parent has the responsibility for keeping the school informed of any changes in the parent's current phone number and address. At the request of a noncustodial parent, such parent will be included as an emergency contact for the student's activities unless a court order has been issued to the contrary.

C. The School Board shall cooperate with parent/teacher and parent/teacher/student associations. (Adopted January 14, 1999; Ordinance #98/99-06; Ordinance 22/23-73, Revised/Effective: February 9, 2023)

Legal Authority - 20 U.S.C. §1232g, 34 C.F.R. § 99.4. Code of Virginia, 1950, as amended, §§ 22.1-4.3, 22.1-78, 22.1-287.

Section 10-16.2 Parent and Family Engagement; Required Parent Activities; Activities for parents of English Learners; Parent participation in Title 1 plan development; Parent Participation in school review; Parent Assistance; Permissible involvement of parents; parent and family engagement policy; parent involvement in allocation of funds; annual evaluation. – A. The School Board recognizes that the education of each student is a responsibility shared by the school and the student's family. The School Board endorses the parent and family engagement goals of Title I (20 U.S.C. § 6318) and encourages the regular participation by parents and family members of all children including those eligible for Title I and English learner programs in all aspects of those programs.

B. In keeping with these beliefs, the School Board cultivates and supports active parent and family engagement in student learning. To this end, Suffolk Public Schools will;

(1) provide activities that will educate parents regarding the intellectual and developmental needs of their children. These activities should promote cooperation between the division and other agencies or school/community groups (such as parent-teacher groups, the Head Start program, the Reading First program, Early Reading First program, Even Start program, and Parents as Teachers program) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development;

(2) implement strategies to involve parents in the educational process, including:

(i) keeping families informed of opportunities for involvement and encouraging participation in various programs;

(ii) providing access to educational resources for parents and families to use with their children; and

(iii) keeping families informed of the objectives of division educational programs as well as of their child's participation and progress with these programs;

(3) enable families to participate in the education of their children through a variety of roles. For example, family members may
    (i) provide input into division policies; and
    (ii) volunteer time within the classroom and school program;
(4) provide professional development opportunities for teachers and staff to enhance their understanding of effective parent involvement strategies;
(5) perform regular evaluations of parent involvement at each school and in the division;
(6) provide access, upon request, to any instructional material used as part of the educational curriculum; and
(7) if practicable, provide information in a language understandable to parents.

C. In addition, for parents of students eligible for English learner programs, the School Board will inform such parents of how they can be active participants in assisting their children to:
    (i) learn English;
    (ii) achieve at high levels in core academic subjects; and
    (iii) meet the same challenging academic content and student academic achievement standards as all children are expected to meet.

D. The School Board encourages parents of children eligible to participate in Title I, Part A, programs to participate in the development of the Board's Title I plan and superintendent will develop appropriate guidelines to ensure parent participation in the development of the Board's Title 1 plan.

E. The School Board encourages parents of children eligible to participate in Title I, Part A, and English learner programs to participate in the process of school review and, if applicable, the development of support and improvement plans under 20 U.S.C. § 6311(d)(1) and (2) and the superintendent will develop appropriate guidelines to ensure parent participation under this section.

F. For each school in the district that receives Title I, Part A, funds, Suffolk Public Schools will:
    (i) provide assistance to parents of children served by the school or division, as applicable, in understanding topics such as Virginia's challenging academic standards, state and local academic assessments and how to monitor a child's progress and work with educators to improve the achievement of their children;
    (ii) provide materials and training to help parents work with their children to improve their children's achievement, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement;
    (iii) educate teachers, specialized instructional support personnel, principals, and other school leaders, and other staff, with the assistance of parents, in the value and utility of contributions of parents and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs and build ties between parents and the school;

(iv) to the extent feasible and appropriate, coordinates and integrates parental involvement programs and activities with other federal, state and local programs, including public preschool, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children;

(v) ensure that information related to school and parent programs, meetings and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand; and

(vi) provide such other reasonable support for parental involvement activities as parents may request.

G. For each school in the district that receives Title I, Part A, funds, Suffolk Public Schools may:

(i) involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training;

(ii) provide necessary literacy training from Title I funds if the division has exhausted all other reasonably available sources of funding for such training;

(iii) pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;

(iv) train parents to enhance the involvement of other parents;

(v) arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators who work directly with participating children and parents who are unable to attend such conferences at school in order to maximize parental involvement and participation;

(vi) adopt and implement model approaches to improving parental involvement;

(vii) establish a division-wide parent advisory council to provide advice on all matters related to parental involvement in programs supported by Title I; and

(viii) develop appropriate roles for community-based organizations and businesses in parental involvement activities.

H. Each school in the district that is served under Title I, Part A, will jointly develop with and distribute to parents and family members of participating children a written parent and family engagement policy, agreed on by such parents that will describe the means for carrying out the following:

(i) convening an annual meeting, at a convenient time, to which all parents of participating children are invited and encouraged to attend, to inform parents of their school's participation in Title I, Part A, and to explain the requirements of Title I, Part A, and the rights of parents to be involved;

(ii) offering a flexible number of meetings, such as meetings in the morning or evening. Schools may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement;

(iii) involving parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of Title I, Part A, programs including the planning, review, and improvement of the school parent and family engagement policy and the joint development of the school wide program plan under 20 U.S.C. § 6314(b), except that if a school has in place a process for involving parents in the joint planning and design of the school's programs, the school may use that process, if such process includes an adequate representation of parents of participating children providing parents of participating children:

(1) timely information about Title I, Part A, programs;

(2) a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging state academic standards; and

(3) if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and responding to any such suggestions as soon as practicably possible.

If the school wide program plan under 20 U.S.C. § 6314(b) is not satisfactory to the parents of participating children, parents must be allowed to submit any parent comments on the plan when the school makes the plan available to the School Board.

I. Parents and family members of children receiving services under Title I, Part A, are to be involved in decisions regarding how funds provided under Title I, Part A, are allotted for parental involvement activities.

J. The School Board will conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of this policy in improving the academic quality of all schools served under Title 1, Part A, to include identifying:

(i) barriers to greater participation by parents (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy or are of any racial or ethnic minority background);

(ii) the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and

(iii) strategies to support successful school and family interactions.

(Adopted February 8, 2018, Ordinance Number 17/18-53)

Legal Authority – 20 U.S.C. §§ 6312, 6318; Virginia Code §§22.1-23.3, 22.1-78 (1950), as amended.

Article 17 - Public Complaints

Section 10-17.1. Complaints about a particular school; complaints about the curriculum or instructional material. — A. A complaint involving a particular school shall be handled within the school through the chain of responsibility. If the complaint cannot be resolved at the ultimate

level of the principal, it shall be referred to the superintendent or superintendent's designee. If the Central Office staff and complainant cannot reach a satisfactory solution, the matter may, at the School Board's discretion, be heard at a regular School Board meeting.

B. Any parent, custodian, or legal guardian of a pupil attending Suffolk Public Schools who is aggrieved by an action of the School Board may, within thirty days after such action, petition the local circuit court to review the action of the School Board. The court will sustain the action of the School Board unless the School Board exceeded its authority, acted arbitrarily or capriciously or abused its discretion.

C. If there are objections concerning instructional material, the procedure for filing a complaint will be as follows:

1. A complaint should be filed in writing with the principal on the "challenge of controversial instruction material" form. This form may be obtained from the principal or the Central Office.
2. A review committee consisting of the principal, the librarian, media specialist, the classroom teacher if involved, a parent and/or student, and the complainant will convene.

The responsibilities of the committee will be to: (a) read, view or listen to the challenged material; (b) read several reviews, if available; (c) check standard selection aid; (d) talk with persons who may be knowledgeable about the material in question and similar material; (e) discuss the material; (f) make a decision to retain or withdraw the material; (g) file the recommendation of the committee with the principal and the Director of Elementary and Secondary Leadership; (h) notify the complainant of the decision and the disposition of the challenged material.

The complainant may then appeal the decision to the Chief Academic Officer. (Adopted January 12, 1995; Revised: August 8, 2019; Ordinance No: 19/20-7; Effective Date: August 8, 2019)

Legal Authority - Virginia Code §§ 22.1-87 and 22.1-253.13:7 (1950), as amended.

Section 10-17.2. Complaints about learning resources; writing required; submitted to committee. — A. The selection of learning resources is delegated to the professionally trained personnel employed by Suffolk Public Schools. Despite the care taken in selecting suitable learning resources for and despite the qualifications and expertise of persons involved in that selection process, it is recognized that objections to materials will be made by the public. It is therefore the policy of the School Board to provide channels of communication and a fair procedure for members of the community to follow in expressing and resolving their concerns about learning resources including instructional used in teaching the curriculum.

B. Complaints about learning resources shall be presented in writing in accordance with the regulations of Suffolk Public Schools. The standards and procedures for review shall be consistently applied in recognition of the respective rights and responsibilities of all concerned.

Materials shall be considered for their educational suitability and shall not be proscribed or removed because of partisan or doctrinal disapproval.

C. Challenges which are not resolved at the building level shall be submitted to a challenged materials committee for review and recommendation to the superintendent or superintendent's designee. The decision of the superintendent or superintendent's designee may be appealed to the School Board or reviewed at the School Board's request. The decision of the School Board will then be final. (Adopted January 12, 1995; Revised June 9, 2016; Ordinance Number 15/16-118; Effective Date: July 1, 2016)

Legal Authority - Virginia Code §22.1-253.13:7.C.2 (1950), as amended.

Article 18 - Relations with Community Organizations

Section 10-18.1. Cooperation encouraged. — A. Suffolk Public Schools shall cooperate with all non-profit and non-partisan agencies such as social services, recreation, health, fire, civil defense, and law enforcement agencies in promoting the general public interest and the educational welfare of the student.

B. The School Board encourages the establishment of parent-teacher organizations that seek to advance programs that improve educational opportunities for all students consistent with state and federal law. The School Board requests that parent-teacher organizations maintain a close relationship with the School Board, administration and staff, and that they consider School Board and school policies when planning activities. (Adopted January 12, 1995; Ordinance 2024/25-14, Revised/Effective: August 15, 2024)

Legal Authority - Virginia Code §§ 22-1-70, 22.1-78, 22.1-253.13:7 (1950), as amended.

Section 10-18.1:1. Involvement with educational institutions; educational climate; professional organizations. — A. The School Board supports the endeavors of other educational institutions whose goals are compatible with those of the division. To the extent appropriate, the school division utilizes the resources of other educational institutions for the benefit of its students and the development of its staff. The school division cooperates with educational institutions and agencies in selected areas of research and experimentation which have the potential to increase the effectiveness of teacher preparation or staff development and/or which directly improve the local instructional program. To protect students and teachers from unnecessary intrusions that may disrupt instruction and regular school activities, requests for college students and professors to observe classes or otherwise interact with students or division personnel must be submitted directly to the superintendent or superintendent's designee.

B. The school division strives to improve the climate for education, particularly with reference

to expanding the fiscal base, providing for efficient expenditure of funds, and bringing about state or federal legislation which improves education or contributes to division goals.

C. The school division cooperates with professional educational organizations whose goals are compatible with those of the division. (Ordinance 23/34-13, Effective: August 10, 2023)

Legal Authority — Virginia Code Section 22.1-78 (1950), as amended.

Section 10-18.2. Public Safety and Parent and Student Rights; Interviews by School Resource Officers; Interviews of Students by Law Enforcement Authorities at School About School Related Incidents; Law Enforcement Interviews about Non-School Related Matters Conducted Away From School; Service of Process at School; Development of Programs; Report to Law Enforcement Officials. — A. The School Board recognizes the need to balance public safety and parent and student rights when it comes to law enforcement officers interviewing students on school property during the school day. With this in mind, the School Board adopts the following policy.

B. When acting on their own initiative and authority to further a proper educational environment at the school or at the request of school personnel (as opposed to acting upon the request of outside law enforcement authorities), school resource officers (SROs) who are investigating a school related incident or any incident which may have potential consequences for the safety of the students or employees at the school may interview students without obtaining permission from parents. Examples of incidents which may have potential consequences for the safety of students or employees at the school include the following:

(i) Fights between students that may result in retaliation at school;

(ii) Threats made by a student against another student or employee at the school;

(iii) Gang related offenses such as assault, battery, and intimidation; and

(iv) Possessing drugs or weapons while on school property.

C. When a law enforcement authority seeks to interview a student at school about a school-related incident for law enforcement purposes, the following procedures shall apply:

(1) The law enforcement agent shall upon arrival at the school contact the building principal or other designated school official, identify or confirm the student sought to be interviewed, and identify or confirm the reason(s) for the interview.

(2) Unless the school has initiated the request for the interview, the school official should request to see subpoenas, warrants, or court orders, if any, that would support the student interview at school.

(3) The school official shall verify the identity of the law enforcement agent, if not known by the school official, by checking and photocopying the agent's

picture identification card.

(4) The school official shall, before allowing the law enforcement agent to interview the student, if the student is a suspect or the subject of a criminal investigation, obtain the parent or guardian's consent unless extenuating circumstances dictate that this not be done. Extenuating circumstances exist when, for example:

(i) There is a risk that delay in proceeding with the interview may pose imminent danger to the health or safety of students, school employees, or other persons in the community.

(ii) The student's parent or parents/guardians are suspected of serious criminal activity or of co-involvement with the student in criminal activity.

(iii) Law enforcement authorities need to act promptly to prevent destruction of evidence of a serious crime, or flight from the jurisdiction by a person suspected of serious criminal activity.

(5) All attempts to contact a student's parents/guardians should be documented.

(6) If the student refuses to speak to law enforcement authorities, the interview may not proceed on school grounds.

(7) If the parent/guardian conditions consent on being present, then absent exigent circumstances as set forth in (4)(i) thru (iii), the interview should be delayed until the parent/guardian arrives.

(8) Absent an emergency or circumstances justifying other action, all interviews of students should be conducted in private to avoid disrupting school, protect the student's privacy, and preserve the integrity of the investigation.

(9) If the school official determines it is appropriate for law enforcement authorities to interview the student at school without the presence or permission of a parent or guardian, as provided in subpart 4 above, the school official standing in *loco parentis* is to remain in the room with the law enforcement agent and the student during the interview.

(10) If a law enforcement agent requests to interview a student as a non-suspect witness to an incident that occurred on or off school property, the school official may, but is not required to, permit such an interview without prior notification or consent of the student's parent/guardian. Such an interview shall be conditioned upon the law enforcement agent agreeing to notify the school official if the student becomes a suspect during the interview. Upon such notification, the school official should require that the interview cease and be conducted at the police department, or that it ceases until notification and consent of a parent or guardian, unless extenuating circumstances exist.

(11) In the event of a custodial interrogation, if the student is the subject of a criminal investigation, or if the interview changes into one where the student becomes a suspect or the subject of a criminal investigation, even when there is a subpoena, warrant or court order, a student is protected by the Fifth Amendment right against self-incrimination and may have a right to an attorney.

D. Absent extenuating circumstances (e.g., preventing destruction of evidence of a serious crime or preventing flight from the jurisdiction by a student suspected of serious criminal activity), interviews of students by law enforcement authorities about matters unrelated to school should generally be conducted away from school after school hours. If a law enforcement agent wants to interview a student at school about a non-school related matter, the procedures outlined in Subsection C above shall apply.

E. Should there be a need to serve a student or school employee with any "legal process", the School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they should be served at the principal's office of the school at which the student attends or the main office of the facility at which the employee is assigned.

In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy.

F. The superintendent seeks to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent obtains and uses Sex Offender Registry information in accordance with School Board Policy 10-19.4 and Crimes Against Minors Registry Information.

G. Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal immediately reports to local law-enforcement officials all incidents involving alcohol, marijuana, a controlled substance, an imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications that may constitute a felony offense.

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal immediately reports to the local law-enforcement agency all incidents involving

1. the sexual assault, death, shooting, stabbing, cutting, wounding of any person, abduction of any person as described in Va. Code §§ 18.2-47 or 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity;
2. any written threats against school personnel while on a school bus, on school property, or at school-sponsored activity;
3. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto

school property;

4. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity; or
5. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses.

Except that a principal is not required to but may report to the local law-enforcement agency any incident involving any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity committed by a student who has a disability.

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal may report to the local law-enforcement agency any incident described in Va. Code § 22.1-279.3:1.A that is not required to be reported pursuant to the two previous paragraphs.

H. The School Board has a memorandum of understanding that sets forth the powers and duties of the school resource officers. The memorandum of understanding addresses the use of seclusion and restraint by law enforcement personnel in school settings. The School Board and the law-enforcement agency review and amend or affirm the memorandum of understanding at least once every two years or at any time upon the request of either party. The School Board provides notice and an opportunity for public input during each review period for the memorandum of understanding. The current memorandum of understanding is conspicuously published on the division website. (Adopted January 12, 1995; Revised November 16, 1995; Revised June 13, 2013; Ordinance Number 12/13-141; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-118; Effective Date: July 1, 2016; Revised April 11, 2019, Ordinance 18/19-58; Effective Date: April 11, 2019; Ordinance 19/20-59; Revised/Effective Date: January 9, 2020; Ordinance 21/22-36; Revised/Effective Date: November 4, 2021; Ordinance 22/23-16, Revised/Effective: November 10, 2022; Ordinance 23/24-1, Revised/Effective: Aug 10, 2023)

Legal Authority - Virginia Code §§ 8.01-47, 8.01-293, 9.1-101, 16.1-264, 22.1-279.3:1, 22.1-279.9, 22.1-280.2:1, 22.1-280.2:3, and 22.1-293 (1950), as amended.

Section 10-18.3. Statement of Purpose; Charter School Defined; subject to federal and state law prohibiting discrimination; other requirements; open enrollment required; Charter School Applications; review team; regulations to be established. — A. In order to:

(i) encourage the development of innovative programs;

(ii) provide opportunities for innovative instruction and student assessment;

(iii) provide parents and students more choices;

(iv) provide innovative scheduling, structure and management;

(v) encourage the use of performance-based educational programs;

(vi) establish high standards for teachers and administrators; and

(vii) develop models for replication in other public schools, the School Board shall receive and consider applications for the establishment of charter schools.

B. A charter school is a public, nonreligious, or non-home-based alternative school located within Suffolk Public Schools or operated jointly by multiple school divisions. A charter school may be created as a new school or by converting all or part of an existing public school. Conversions of private schools or home-based programs shall not be permitted. A charter school for at-risk pupils may be established as a residential school. In establishing public charter schools within the division, the School Board will give priority to public charter school applications designed to increase the educational opportunities of at-risk students, particularly those at-risk students currently served by schools that have not achieved full accreditation. At least one half of the public charter schools in the division must be designed for at-risk students. However, conversions of existing public schools into public charter schools that serve the same community as the existing public school do not count in the determination of school division compliance with the one-half requirement.

C. All charter schools shall be subject to federal and state law, regulations and constitutional provisions prohibiting discrimination in admissions, employment or operation on the basis of disability, race, creed, color, sex, sexual orientation, gender, gender identity, national origin, religion, ancestry or the need for special education services. Charter schools shall also be subject to any court-ordered desegregation plan in effect in the school division. Charter schools, like all public schools, shall also be subject to the requirements of the federal No Child Left Behind Act of 2001. No public charter school shall discriminate against any student on the basis of limited proficiency in English and each public charter school shall provide students who have limited proficiency in English with appropriate services designed to teach such students English and the general curriculum, consistent with federal civil rights laws.

D. Public charter schools are subject to the student assessment and accountability requirements applicable to other public schools. Nothing precludes a public charter school from establishing additional student assessment measures that go beyond state requirements if the School Board approves such measures. Management committees of public charter schools are subject to and shall comply with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). No public charter school shall engage in any sectarian practices in its educational program,

admissions or employment policies or operations.

E. Enrollment in a charter school is open to any child who resides within the school division or, in the case of a regional public charter school, within any of the relevant school divisions, through a lottery process on a space-available basis, except that in the case of the conversion of an existing public school, students who attend the school and the siblings of such students are given the opportunity to enroll in advance of the lottery process. Students eligible to enroll in the school division pursuant to Va. Code § 22.1-3.B because they are the children of military personnel on active military duty who will reside in the division may participate in the lottery process for charter schools in the division at the same time and in the same manner as students who reside in the division.

F. Any person, group or organization may submit an application for the formation of a charter school. Applicants must follow state law and School Board policy regarding charter schools. Applicants must submit:

(i) the Applicant's Virginia Public Charter School Application package submitted to the State Board of Education,

(ii) the result of the State Board of Education's review of the Applicant's state application, and

(iii) the Suffolk Public Schools' Charter School Application Addendum prepared in accordance with School Board policy.

Prior to submitting a charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. The Board of Education will examine such applications for feasibility, curriculum, financial soundness, and other objective criteria it may establish, consistent with existing state law. The Board of Education's review and comment will be for the purpose of ensuring that the application conforms with such criteria. The school division may work with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

G. The applicant must complete the entire application in the format as required by the School Board. The School Board shall establish a "review team" consisting of appropriate school personnel, a local business representative and a resident charter school proponent to evaluate charter school applications. The School Board shall designate the chairman of the review team as the contact person for answering questions about the application process and receiving applications. The review team shall work cooperatively with applicants for charter schools. When an application is incomplete, the review team shall request the necessary information; an

incomplete application is not grounds for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team) then the application may be denied. The review team shall:

(1) recommend to the School Board appropriate criteria for reviewing charter school applications;

(2) evaluate all charter school applications based on the review criteria adopted by the School Board;

(3) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement;

(4) monitor charter school progress; and

(5) make recommendations for revocation, renewal or non-renewal of charter contracts.

H. Suffolk Public Schools shall establish regulations for receiving, reviewing and ruling on applications for the establishment of charter schools. Such regulation must include a timeline for the application and review process and the means for reviewing and evaluating each application, including the criteria on which the decision to grant or deny a charter will be based. To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist the school board in its decision to grant or deny a public charter school application, the regulation will provide for public notice and the receipt of comments on public charter school applications. The School Board shall give at least 14 days' notice of its intent to receive public comment on an application. A copy of the regulation, including the review criteria, shall be posted on the division's website and a copy shall be made available to any interested party upon request. (Adopted June 13, 2013; Ordinance Number 12/13-142; Effective Date: July 1, 2013; Ordinance Number 19/20-60; Revised/Effective Date: January 9, 2020; Ordinance 21/22-37; Effective Date: November 4, 2021)

Legal Authority – Virginia Code §§ 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-952.2., 22.1-3, 22.1-212.5 (1950), as amended.

Section 10-18.4 Charter School Application Addendum Requirements — The Application loss Addendum required of the Applicant by the School Board shall include the following:

(1) List the name, address, phone number and qualifications of the applicant(s) and designate an applicant contact person.

(2) Describe the facility(ies) to be used for the charter school or the plan for the

acquisition of a facility. If the facility is not property of the school division, then the following must be provided: (1) a certificate of occupancy; (2) a health inspection certificate; (3) an annual fire certificate of inspection; (4) proof of compliance with federal, state and local health and safety laws and regulations; and (5) a copy of the lease or contract under which the charter school will use the facility. If the facility is property of the school division, then describe plans, if any, for alteration or renovation.

(3) List the services and their estimated costs that the applicant wishes the School Board to provide; for example, food service, payroll or conducting criminal background checks. Also, list services and their estimated costs that will be provided by others.

(4) Provide a detailed timeline, identifying each step required to establish the charter school, including, but not limited to, staff hiring, location and purchase of materials, implementing the evaluation plan, obtaining necessary services, opening an appropriate facility and consulting with experts, if necessary.

(5) Describe the procedures the charter school will implement to ensure the health and safety of the students and employees, including how and if the management committee will conduct a state criminal record check on all employees; how the charter school will conduct fingerprinting and federal criminal record checks, if applicable; how the charter school will comply with the requirement to report child abuse; and how the charter school will comply with Occupational Safety & Health Act requirements.

(6) Assure that the School Board will be defended, held harmless and indemnified against any claim, action, loss, damage, injury, liability, cost or expense of any kind as a result of the operation of the charter school or actions by its agents, employees, invitees or contractors.

(7) Assure that if the charter school wants to renew its contract, it shall apply at least six months prior to the expiration of the contract.

(8) Describe the plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire), unable to be occupied or dissolved for any reason.

(9) Describe the management and operation of the charter school, including the nature and extent of parental, professional educator and community involvement. List the

names and addresses of the proposed management committee. This section should include (1) a detailed description of the relationship between the management committee and the local school board, including the charter school spokesperson (i.e. who is accountable to the school board); (2) how the charter school will be accountable to the public, including a plan for compliance with the Virginia Freedom of Information Act, the Virginia Public Records Act, and reporting requirements; (3) how the management committee is selected and its relationship to the teachers and administrators; (4) a description of the rules and procedures followed to arrive at policy and operational decisions; and (5) summaries of the job descriptions of key personnel, including the school leader/principal.

(10) Provide a budget and any other information that illustrates the proposed charter school is economically sound for both the charter school and the school division. Include detailed sources of revenue and expenditures for the proposed term of the charter (at most five years) and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the school division, will be conducted. Anticipated gifts, grants or donations and a student fee schedule should be included.

(11) Describe the arrangement between the charter school and the School Board regarding their respective legal liability and applicable insurance coverage. Insurance coverage should include health, property and casualty (automobile liability, general liability, property, officer and employee liability) and workers' compensation.

(12) Describe and justify any waiver from School Board policies and state regulations that the charter school requests. The Standards of Quality, and by reference the Standards of Accreditation and Standards of Learning, may not be waived.

(13) Assure that the charter school will follow state and federal law prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender, gender identity, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the school division.

(14) Certify that the information and assurances contained within the *Virginia Public Charter School Application* submitted on behalf of the proposed charter school to the Virginia Board of Education and the information contained in this *Public Charter School Application Addendum* is correct. (Adopted June 13, 2013; Ordinance Number 12/13-143; Effective Date: July 1, 2013; Ordinance 21/22-38; Effective

Date: November 4, 2021)

Legal Authority – Virginia Code §§ 22.1-212.5 et. seq.

Section 10-18.5 School Board Decision; Petition for Reconsideration; Charter Contract; Waivers of School Board Policy and State Regulation; Management and Operation. — A. If the school board denies a public charter school application, or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website.

B. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, shall be entitled to petition the school board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, revoked, or not renewed. Such reconsideration shall be decided within 60 days of the filing of the petition. The School Board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the school board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation, or non-renewal.

Upon reconsideration, the decision of the school board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement shall be final and not subject to appeal. Nothing in this section shall prohibit an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application. Following a decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the School Board submits documentation to the Board of Education as to the rationale for the School Board's decision. The Board of Education has no authority to grant or deny a public charter school application or to revoke or fail to renew a charter agreement but may communicate any Board finding relating to the rationale for the School Board's denial of the public charter school application or revocation of or failure to renew the charter agreement based on the documentation submitted in any school division in which at least half of the schools receive funding pursuant to Title I, Part A.

C. Upon approval of a charter application, the School Board and the management committee of the charter school shall enter into a contract which contains all agreements between the School Board and the charter school; the approved application shall serve as the basis for the contract. The charter contract shall also include other provisions negotiated by the School Board or its designee. A charter may be granted for up to five years. Any material revision of the charter contract shall be made in writing and must be approved by the School Board and the charter school.

D. A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning, as agreed in the charter contract. The School Board shall designate in its regulations governing

charter schools which School Board policies may not be waived. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities of at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan.

E. A charter school shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services; services provided by the School Board must be provided at cost

The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in renovating, lending, granting, or leasing public charter school facilities. (Adopted June 13, 2013; Ordinance Number 12/13-144; Effective Date: July 1, 2013; Revised February 8, 2018; Ordinance Number 17/18-54; Effective Date: February 8, 2018)

Legal Authority – Virginia Code §§ 22.1-212.5 et seq. (1950), as amended.

Section 10-18.6. Charter School Personnel; Funding; Revocation and Renewal of Charter Contract; Reports. — A. Charter school personnel shall be selected as agreed in the charter contract. Such personnel may, but are not required, to be employees of the School Board. However, all charter school personnel shall be subject to the provisions of §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4.

Professional, licensed employees currently employed by the School Board may volunteer for assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to non-charter schools. Professional, licensed personnel who request assignment to a non-charter school or who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a non-charter school according to School Board policy.

The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school. The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division.

B. Charter schools shall be funded as provided by law and negotiated in the charter contract.

C. The School Board may revoke a charter contract if:

1. the charter school violates the conditions, standards or procedures established in the application;
2. the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);
3. the charter school fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
4. the charter school fails to meet generally accepted standards of fiscal management; or
5. the charter school violates any provision of law from which the public charter school was not specifically exempted.

D. A charter contract may be renewed for up to five years. The management committee must apply to renew the charter by June 30th of the school year the charter expires. The application for renewal shall contain:

1. a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter;
2. a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the School Board and the public to compare such costs to the costs of other schools and comparable organizations; and
3. other information the School Board may require.

If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee shall be responsible for all financial obligations of the charter school.

E. The School Board shall report to the Board of Education the following:

1. the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract. For any such denial revocation or failure to renew the report to the Board of Education shall contain documentation as to the reason for the denial or revocation;
2. whether a public charter school is designed to increase the educational opportunities of at-risk students.

The Board of Education will report the number of public charter schools established in Virginia, and the number of charters denied, in its annual report to the Governor and the General Assembly. (Adopted June 13, 2013; Ordinance Number 12/13-145; Effective Date: July 1, 2013; Revised: October 13, 2016; Ordinance Number 16/17-24; Effective Date: July 1, 2017)

Legal Authority – Virginia Code §§ 22.1-212.5 et. seq.

Article 19 - Sex Offender Registry Notification

Section 10-19.1. Statement of policy. — Each school in the division registers with the Department of State Police to receive electronic notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry (the Registry) within the division.

The superintendent establishes procedures regarding the use and distribution of information received from the Registry. Information received from the Registry may not be used to intimidate or harass. (Adopted: September 14, 2006; Ordinance Number: 06/07-1; Effective: September 14, 2006; Ordinance 22/23-75, Revised/Effective: February 9, 2023)

Legal Authority – Virginia Code §§22.1-79, 22.1-79.3, 9.1902, 9.1-914, 9.1-918 and 18.2-370.5 (1950), as amended.

Section 10-19.2. Annual Notification; dissemination of Sex Offender Information to certain school employees; responsibility of local law enforcement to notify community; using information to intimidate or harass others prohibited. — The superintendent notifies the parent of each student enrolled in Suffolk Public Schools of the availability of information in the Registry and the location of the website. (Adopted: September 14, 2006; Ordinance Number: 06/07-1; Effective: September 14, 2006; Ordinance 22/23-75, Revised/Effective: February 9, 2023)

Legal Authority – Virginia Code §§22.1-79, 22.1-79.3, 9.1902, 9.1-914, 9.1-918 and 18.2-370.5 (1950), as amended.

Section 10-19.3. Sex Offender on School Property prohibited; limited exceptions. — No adult who has been convicted of a sexually violent offense, as defined in Virginia Code Section 9.1-902 (1950), as amended, may enter or be present, during school hours, or during school-related or school-sponsored activities, at any school, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity unless:

(1) the person is a lawfully registered and qualified voter and is coming upon such property solely for purposes of casting his vote;
(2) the person is a student enrolled at the school; or
(3) the person has obtained a court order pursuant to Va. Code § 18.2-370.5.C allowing him to enter and be present upon such property, has obtained the permission of the school board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the School Boards' terms and conditions and those of the court order.

(Adopted: August 21, 2008, Ordinance Number 08/09-1, Effective: August 21, 2008; Revised

June 13, 2013; Ordinance Number 12/13-146; Effective Date: July 1, 2013; Ordinance 22/23-75, Revised/Effective: February 9, 2023)

Legal Authority — Virginia Code Section §§ 22.1-79, 22.1-79.3, 9.1902, 9.1-914, 9.1-918 and 18.2-370.5 (1950), as amended.

Section 10-19.4. When Registered Sex Offender Sighted; **School Volunteers and Student Teachers; Contractors' Employees; School Division Employees**; **Applicants for Employment; Parents of Students and Other Visitors; Precautions to Protect Students; Request for Registry Information**. **—** A. When the school division learns that a parent, other than a parent who has been convicted of a Tier III offense as defined in Va. Code § 9.1-902, of an enrolled student is required to register with the Registry, the parent is notified in writing that he or she is barred from being present at school or at school functions without the express written approval of the student's principal. Such approval must be obtained in advance of the proposed visit and will state the conditions under which the parent may be present. When such a parent is permitted at school or at school functions monitored to ensure that he or she does not come into contact with any children other than the parent's own children.

When the school division learns that any person other than the parent of an enrolled student, who is required to register with the Registry, but who has not been convicted of a Tier III offense, as defined in Va. Code § 9.1-902 seeks to be present at school or at school functions, the person is notified in writing that he or she is barred from being present at school or school functions without the express written approval of the principal of the school the person seeks to visit or which sponsors the event the person seeks to attend. Such approval must be obtained in advance of the proposed visit and, if obtained, will state the conditions under which the person may be present. One of the conditions will be that the person will be monitored to ensure the safety of students, staff, and others.

Principals consider requests to be present at school or at school sponsored activities from all persons who are required to register with the Registry but have not been convicted of a Tier III offense as defined in Va. Code § 9.1-902 in accordance with procedures established by the superintendent. (Adopted June 13, 2013; Ordinance Number 12/13-147; Effective Date: July 1, 2013; Ordinance 22/23-75, Revised/Effective: February 9, 2023)

Legal Authority — Virginia Code Section §§ 22.1-79, 22.1-79.3, 9.1902, 9.1-914, 9.1-918 and 18.2-370.5 (1950), as amended.