

Policy Review Committee Meeting Minutes
October 13, 2022
King's Fork Middle School
350 King's Fork Road, Suffolk, VA 23434
3:00 PM

Present:

Members

- ✓ Dr. Judith Brooks-Buck, ***Chair School Board Member***
- ✓ Mrs. Heather Howell, ***School Board Member***
- ✓ Dr. John B. Gordon III, ***School Superintendent***

Participants

- ✓ Wendell M. Waller, ***School Board Attorney***
- ✓ Renée Davenport, ***Administrative Assistant***

➤ **Call meeting called to order.**

➤ **Review and approval of minutes from the April 7, 2022 meeting.**

- There were no changes or additions to the minutes. The minutes were approved by unanimous consent.

➤ **Unfinished Business**

- Nothing to report.

➤ **New Business**

▪ **Policy 1-5.1. (Tab 1) – Policy Statement Generally.**

Dr. Brooks-Buck introduced the policy changes and acknowledged that most of them were corrections in language. This policy adds to the School Board's nondiscrimination statement. The School Board is committed to nondiscrimination with regard to military status. Previous wording was "status as a veteran." Virginia Code Section 22.1-295.2 provides that no local school board shall discriminate in employment based on military status. The policy change now includes the word "military status" as opposed to the wording "status as a veteran". There were no further questions or comments.

▪ **SECTION 1-6.4 (TAB 9) – Action by Superintendent.**

This policy pertains to Title IX investigations and removes the word "complainant" and inserts the word "person allegedly harassed" and removes the word "perpetrator" and inserts in its place the word "harasser." This change in policy is governed by Title IX of regulations adopted by the U.S. Department of Education found in 34 C.F.R. Part 106.9. There were no further questions or comments.

- **SECTION 1-6.8 (TAB 13) – Retaliation.**

The policy also pertains to Title IX regulatory change pertaining to retaliation complaints. It removes the word “Compliance Officer” and inserts in its place the word “Title IX Coordinator”. Dr. Brooks-Buck asked if most of these were required language changes? Attorney Waller responded affirmatively and said that the committee will see some substantive changes in other proposed policy revisions. However, in a number of them, they are grammatical in nature, maybe a word here or there that has been changed. There were no further questions or concerns.

- **SECTION 2-2.6 (TAB 19) – School Board Officers; Organizational Meeting; Appointed Officials; Duties.**

Local school boards are authorized to set its own rules and regulations. Virginia Code Section 22.1-72 deals with organizational meetings of local school boards. Under this authority this change to policy is being recommended. This policy inserted reads “upon election, the chair immediately assumes office and presides over the remainder of the meeting. There are also certain grammatical changes noted. For example, in place of the word “chairman” it is being replaced with the word “chair.” Throughout the policy manual, Attorney Waller stated changing the word “chairman” to “chair” This revision to policy is in accordance with the actual practice of the school board where the chair presides over the organizational meeting following the election. There were no questions or concerns.

- **SECTION 2-4.1 (TAB 22) – Advance Notice of School Board Meetings Required; Direct Notification; Special, Emergency or Continued Meetings.**

No substantive changes are being recommended to this policy. Legal authority regarding notice of meetings is found in the Virginia Freedom of Information Act Virginia Code Section 2.2-3707. Dr. Brooks-Buck mentioned that as of September 1, the General Assembly passed legislation that now allows committees of the local school board to hold all virtual meetings. Dr. Brooks-Buck asked Attorney Waller if committees of the School Board can now hold all virtual meetings. Attorney Waller pointed out before that can occur the school board has to adopt a policy that allows for it and there are certain stipulations that must be set forth in the policy itself. Attorney Waller further stated that such a policy can be created for this Committee to review. Dr. Brooks-Buck stated that not being allowed to virtually has caused some concern among committee members who were not sure if they were ready to meet openly with or without mask, etc. Dr. Brooks-Buck went on to state that Suffolk is still in the high numbers according to our dashboard and there are still some people who are not ready to meet together. She asked that a policy be drafted for consideration that would allow for all virtual meetings by committees. We don’t want to lose people who are willing to volunteer to work because of some technicality that they don’t understand. Attorney Waller asked if the policy should be drafted for the policy review committee to look at first or for the school board to review. Dr. Brooks-Buck asked Mrs. Howell for her opinion and she had no problem with the policy being presented to the full school board if that was allowed. Mrs. Howell asked about the stipulations that need to be put in place. Attorney Waller said that he would make sure that all legal requirements would be included in the policy before it came to the Board for approval. There were not further questions or concerns regarding this policy.

- **SECTION 2-9.11 (TAB 25) – Disclosure by Division Superintendent.**
 This policy pertains to the Conflict of Interest Disclosure by superintendent. The policy revision changes the date by which the school superintendent is required to file conflict of interest statement from January 1 to February 1. Virginia Code Section 2.2-3115 requires this annual filing by February 1. Attorney Waller informed the committee that one of the reasons that the superintendent has to file this Conflict of Interest statement is because a policy of the School Board requires it. This is the same Conflict of Interest statement that board members are required to file. There were no questions or concerns regarding this policy.
- **SECTION 8-1.1:1 (TAB 42) – Instruction for Grades Kindergarten through 12; Program of Instruction Emphasis; Other program requirements.**
 There are several grammatical changes to this policy. The only substantive change is found in Subsection D.(iii). This requires that parents receive written notice that their child is receiving reading intervention services and parents must be notified before services begin. Virginia Code Section 22.1-253.13:1 requires notice to parents. There were no questions or concerns regarding this policy.
- **SECTION 8-10.1 (TAB 43) – Drug Education**
 This policy allows Suffolk Public Schools to provide instruction regarding underage marijuana use in its drug education program. This is allowed under Virginia Code Section 22.1-206. There were no questions or concerns regarding this policy.
- **SECTION 8-12.1 (TAB 45) – Driver Education High School Offering; superintendent to make report to the Division of Motor Vehicles.**
 In its driver education program Suffolk Public Schools is to include the dangers of distracted driving and speeding. This is required under Virginia Code Section 22.1-205. There were no questions or concerns regarding this policy.
- **SECTION 8-39.1 (TAB 51) – Rights of Students; Roll of Instructional personnel; responsibility of principal.**
 This policy recognizes that students may be involved in areas of study on which different positions are held by various citizens and groups. This policy provides that students should receive instruction in an atmosphere that is free from bias, prejudice and coercion. Virginia Code Section 22.1-78 allows local school boards to adopt policies for the supervision of schools. There were no questions or concerns regarding this policy.
- **SECTION 9-8.1 (TAB 57) – Parental responsibility; parent contact required; note required.**
 This policy revision pertains to truancy or absence from school. A student in middle or high school can be allowed an excused absence one school day per school year to engage in a civic event. Students can be required to provide advance notice and documentation of their participation. This revision also removes as an excused absence when a student is expelled from school. This is allowed by Virginia Code Section 22.1-254. Later there will be another suggested policy change that allows a student to be absent from school for other things. The state code does not define what “civic event” means. Dr. Brooks-Buck asked Dr. Gordon a question about

students being suspended and if they are allowed to make up their assignments? Dr. Gordon answered that they are allowed to do so. For each day of suspension, they are allowed to make up their assignments. When a student is suspended for school an “S” code is placed in the system, meaning “suspension”. Mrs. Howell asked since there is no definition in the policy for “civic”, is this something that we will have to establish in writing or it’s something that is case by case handled by administration? Attorney Waller replied that if administration finds it difficult to implement, it may ask the Board to give the definition to the “civic” event. Dr. Gordon said that SPS will look at the nature of the event and if it is going to be shared with the class for any type of educational purpose. In most cases, there has been a previous discussion with administration and it is handled at the building level. We have had kids serve as pagers which is always excused, visitors with the general assembly or even at the capital or local events in Suffolk. 90% of the time they are excused. As a former history and government teacher, Dr. Gordon stated that he has a pretty strong grasp of this and assures the committee that his team can handle situations when a student submits a request to be absent from school to take part in a civic event. Dr. Brooks-Buck mentioned that SPS had students that participated in a demonstration at Lakeland and Nansemond River in support of the Parkland, FL students, the mayor was there as well. It was very organized and the students asked if the members of the school board would speak. It was done very nicely. There were no further questions or comments regarding this policy.

- **SECTION 9-8.2 (TAB 58) – 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.**

Grammatical changes are being proposed to this policy. Also, language added to this policy includes if a parent provides a reason for the child’s absence from school that is unacceptable to the school administration, the school will notify the parent by phone to receive more information regarding the student’s absence from school. Virginia Code Section 22.1-258 requires that there be direct contact with a parent when a student is absent from school. There were no questions or concerns regarding this policy.

- **SECTION 9-27.2 (TAB 67) – Requirements for Service Animals on School Property.**

Language was been removed which read that service animals must be immunized against diseases common to that type of animal and replaced with vaccinated as required by law. Animal vaccination is required by Virginia Code Section 3.2-6521. There were no questions or concerns regarding this policy.

- **SECTION 10-1.3 (TAB 68) – School Visitors; Parents; Board Members.**

When visitors enter school property, their name must not appear on the Virginia’s Crimes Against Minors Registry. A check of the Crimes Against Minors Registry is routinely done when visitors enter property of SPS. There were no questions or concerns.

- **SECTION 10-10.1 (TAB 72) – Registration requirement; grounds for a trespass.**
This policy pertains to illegal activity on school buses. Certain activity on school buses can be reported to local law enforcement. The current language referenced school property but did not specifically also include illegal activity on school buses. This policy change is to ensure that not only can activities which happen in the school building be reported to law enforcement, but it reports can be made to law enforcement for activity occurring on a school bus. An error was pointed out in the reading of the policy and “shall be” needs to be deleted from the language. There were no further questions or concerns regarding this policy.

- **SECTION 10-18.2 (TAB 74) – 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.**

This policy pertains to school safety. The superintendent is required to develop relationships with law enforcement, including courts and judges, and utilize information reported on Virginia Crimes Against Minors Registry to prevent violence and crime on school property. There were no questions or concerns regarding this policy.

➤ **Business by Committee Meetings.**

Dr. Brooks-Buck questioned as to whether we should have the policies submitted as “First reading and adoption”, instead of having the first reading and then the second reading. Mrs. Howell didn’t have an issue proceeding with first reading and adoption, if permitted by Board policy and state code. Attorney Waller explained that it is really a judgement call on the Board’s part. What drives whether there will be a 1st and 2nd is a couple of things. Is the policy one that you want to give the public two opportunities to voice some concerns either “**for**” or “**against**” before its actual adoption. If the revisions are minor, often times the Board may forego a 2nd reading and go to 1st reading and adoption. Another factor to consider is whether or not there is an emergency situation that requires immediate action. If the Board believes immediate action is required because not having a policy in place would adversely impact school operations, the Board may forego a second reading and adopt the policy on a first reading. Those are the three factors that the School Board should weigh in determining whether they can have a first reading and adoption. Dr. Brooks-Buck commented that these policies are minor changes and nothing that is consider a “hot topic”. Since these are only minor changes and are required by law, we can submit these. Attorney Waller reiterated that even if policies are presented for first reading and adoption, a Board Member could ask that a policy be pulled and there be a second reading before its adoption. The committee agreed to have the policies presented as first reading and adoption at the next board meeting.

➤ **Next meeting to be determined. Adjournment.**