

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; Employee Refusal to Perform Certain Tasks not Subject to Discipline; Placement on Probation Treated as Conviction; Employee not Subject to Discipline for administration of an opioid antagonist; administrative regulations required. — 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. For purposes of this policy, a court's placing an individual on probation pursuant to Va. Code § 18.2-251 shall be treated as a conviction and as a finding of guilt.

G. No employee of the School Board will be subject to disciplinary action for any act or omission made in connection with the administration of an opioid antagonist, when the employee during regular school hours, on school premises, or during a school-sponsored activity, in good faith administers an opioid antagonist for opioid overdose reversal to any individual who is believed to be experiencing or about to experience a life-threatening opioid overdose, regardless of whether such employee was trained or certified in the administration of an opioid antagonist.

F. H. Administrative 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, 22.1-274.4:1, 22.1-296.2, 22.1-313, 22.1-315.