



Decorum and Order-School Board Meetings 1-48

School Board of the City of Virginia Beach
Bylaw 1-48

SCHOOL BOARD BYLAWS

Decorum and Order-School Board Meetings

A. Purpose of decorum during meetings

It is the intent of the School Board by adoption of this Bylaw to maintain appropriate decorum and order for, but not limited to the following purposes:

1. to ensure that the affairs of the School Board and School Board Committees may be conducted in an open and orderly manner during meetings;
2. that all persons desiring to address the School Board are afforded an opportunity to do so in the order in which they sign up to speak;
3. that persons in attendance may observe and hear the proceedings of the School Board without distraction;
4. that students and other young audience members who attend or watch such meetings are not subject to inappropriate language or conduct;
5. that School Board Members and School Division employees or other agents are able to transact the business of the School Board with minimal disruption while allowing for public input.

B. Limitations on addressing the School Board

Persons addressing the School Board shall:

1. Confine their comments to matters germane to the business of the School Board.
2. Refrain from obscenity, vulgarity, and comments or actions with the intent to incite violence or other breach of peace.
3. Comply with the time limits for public comment set forth in Appendix B of the Bylaws.

C. Other expressive activities during meetings

Expressive activities including, but not limited to, petitioning, picketing, displaying signs or posters, solicitation, demonstrating, pamphlet distribution, and conducting polls shall not be permitted in the School Board Chambers, the School Board conference room, the waiting areas and corridors adjacent to the School Board Chambers and School Board conference room, the School Administration building, or in any school building while a School Board meeting is happening.

D. Other methods of communicating with the School Board

The School Board encourages citizens and other interested parties to communicate with the School Board regarding matters related to public education. Due to the limited time scheduled to conduct business and the need to follow approved agenda items, School Board meetings may not be conducive for all forms of communication to the School Board. Persons seeking to communicate with the School Board may contact School Board Members through other methods of communication, including VBCPSSchoolboard@googlegroups.com, as well as in addition to those provided at School Board meetings.

This Bylaw does not preclude persons addressing the School Board from delivering the School Board or its Clerk written materials including reports, statements, exhibits, letters, or signed petitions. Nor does this Bylaw preclude those addressing the School Board from using a chart or graph during their verbal presentation. Furthermore, nothing herein shall be interpreted to prohibit citizens from addressing oral or written comments or complaints on any subject germane to the business of the School Board to the School Board, its constituent members, the Clerk of the School Board or the School Administration outside the context of the public meeting.

- E.** The Chairman or other presiding officer shall preserve decorum and shall decide all questions of public order, subject to appeal to the School Board.
- F.** No person attending a meeting of the School Board, in any capacity, shall use, or allow to sound, any device in a manner that disrupts the conduct of business within the room in which the School Board or a Committee thereof is meeting. Notice of this restriction shall be posted outside of School Board Chambers and on the agenda for any School Board meeting.
- G.** At the request of the Chairman or Superintendent, a city police officer shall act as sergeant-at-arms at all School Board meetings. That officer shall, under the direction of the Chairman or other presiding officer, have charge of the School Board Chambers, the School Board conference room, the waiting areas and corridors adjacent thereto, and the School Administration Building, and shall prevent disorder or interruption of the business of the School Board.



NOTICE TO PERSONS ATTENDING SCHOOL BOARD MEETINGS REGARDING DECORUM EXPECTATIONS

Meetings of the School Board and its committees are conducted for the purpose of addressing the business of the School Board. Certain meetings are subject to the open meetings requirements of the Virginia Freedom of Information Act. Members of the public may observe open meetings but may only address the School Board or its committees when the public comments have been made a part of the meeting agenda.

1. School Board Bylaws 1-47 and 1-48 sets forth the Decorum and Public Speaker rules to be enforced during School Board meetings. These bylaws can be accessed on the VBSchools.com website.
2. Please note that due to health or safety considerations as well as available seating in the meeting location, the School Board and the School Administration reserve the right to make determinations regarding the available in person seating and space for members of the public. When space for in person attendance for members of the public cannot be accommodated, efforts reasonable under the circumstances will be made to provide public access to the meeting through electronic or audio means.
3. When the Chair/designees determines that conduct in the meeting location or a location adjacent to the meeting location, is disrupting the orderly conduct of the meeting, the Chair/designee will first warn persons in the room to cease the disruptive conduct. If the disruptive behavior continues, the Chair/designee will pause the meeting and request that the person(s) causing the disruption leave the room. If the person(s) does not leave the room, the Chair/designee will request that staff or the Sergeant at arms (if applicable) remove the person(s) from the meeting and School Board property.
4. The Chair/designee may recess the meeting until the meeting can continue in an orderly manner. In consultation with the School Board Members present, the Chair/designee may determine that in public access may discontinued or modified.
5. The following conduct may be determined to be disruptive to a meeting
 - A. Threatening or criminal conduct, or reasonable belief that conduct will become so.
 - B. Obscenity, vulgarity or comments or actions with the intent to incite violence or breach of the peace.
 - C. Public comments or actions that interfere with other persons being able to hear, observe, address the School Board during public comment sections of the meeting, enter or leave the meeting location.
 - D. Conduct that poses or is reasonably anticipated to pose a health or safety risk to persons in the meeting or an adjacent location to the meeting.
 - E. Petitioning, picketing, displaying signs or posters, solicitation, demonstrating, pamphlet distribution or conducting polls are not permitted in School Board meeting rooms or in the conference room, waiting area or corridors adjacent to the meeting location when the meeting is taking place.
 - F. During meetings, use of recording, communication, digital or electronic devices or other instruments/items in a manner that disrupts the meeting.
 - G. Other conduct determined by the Chair/designee to cause a disruption that interferes with the orderly manner in which a meeting is conducted.



VIRGINIA BEACH CITY PUBLIC SCHOOLS

CHARTING THE COURSE

School Board Services

Carolyn T. Rye, Chair
District 5 - Lynnhaven

Kimberly A. Melnyk, Vice Chair
District 7 – Princess Anne

Beverly M. Anderson
At-Large

Sharon R. Felton
District 6 – Beach

Jennifer S. Franklin
District 2 – Kempsville

Dorothy M. Holtz
At-Large

Laura K. Hughes
At-Large

Victoria C. Manning
At-Large

Jessica L. Owens
District 3 – Rose Hall

Trenace B. Riggs
District 1 – Centerville

Carolyn D. Weems
District 4 - Bayside

Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting Proposed Agenda Tuesday, August 24, 2021

Pursuant to the Virginia State Health Commissioner's Order of Public Health Emergency Statewide Requirement to Wear Masks in K-12 Schools issued August 12, 2021, and Virginia Acts of Assembly No. 1303, Chapter 456, and the Center for Disease Control and Prevention (CDC)'s guidance for K-12 schools, and the School Board's 2021-2022 Reopening Plan adopted August 10, 2021, it is determined limited public seating due to physical distancing mitigation strategies will be made available on a first-come, first-served basis beginning shortly before the Workshop session of the School Board Meeting. Members of the public will also be able to observe the School Board Meeting through livestreaming on www.vbschools.com, broadcast on VBTV Channel 47, and on Zoom through the link below.

Citizens who would like to speak can sign up to speak either in person or electronically. The School Board has determined that in person speakers will be heard before speakers who are participating electronically. All speakers must be signed up to speak by noon on August 24, 2021. Speakers must state the Formal Agenda item that they will address or the topic that will be presented during the Informal and Non-Agenda public comment section. During the Formal Agenda public comment section of the Meeting, the School Board will hear comments only on matters that are under consideration by the School Board on the Formal Agenda. If a public speaker speaks on a matter not on the Formal Agenda for consideration by the School Board, the speaker will be ruled out of order and will forfeit the time left for public comment. At the conclusion of the Formal Meeting, the School Board will hear public comment on Informal and Non-Agenda items. Persons signed up to speak during the Formal Agenda public comment section of the Meeting may ask to be moved to the Informal and Non-Agenda item public comment section at this time but will not have the opportunity to switch to the Informal and Non-Agenda Item public comments after the Formal Agenda public comment section of the Meeting has begun. The Informal and Non-Agenda Item speaker portion of the School Board Meeting is not broadcast on VBTV but may be observed through the Zoom link listed below. The School Board Chair will determine matters of decorum and order during the Meeting and may pause the Meeting to restore decorum and order in the Meeting. The School Board reserves the right to conclude public speaker comments by vote of the School Board. All public comments shall meet the School Board Bylaw 1-48 requirements for Decorum and Order.

In person speakers will be required to follow physical distancing and safety protocols including wearing a face covering while in the School Administration Building while addressing the School Board. Speakers who are under 18 years old may be accompanied by one adult while in the School Administration Building. Citizens requiring accommodations to these requirements are encouraged to participate through electronic means or to contact the School Board Clerk to discuss accommodations to these requirements. Anyone requesting an exemption from wearing a face covering in School Board Meetings must complete this [form](#) and send to the School Board Clerk, Regina Toneatto, Regina.Toneatto@vbschools.com, by 9:00 AM the day before a School Board meeting or committee meeting. Anyone who makes this request as noted will be contacted by the Clerk before the scheduled meeting to note what, if any, accommodations will be provided.

Attendee link: https://us02web.zoom.us/join/register/WN_n8uKJtA_QYuFme7MJYicHg Call-in (301) 715-8592 ID 851 3234 4082

Public comment is always welcome by the School Board through their group e-mail account at vbcpschoolboard@googlegroups.com or by request to the Clerk of the School Board at (757) 263-1016

INFORMAL MEETING

1. **Convene School Board Workshop (School Board Chambers) 3:30 p.m.**
 - A. School Board Administrative Matters and Reports
 - B. Department of School Division Services Update
 - C. 2021-2022 Plan Update and Canvas Adoption
 - D. Policy 5-7 – Non-Discrimination/Non-Harassment of Students and Supporting Regulations Updated 08/23/2021
 - E. The Legal Aspects in Collective Bargaining
2. **Closed Meeting (as needed)**
3. **School Board Recess 5:30 p.m.**

FORMAL MEETING

4. **Call to Order and Verbal Roll Call (School Board Chambers) 6:00 p.m.**
5. **Moment of Silence followed by the Pledge of Allegiance**
6. **Student, Employee and Public Awards and Recognitions**

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VIRGINIA BEACH CITY PUBLIC SCHOOLS

CHARTING THE COURSE

School Board Regular Meeting Proposed Agenda (continued)
Tuesday, August 24, 2021

7. **Adoption of the Agenda**

8. **Superintendent's Report**

9. **Approval of Meeting Minutes:**

- A. August 10, 2021 Regular School Board Meeting **Added 08/23/2021**

10. **Hearing of Citizens and Delegations on Formal Agenda Items**

The School Board will hear public comment on Formal Agenda items at the August 24, 2021 School Board Meeting. Citizens may sign up to speak by completing the [online form here](#) or contacting the School Board Clerk at 263-1016 and shall be allocated 4 minutes each. Sign up for public speakers will close at noon on August 24, 2021. Speakers will be provided with further information concerning how they will be called to speak. In person speakers should be in the parking lot of the School Administration Building, 2512 George Mason Drive, Building 6, Municipal Center, Virginia Beach, Virginia 23456 by 5:45 p.m. August 24, 2021. Speakers signed up to address the School Board through Zoom or by telephone should be signed into the School Board Meeting by 5:45 p.m. All public comments shall meet the [School Board Bylaw 1-48](#) requirements for Decorum and Order.

11. **Consent Agenda**

All items under the Consent Agenda are enacted on by one motion. During item 7 – Adoption of the Agenda – School Board members may request any item on the Consent Agenda be moved to the Action portion of the regular agenda.

- A. Religious Exemptions

12. **Action**

- A. Personnel Report / Administrative Appointment(s) **Updated 08/26/2021**
B. Unsolicited PPEA
C. Policy Review Committee Recommendations
1. Policy 5-7 / Non-Discrimination/Non-Harassment of Students **Updated 08/23/2021**

13. **Information**

- A. Program Evaluation Schedule 2021-2022
B. Policy Review Committee Recommendations
1. Policy 4-1 / Personnel/Employees of the Board
2. Policy 4-18 / Dismissal or Placement on Probation
3. Policy 4-75 / Conditions of Employment
4. Policy 4-88 / Holidays
5. Regulation 5-21.1 / Student Suspension and Expulsion
6. Policy 5-25 / Student Placement
7. Policy 5-26 / Course Load
8. Policy 5-27 / Promotion, Retention and Acceleration
9. Policy 5-28 / Reporting Student Progress
10. Policy 5-29 / Awards for Achievement/Class Rank/Honor Designations
11. Policy 5-31 / Scholastic Records
12. Policy 6-77 / Literacy and Response to Intervention Screening and Services

14. **Committee, Organization or Board Reports**

15. **Conclusion of Formal Meeting**

16. **Hearing of Citizens and Delegations on Informal Meeting and Non-Agenda Items**

The School Board will hear public comment on Informal Meeting and Non-Agenda items at the August 24, 2021 School Board Meeting. This portion of the School Board Meeting is not broadcast on VBTB but may be observed through the Zoom link listed above. Citizens may sign up to speak by completing the [online form here](#) or contacting the School Board Clerk at 263-1016 and shall be allocated 4 minutes each. Sign up for public speakers will close at noon on August 24, 2021. Speakers will be provided with further information concerning how they will be called to speak. In person speakers should be in the parking lot of the School Administration Building, 2512 George Mason Drive, Building 6, Municipal Center, Virginia Beach, Virginia 23456 by 5:45 p.m. August 24, 2021. Speakers signed up to address the School Board through Zoom or by telephone should be signed into the School Board Meeting by 5:45 p.m. All public comments shall meet the [School Board Bylaw 1-48](#) requirements for Decorum and Order.

17. **Workshop (as needed)**

18. **Closed Meeting**

19. **Vote on Remaining Action Items (as needed)**

20. **Adjournment**



Subject: Department of School Division Services Update **Item Number:** 1B

Section: Workshop **Date:** August 24, 2021

Senior Staff: Jack Freeman, Chief Operations Officer, Department of School Division Services

Prepared by: Jack Freeman, Chief Operations Officer, Department of School Division Services
James T. Lash, Executive Director of Transportation and Fleet Management Services

Presenter(s) : Jack Freeman, Chief Operations Officer, Department of School Division Services
James T. Lash, Executive Director of Transportation and Fleet Management Services

Recommendation:

That the School Board receive a SY 2021/22 opening update from the Department of School Division Services.

Background Summary:

Staff will present an update on our ongoing Safe Water Initiative as well as a new initiative in response to recent legislation regarding legionella. The new legislation (Senate Bill 410) requires that each school board shall maintain a water management program for the prevention of Legionnaires' Disease at each public school building.

An update from Transportation Services will be presented in preparation for the opening of school addressing actions being taken to address our driver shortage, the expansion of our propane fleet, our use of electric buses, and the implementation of our non-radio system upgrade/conversion.

Source:

Virginia Beach City Public Schools (VBCPS) has outlined the Safe Water Initiative at the follow link:

<https://www.vbschools.com/cms/one.aspx?portalId=78094&pageId=23021795>

[Code of Virginia § 22.1-138.C Minimum standards for public school buildings.](#)

Budget Impact:

TBD



Subject: 2021-2022 Plan Update and Canvas Adoption **Item Number:** 1C

Section: Workshop **Date:** August 24, 2021

Senior Staff: Donald Robertson, Jr., Ph.D., Chief of Staff

Prepared by: Donald Robertson, Jr., Ph.D., Chief of Staff

Presenter(s): Jack Freeman, Chief Operations Officer, Department of School Division Services

Eugene Soltner, Ed.D., Chief Schools Officer, Department of School Leadership

Kipp Rogers, Ph.D., Chief Academic Officer, Department of Teaching and Learning

Recommendations:

That the School Board receive additional information related to the reopening plan for the 2021-22 school year. This information includes health and safety mitigations based on guidance from national, state and local health officials; data and other factors to be considered when addressing COVID-19 cases; update on 2020-21 student achievement measures (PALS, RI) as well as academic performance from 2021 summer programming; introduction of plans to phase out Schoology and implement CANVAS, a new state-funded Learning Management System; update on high school athletics and extracurricular programs, introduction of plans for middle school athletics and extracurricular programming; current student enrollment figures; and school plans for transition programs and staff In-Service week.

Background Summary:

The School Board approved plans for the 2021-22 school year on Aug. 10, 2021, and this presentation is an update on that plan.

Source:

Budget Impact:

TBD



Subject: Policy 5-7 - Non-Discrimination and Non-Harassment of Students and Supporting Regulations **Item Number:** 1D

Section: Workshop **Date:** August 24, 2021

Senior Staff: Donald Robertson, Ph.D., Chief of Staff

Prepared by: Kamala Lannetti, Deputy City Attorney; John Sutton, III, Coordinator, Policy and Intergovernmental Affairs

Presenter(s): School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney

Recommendation:

Policy 5-7 Non-discrimination and non-harassment of students- the PRC recommends amending the Policy to direct the Superintendent to develop regulations, etc., to comply with Code of Virginia §2.2-23.3.

Background Summary

In 2020, the Virginia General Assembly enacted Code of Virginia §2.2-23.3, Treatment of transgender students; policies. This statute requires the Virginia Department of Education to develop model guidelines for school boards regarding the treatment of transgender students in public elementary and secondary schools. The General Assembly requires each school board to adopt policies that are consistent with but may be more comprehensive than the model policies developed by the Virginia Department of Education. The Virginia Department of Education Model policies for Treatment of Transgender Students in Public Elementary and Secondary Schools was finalized in March 2021 and school boards are required to adopt policies that are consistent with the Model policies prior to the start of the 2021-2022 school year. Legal challenges to the implementation of this requirement were dismissed by a Virginia Court in July 2021.

The PRC reviewed the Policy 5-7 amendments and approved the request to have Policy 5-7 added to the Action Agenda for the August 24, 2021 School Board Meeting in order to have the Policy in effect by the start of the new school year. The School Administration and School Board Legal Counsel have developed draft regulations to implement some of the requirements in the Model policies. Several School Board policies and regulations already exist that address certain requirements in the Model policies.

Source:

Code of Virginia, 1950 § 2.2-3900, *et seq.*, as amended. Virginia Human Rights Act

Code of Virginia, 1950 § 22.1-253.12:7, as amended. School Board Policies.

Code of Virginia, 1950 § 22.1-23.3, as amended. Treatment of transgender students; policies.

Virginia Department of Education Model policies for Treatment of Transgender Students in Public Elementary and Secondary Schools, March 2021.

Policy Review Committee Meeting on August 11, 2021

Budget Impact:

N/A

STUDENTS

Non-discrimination and non-harassment of students

A. Purpose

The School Board is committed to maintaining an environment where all students and staff members conduct themselves in a manner built on mutual respect, where differences are understood and appreciated, and where all persons are treated fairly and with respect. It is the Policy of the School Board to prohibit any and all discrimination, harassment and bullying based on an individual's race, color, religion, national origin, sex, sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, genetic information or military/veteran status. The School Board will have jurisdiction over such complaints when the alleged conduct happens on school property, ~~vehicles~~~~vehieles~~, ~~or grounds~~ while school activities are going on, at school related or sponsored events, or through School Division communication systems. At its discretion, the School Board or Superintendent may take jurisdiction of complaints that happen outside of these specified situations if the alleged conduct causes significant disruption to the educational environment. The Superintendent or designee is directed to develop regulations, practices and trainings related to compliance with Code of Virginia § 2.2-23.3, as amended and the Virginia Department of Education Model policies for Treatment of Transgender Students in Public Elementary and Secondary Schools. ¹The School Board directs the Superintendent to take prompt and appropriate action to investigate and resolve all complaints and to publish and provide training regarding this Policy.

B. Report of Complaint

Any student who ~~is the~~ ~~believes that he or she has been the~~ victim of discrimination, harassment or bullying based on race, color, religion, national origin, sex, sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, genetic information or veteran status by a student, employee, official, or non-School Division employee agent, volunteer or invitee is required to immediately report the alleged acts to the principal, assistant principal or an appropriate School Division official. Any person who has reason to believe that a student has been subject to such discrimination, harassment or bullying must report the alleged acts to the principal or an appropriate School Division official immediately, but in no case less than a reasonable amount of time after the person learned of the alleged acts.

Any employee or official who receives information that a student has or may have been the victim of such discrimination, harassment or bullying is required to promptly report the alleged acts to the principal or an appropriate School Division official. Failure to report such information may result in disciplinary action up to and including dismissal.

Use of formal reporting forms is not necessary. Nothing in this Policy will prevent any person from reporting such discrimination, harassment, or bullying directly to the Superintendent/or designee.

C. Who acts as Investigator of Complaints

1. Who acts as Investigator if a Student is the Harasser/Discriminator

The building principal or designee will act as the investigator for the purpose of investigating allegations of discrimination, harassment or bullying against a student by another student.

2. Who investigates if Employee, Official or School Division agent, volunteer or invitee is the Harasser/Discriminator.

If the principal or designee receives a complaint of discrimination, harassment or bullying against a student by a School Division employee, official or School Division agent, volunteer or invitee, the principal or designee will act as the investigator for the purpose of investigating allegations of discrimination, harassment or bullying against a student by individuals within the school. The principal should consult with the Department of Human Resources, Office of Employee Relations regarding investigations, findings and proposed actions.

3. Who investigates if a Principal, School Administrator, the Superintendent or a School Board Member is the Harasser/Discriminator.

If the complaint involves a principal, the matter will be directed to the Department of School Leadership (DOSL) for investigation. DOSL should consult with the Department of Human Resources, Office of Employee Relations regarding investigations, findings and proposed actions. If the complaint involves the Superintendent, the matter will be directed to School Board to determine whether a third party or other individual should be assigned to investigate the matter. Complaints involving School Board Members should be directed to the Chair~~man~~ of the School Board or the Vice Chair~~man~~- if the Chair~~man~~ is involved. The remaining School Board Members will determine the appropriate course of investigation under these circumstances.

D. Investigation process

Upon receipt of a report or complaint of such discrimination, harassment or bullying of a student the designated investigator will as soon thereafter as practical, undertake or authorize an investigation. The investigation may be conducted by a third party if designated by the Superintendent or School Board. Within three (3) business days, the

complainant will receive notice of who has been assigned to investigate the complaint and how to contact the investigator. Confidentiality will be maintained in accordance with applicable law and regulation. The investigator will provide the complainant, ~~victim~~victim, and alleged violators the opportunity to provide testimony, evidence and/or witnesses regarding the alleged acts. The investigator will make a reasonable effort to obtain information concerning the alleged acts and related circumstances. The investigator will prepare an investigation report which will include:

1. the allegations as made by the complainant;
2. any additional allegations as ascertained during the investigation;
3. a summary of the evidence obtained during the investigation;
4. the alleged violator's response and supporting evidence regarding the allegations;
5. a summary of statements or other evidence provided by the victim, witnesses or other related parties;
6. the efforts made by the School Division to remedy or otherwise address the circumstances leading to or resulting from the alleged acts;
7. whether the complainant or victim is satisfied with those remedies or seeks further action;
8. the investigator's recommendations regarding whether the allegation has been substantiated as a violation of this Policy and any further actions needed to remedy the complaint or address unresolved issues; and
9. any other relevant information not otherwise addressed

Within fifteen (15) business days, the investigation report will be completed and provided to the complainant (if the complainant is also the alleged victim), to the alleged violator, and to the appropriate School Division staff member. Upon agreement by the victim or if extenuating circumstances arise, the time period to complete the investigation report may be extended for a reasonable period of time. If the complainant is not the victim, then the complainant will be informed that the complaint has been investigated and handled in accordance with this Policy or applicable law and regulation. Portions of the investigation report may be kept confidential to protect the rights of students or staff members. The investigator's obligation to conduct this investigation will not be extinguished by the fact that a civil, administrative or criminal investigation involving the same or similar allegations is also pending or has been concluded.

E. Action by the School Administration or School Board

Upon receipt of the investigation report, the principal or designee, the Superintendent or designee, or the School Board, will take prompt, appropriate formal or informal action to address, and where appropriate, remediate the violation. Such action may ~~include~~include disciplining any students using student discipline procedures; disciplining any employees or officials involved using employee discipline procedures; taking appropriate action against School Division agents, volunteers or invitees. Action taken for violation of this Policy shall be consistent with the requirements of applicable

local, state and federal law and regulation and School Board policies and regulations of a related nature or degree of severity.

In the event that the evidence suggests that the discrimination, harassment or bullying at issue is also a crime or other violation of local, state or federal law or regulation, the Superintendent or designee, or other official shall report the results of the investigation to the appropriate enforcement agency.

F. Appeal of determination or action taken

If the victim of the complaint is not satisfied with the determination of the investigation report or the action taken by the School Division to prevent further harassment, discrimination or bullying of the victim, the victim may file an appeal within fifteen (15) calendar days of receipt of the investigation report. The victim will not be entitled to appeal the disciplinary action imposed on a student, employee or official. The appeal should be filed with the Superintendent if the acts were alleged to have been caused by a student, employee, official, or School Division agent, volunteer or invitee. If the acts were alleged to have been caused by the Superintendent or a School Board Member, the appeal should be filed with Clerk of the School Board. The School Board will make a decision within thirty (30) business days of receiving the appeal or within a reasonable time after the complaint is filed. The School Board may ask for oral or written argument from the victim and the School Administration and any other individual that the School Board deems relevant. At its sole discretion, the School Board may hold a hearing or designate a hearing officer to hold a hearing on the appeal. The School Board will set the terms and conditions for any such hearing.

G. Retaliation or false complaints

Persons who use this procedure for good faith complaints will not be retaliated against by the School Board or School Division staff. The School Board directs that appropriate action be taken against any person who retaliates against another person for reporting alleged violations of this Policy or for participating in related proceedings. Persons who knowingly file false complaints and any person who knowingly gives false statements or evidence in a related proceeding may be subject to discipline or other appropriate action. Students may be subject to discipline up to and including suspension or expulsion. School Board employees or officials may be subject to discipline up to and including dismissal. School Division agents, volunteers, and invitees may be subject to measures up to and including exclusion from School Board property, buses, communication systems and school sponsored events.

H. Posting of Policy and Training

The Superintendent or designee will conspicuously post this Policy or a summary thereof in each school in a place accessible to students, School Division staff and the public. The notice will include the name, mailing address and telephone number of that

School's compliance official or the contact information for any state or federal agency responsible for investigating the allegations.

This Policy will be referenced in the student handbook and will be made available upon request of parents, students, and other interested parties.

The Superintendent/or designee will develop a method of reviewing this Policy with students and employees. Training on the requirements for Compliance with this Policy will be provided to all School Division students, employees, officials and other agents on an annual basis, and at such times as the Superintendent determines are appropriate or necessary.

Notes:

¹This Policy should not be read to abrogate other School Board policies or regulations prohibiting other forms of unlawful discrimination, inappropriate behavior, and/or hate crimes within the School Division. It is the intent of the School Board that all such policies be read consistently to provide the highest level of protection from unlawful discrimination in the provision of educational services and opportunities.

²"Tolerate" is defined to mean allow to happen, fail to intervene, encourage, fail to report or otherwise, provided that the person knew or could have reasonably been expected to know about the actions.

Legal reference

Code of Virginia § 2.2-3900, *et seq.*, as amended. Virginia Human Rights Act.

Code of Virginia § 22.1-23.3, as amended. Treatment of transgender student; policies.

Adopted by School Board: June 3, 2003

Amended by School Board: November 19, 2013

Amended by School Board: August 18, 2015

Amended by School Board: August 2, 2016

Amended by School Board: May 12, 2020

Amended by School Board: 2021

STUDENTS

Treatment of Transgender Students

The School Division respects students' variations in sexuality, gender identity, expression, and/or presentation. Students are entitled to a safe and positive learning environment regardless of their sexuality, gender identity, expression, and/or presentation.

A. Confidentiality of information

1. All school personnel shall adhere to legal standards of confidentiality relating to information about a student's gender identity, legal name, or sex assigned at birth.
2. In addition to adhering to all legal standards of confidentiality, school personnel shall treat information relating to a student's gender identity as particularly sensitive and shall not disclose it to other students and other parents.
3. Disclosure of such information may only be made to other school personnel with a legitimate educational interest.

B. Student name and gender pronouns

1. In accordance with this subsection, students will be allowed to use a name and gender pronoun that reflects their gender identity without substantiating evidence. The pronouns recognized by the School Division will be: he; she; or they.
2. At the written request of the student or parent/legal guardian of a minor student, use the name and pronoun that corresponds to the student's or parent/legal guardian's request. The school administration where the student attends school may request that the request be made in writing and signed by the student or parent/legal guardian of a minor student.
3. School personnel and students who are not informed of the requested name and gender pronoun by the school administration will not be found to have discriminated against or harassed the student for not using the requested name or gender pronoun.
4. Inadvertent or mistaken use of a student's preferred name and/or gender pronoun will not constitute discrimination or harassment if the school administration determines that there was no ill will or intention to discriminate or

harass the student. Reasonable efforts will be made to inform the person not using the student's preferred name or pronoun and that compliance with this Regulation and related policies and regulations is required.

5. In the situation when parents/legal guardians of minor students (under 18 years of age) do not agree with the minor student's request to adopt a new name and/or pronoun, the student and parent/legal guardian will work with school administrators to determine how to address the student's needs. The safety and welfare as well as the student's access to educational services and opportunities should serve as the primary focus.
6. Student records may be amended to reflect the adult student or parent/legal guardian of a minor student's choice or gender identity categories: male; female; non-binary or no choice. Other than written documentation of the request, school administrators may not require that substantiating documentation of a gender identity. This subsection does not apply to participation in extracurricular sports.
7. Student records that require the student's legal name be used may not be amended to reflect a chosen name unless supported by a court order. In accordance with guidance from the Office of Student Support Services, when school records do not require that the student's legal name be used, the school personnel may use the requested name.

C. Participation in school activities and events

Gender based practices should be limited to serve legitimate, educational goals or for otherwise non-discriminatory purposes. The following should be considered and implemented when practicable

1. Gender grouping for class activities or school sponsored events should not be used unless necessary to accomplish the purpose of the activity or event.
2. Single-gender activity or programs should not be based on generalizations or stereotypes about different talents, capacities, or preferences of any gender. Examples include but are not limited to: composition of choruses should be gender-inclusive and based only on vocal range or quality requirements.
3. Whenever schools provide gender specific activities such as physical education classes; students should be allowed to participate in a manner consistent with their gender identity. Students have the right to equitable access to programs, after-school programs, extracurricular activities, intramurals, non-competitive sports leagues, and field trips based on the student's gender identity.
4. This Regulation does not address access to competitive sports. Athletic participation regulated by the Virginia High School League (VHSL) or another

organization such as the Virginia Scholastic Rowing Association (VASRA), as well as middle school athletics, shall be in compliance with policies and rules outlined by those organizations.

Legal reference

Code of Virginia § 2.2-3900, et seq., as amended. Virginia Human Rights Act.

Code of Virginia § 22.1-23.3, as amended. Treatment of transgender students; policies.

Virginia Department of Education Model Policies for the Treatment of Transgender Students in Virginia's Public Schools (2020), as amended.

Adopted by Superintendent: August 24, 2021

STUDENTS

Use of facilities

Access to facilities such as restrooms and locker rooms that correspond to a student's gender identity shall be available to all students. Upon request, single-user, gender-inclusive facilities or other reasonable alternatives shall be made available to any student who seeks privacy. Any options offered shall be non-stigmatizing and minimize loss of instructional/activity time. Menstrual supplies shall be available in accessible locations in elementary schools and in the bathrooms of each middle and high school. All students are entitled to use restrooms and locker rooms without harassment, discrimination, intimidation, threat, or fear.

Legal reference

Code of Virginia § 2.2-3900, et seq., as amended. Virginia Human Rights Act.

Code of Virginia § 22.1-6.1, as amended. Menstrual supplies; availability; public elementary, middle, and high schools.

Code of Virginia § 22.1-23.3, as amended. Treatment of transgender students; policies.

Virginia Department of Education Model Policies for the Treatment of Transgender Students in Virginia's Public Schools (2020), as amended.

Adopted by Superintendent: August 24, 2021

INSTRUCTION

Field/Class/Curriculum or Extra-curricular Trips

The Superintendent authorizes the travel for field/class/curriculum or extra-curricular trips under the conditions set for the below.

A. Commercial Carriers

Commercial carriers listed on the School Division's Approved Passenger Motor Carrier List may be used when appropriate. Pre-approval through the School Division's Passenger Carrier Master Agreement must be obtained at least 30 days in advance for the use of non-local and out of state commercial carriers.

B. Privately-Owned Vehicles - general requirements include:

1. No student, parent/legal guardian, or volunteer who has been convicted of two or more traffic violations within the preceding 12 months, has two or more unresolved traffic violations within the preceding 12 months, or has one conviction and one or more unresolved traffic violation(s) within the preceding 12 months, shall drive students on a field trip or to a school-related event.
2. No student, parent/legal guardian, or volunteer who has been convicted of driving under the influence of drugs or alcohol within the preceding five (5) years or who has a driving under the influence of drugs or alcohol charge pending, shall drive students on a field trip or to a school-related event.
3. The coach, activity sponsor, or building principal shall require any person driving students in a private vehicle to display a valid driver's license and parent permission slip, and to sign a written statement, on a school administration-approved form, that such driver does not have convictions or any pending charge(s) which violate applicable law, policy or regulation, and further agreeing to provide a DMV abstract in response to a request by School Administration, prior to such coach, sponsor, or building principal authorizing such driver to transport students. No driver who refuses to provide a DMV abstract upon the request of school administration shall be permitted to drive students on a field trip or to a school-related event.

C. Field Trips and Other School Events

1. Parents/legal guardians, students, volunteers, or other non-division persons, may drive students for field trips or other school events under the following circumstances:
 - a. School bus transportation is not available or feasible because of distance to the event, the limited number of students participating, or in other circumstances designated by the principal.
 - b. Adult students and minor students' parents/guardians are required to complete a field trip permission form, approved by the Department of School Administration, which clearly indicates the type of transportation, the type of driver (e.g. student, parent, volunteer), if not a member of the school staff, and other pertinent field trip information as required by the principal.
 - c. Persons not employed by the School Division and approved for driving for field trips will be required to furnish copies of certificates of insurance showing minimum combined liability limits per person, per accident of \$100,000 and a copy of a valid driver's license which shall be kept on file by the school. (Certificate of insurance coverage may be waived in the event that a rental vehicle is used and insurance with the foregoing limits is part of the rental agreement.) Non-division persons must also sign the certification required by Section B.

D. School Athletic Events

1. Parents/legal guardians, students and other non- division personnel may transport student athletes/athletic teams/cheerleaders to school- related athletic events only if:
 - a. Each adult student or minor student's parent/legal guardian has completed an Athletic Field Trip Form at the beginning of the current athletic season; and
 - b. The adult student or minor student's parents/legal guardian has signed the Release, Waiver and Indemnification form and such form is on file with the athletic team coach; and
 - c. No school bus, school vehicle or van transportation is available because of distance to the event, the limited number of students participating or in other circumstances designated by the principal.
2. No parent/legal guardian, student or other non- School Division persons will be permitted to transport an athlete or athletic team unless a copy of a valid

driver's license and proof of liability insurance showing minimum combined liability limits of \$100,000 per person, per accident for such driver are on file with the athletic team coach and such driver has signed the certification required by Section B.

3. For School Division employees who transport students on special occasions see Regulation 4-25.1.

E. Scope of School Board Liability Insurance

School Board liability insurance policies will not cover drivers approved under D(3) from liability claims of passengers or third parties, will not provide such drivers with medical pay insurance, and will not protect against uninsured motorists. Consequently, in emergency situations, such as the unavailability of a bus or insufficient seating in an employee's vehicle, non-division persons who transport students to school-related activities or events do so voluntarily and at their own risk. Such drivers shall comply with the minimum liability insurance requirements.

1. **Exceptions** - Nothing in this Regulation shall be interpreted to preclude a parent/legal guardian from transporting his/her own children to and from a sporting event or a school-related event with the prior permission of the coach or sponsor.

F. Accommodations for overnight trips

1. All students who participate in extracurricular activities that involve overnight trips should be made aware of the rooming, bathing, and changing facility arrangements for the overnight trip prior to signing up for the trip. Students may choose the rooming, bathing, and changing facilities that align with the student's gender identity. Students who have concerns regarding rooming, bathing, and changing arrangements should discuss their needs with the trip coordinator.
2. Trip coordinators will respect the confidentiality of students' gender identities and seek permission before discussing confidential information with other students, staff, and chaperones.
3. For overnight field trips, students should not be placed into single occupancy accommodations that are not required for other students; however, such alternative accommodations should be made available to any student requesting them.
4. Adults who are not students should not share rooming, changing, or bathing facilities with students. Exceptions may be made for family members.

5. Reasonable efforts should be used to resolve the accommodations needed for students attending the overnight trips.

H. Health and disability considerations

Trip coordinators should consider the health and disability accommodations that may need to be accommodated for students, staff, and chaperones to attend field, class, curriculum, extracurricular related trips. Students who have health issues or disabilities that may need to be accommodated may not be prohibited from attending the trip unless specific health and physical, mental, or emotional abilities are essential requirements for participating in the trip. Examples include but are not limited to: backpacking trip requires the ability to hike up mountains; ability to be outside for long periods of time; ability to walk for extended periods of time. When planning trips, trip coordinators should consider the transportation, health services, allergy or prescription drug plans, weather conditions, and personal assistance requirements for participants.

Related Links

Division **Regulation 4-25.1**

Legal reference

Code of Virginia § 2.2-3900, et seq., as amended. Virginia Human Rights Act.
Code of Virginia § 22.1-23.3, as amended. Treatment of transgender students; policies.
Virginia Department of Education Model Policies for the Treatment of Transgender Students in Virginia's Public Schools (2020), as amended.

Approved by Superintendent: July 16, 1991
Revised by Superintendent: November 10, 2011
Revised by Superintendent: July 12, 2013
Revised by Superintendent: September 6, 2017
Revised by Superintendent; August 24, 2021



Subject: Approval of Minutes **Item Number:** 9A

Section: Approval of Minutes **Date:** August 24, 2021

Senior Staff: N/A

Prepared by: Regina M. Toneatto, School Board Clerk

Presenter(s): Regina M. Toneatto, School Board Clerk

Recommendation:

That the School Board adopt the following set of minutes as presented:

- A. August 10, 2021 Regular School Board Meeting

***Note:** Supporting documentation will be provided to the School Board under separate cover prior to the meeting.

Background Summary:

Source:

Bylaw 1-40

Budget Impact:

N/A



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Services

Carolyn T. Rye, Chair
District 5 - Lynnhaven

Kimberly A. Melnyk, Vice Chair
District 7 – Princess Anne

Beverly M. Anderson
At-Large

Sharon R. Felton
District 6 – Beach

Jennifer S. Franklin
District 2 – Kempsville

Dorothy M. Holtz
At-Large

Laura K. Hughes
At-Large

Victoria C. Manning
At-Large

Jessica L. Owens
District 3 – Rose Hall

Trenace B. Riggs
District 1 – Centerville

Carolyn D. Weems
District 4 - Bayside

Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting Agenda MINUTES

Tuesday, August 10, 2021

School Administration Building #6, Municipal Center
2512 George Mason Drive
P.O. Box 6038
Virginia Beach, VA 23456

INFORMAL MEETING

1. **Convene School Board Workshop:** Chairwomen Rye convened the School Board workshop in the *Einstein Lab* at 3:35 p.m. on the 10th day of August 2021 and announced due to seating limitations in the Einstein Lab, the informal meeting/workshop portion can be viewed via VBT channel 47, via live streaming at watchlive.vbschools.com or via Zoom. It is the School Board's protocol to break at 5:30 p.m. to prepare for the regular School Board meeting to begin at 6:00 p.m. At 5:30 p.m. the School Board will conclude its informal meeting unless the School Board votes to continue the informal meeting until 5:45 p.m. The informal session will conclude no later than 5:45 p.m. to allow the School Board and the School Administration to prepare for the regular School Board meeting at 6:00 p.m.

The following School Board members were present in the Einstein Lab: Chairwoman Rye, Ms. Anderson, Ms. Felton, Ms. Holtz (arrived at 3:37 p.m.), Ms. Hughes, Ms. Manning, and Ms. Owens. The following School Board members attended via Zoom: Ms. Franklin (health reasons), Ms. Melnyk (health reasons), and Ms. Weems.

Chairwoman Rye also noted Dr. Robertson was present in Dr. Spence's stead who was absent due to health reasons.

Note, Ms. Riggs arrived in-person at 4:05 p.m.

- A. **School Board Administrative Matters and Reports:** Chairwoman Rye briefly discussed School Board decorum, speakers, and Bylaw 1-48; Ms. Manning had questions regarding speakers lining up to be called, identifying agenda items, and welcoming speakers; Ms. Hughes mentioned setting the tone for speakers, speaking time, supporting agenda materials, and items brought into chambers; a brief discussion followed regarding agenda materials and presentations, providing information to the School Board members.
- B. **2021-2022 Reopening Plan:** Donald Robertson, Jr., Ph.D., Chief of Staff, Jack Freeman, Chief Operations Officer, Eugene Soltner, Ed.D., Chief Schools Officer, and Kipp Rogers, Ph.D., Chief Academic Officer provided the School Board the reopening plan for the 2021-22 school year including mitigations, athletic plans, a preview of potential plans for transition programming, new teacher orientation, and students with disabilities with Virtual VA and VBCPS; Dr. Robertson gave an overview of the presenters and introduced Mr. Freeman to begin the presentation; he reviewed the division commitments – 5 days of in-person learning, fully virtual and fully in-person learning options, range of extracurricular activities offered in high school and middle school; planning considerations – Virginia Senate Bill 1303, CDC guidance for COVID-19 prevention in K-12 schools, VDH and VDOE interim guidance for COVID-19 prevention in Virginia PreK-12 schools, AAP COVID-19 guidance for safe schools, Governor Northam's comments at August 5 press conference; reviewed points from Governor's press conference, Virginia law approved on March 31, 2021, CDC guidance (key takeaways); monitoring metrics – will be using Virginia Beach data this year not Eastern Region; new cases in Virginia Beach; percent positivity; layered prevention strategies; percentages of vaccinated; reviewed recommended strategy – significant layers of mitigation, monitor, collaborate with VBDPH, coordinate with VBDPH to remove one layer of mitigations and monitor for a minimum of 3 weeks,

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before removing layers of mitigation: in accordance with the law - changes align with CDC guidance, in consultation with VBDPH – using up-to-date data and information; reviewed recommended implementation – provide 5 days of in-person instruction, continued collaboration with VBDPH to provide access to the vaccine, masking for all who enter our buildings and travel in School Board buses or vehicles; masks are not required outdoors, where possible distancing students by 3 feet, ventilation, daily use of the self-screening tool, stay at home when sick, contact tracing, quarantining, and isolation, return to routine cleaning protocols, encouraging good hand hygiene and respiratory etiquette, school buses – no COVID capacity limitations – windows/ventilation, seating charts, personal protective equipment (PPE), cafeterias – physical distancing to the greatest extent possible, assign seats when feasible to support contact tracing, field varsity, junior varsity and middle school sports teams with no COVID limitations on the size of the team, allowing performing arts comparable to athletics, full spectrum of extracurriculars, volunteers – not recommended, visitors – recommended by appointment or as scheduled, work experiences, community-based instruction – recommended with mitigations in place; Monday, August 16 – masks in all VBCPS buildings;

Dr. Soltner continued the presentation and discussed the New Teacher Orientation (August 23-25); 330 new teachers and counting; new teacher introduction to curriculum, supporting materials and resources, teaching and learning framework, positive and supportive learning environment, relevant technology applications and resources; VHSL Fall Sports overview – dates of first practice and first beach district contest date; VHSL Fall Sports notes – varsity sports are open to all grade levels, coaches and athletes not required to wear face coverings outdoors, must wear face coverings indoors, athletes may relax their face coverings when engaged in an indoor physical activity; face coverings will be required for spectators for all indoor events and 6 feet of distance must be maintained between spectators not in the same family, face coverings will not be required at outdoor events but spectators who are not in the same family will be asked to social distance, streaming services will again be available for a nominal fee; full marching band practices may begin August 11; orchestra, band ensemble, choral, and theater performances will return at the secondary level during the upcoming school year while adhering to applicable COVID mitigations; student leadership opportunities;

Dr. Rogers continued the presentation and discussed support for students with disabilities; Virtual Virginia – 93 students with disabilities, students will receive special education and related services by VBCPS teachers separate and after instruction is provided by VVA teachers; Virtual Virginia Beach – 53 students with disabilities, VBCPS teachers and related services staff will provide students concurrent instruction, asynchronous instruction, and adapted activities based on IEPs; the majority of students with disabilities will be returning to schools for face-to-face instruction, including all students served in SECEP; OPEC staff will support teachers and staff in meeting the needs of all students with disabilities in the various instructional models;

Mr. Freeman continued the presentation and reviewed communications; user friendly web-based plan; layered communication with teachers, staff, and families; #VBSafeTogether information webinars; Dr. Parham Jaber, Chief Deputy Commissioner for Public Health Preparedness, Virginia Department of Health, joined the workshop via Zoom; share resources, guidance, to make sure recommendations provided by school system are supported; layered strategies; vaccinations; contact tracing; masking; physical distancing; ability to respond for any outbreak; need to be prepared as cases continue and potential of other variance to use layered safety mitigations; in-person instruction;

The presentation continued regarding symptoms of new variant; differentiate between virus and other illness; distancing and unmasking; contact tracing and quarantine; emotional well-being of students and wearing masks; health policies to help protect the greater good; layered prevention strategies; screening testing; Chairwoman Rye thanked Dr. Jaber and suggested the discussion continue during Action Item #12B.

- C. Human Resources Staffing Update: Cheryl R. Woodhouse, Chief Human Resources Officer and Anne Glenn-Zeljeznjak provided the School Board information regarding an update on recruitment and staffing; Ms. Woodhouse introduced Ms. Glenn-Zeljeznjak and she with an overview the agenda for the presentation: market conditions and challenges, staffing results, new recruitment strategies; market conditions (national and state): teacher shortage is continuing to impact the applicant pool, fewer students choosing teaching

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- as a career, dwindling number of minority applicants, retention of teachers is a challenge; supply and demand; 2020-2021 ten critical shortage teaching endorsement area in Virginia, top shortage areas: Special Education, Elementary Education PreK-6, Middle Education Grades 6-8, Mathematics Grades 6-12; causes for teacher and staff shortages: lack of fully qualified applications, better compensation package offered in other districts, benefits/salary lacking vs. other career choices, fewer new education school graduates, difficulty retaining teachers; staffing achievements: 1,187 filled vacancies (798 instructional and 389 non-instructional) as of August 5; 155 instructional vacancies; 403 non-instructional vacancies, high need area: cafeteria assistants, custodians, bus drivers; new recruitment strategies: mobile billboards – VBCPS vans, pop-up VBCPS job fairs, virtual job fairs, student teacher/school counseling interns reception, advisory boards – Centura College (Paraprofessionals), Grow Your Own Programs: VTfT (all comprehensive high schools), ODU Teacher In-Residence Programs, ODU TRY-IT, UVA Fellows Program, social media and job boards; retiree opportunity program (third year in operation), VRS retirees – supporting critical shortage areas; ways to support VBCPS recruiting: follow and share our social media posts, speak with family, friends, and neighbors about employment opportunities, apply for vacant positions at VBSchools.com, help us elevate the profession;
- The discussion continued regarding comparison from this year to last year; would like data on summer resignations; ODU TRY IT program; paraprofessional testing; market study; compensation philosophy; non-instructional comparison; credit for military service – different path to teaching licensure; career switcher.
- D. The Legal Aspects in Collective Bargaining: Kamala H. Lannetti, Deputy City Attorney presented the School Board information on Collective Bargaining considerations regarding establishing process; reference information from School Board retreat and what the school division is already doing; decisions to be made – process starts with a resolution authorizing collective bargaining or a petition on behalf of a majority of the employees in a self-declared bargaining unit; School Board must respond by adopting a Resolution establishing a collective bargaining procedure within 120 days of petition or voting to allow collective bargaining; what must be in a collective bargaining procedure: definitions, establishing employee bargaining units, verification of employees, certification of bargaining units, procedures for public notice, procedures for voting, procedure for decertification, determination of what matters can be considered; how rights can be classified by – mandatory, permissive, illegal; what will the School Board bargain: rights reserved to Management – non-negotiable, issues the School Board is interested in discussing, things the School Board will consider but may decide not to include; memorandum of understanding (MOU); rights reserved to management; permissive subjects: negotiations are not required on permissive subjects, defining permissive vs. management.
(Note due to time constraints the presentation will be continued at the next meeting in workshop.)

2. **Closed Meeting:** None.
3. **School Board Recess:** Chairwoman Rye adjourned the workshop at 5:32 p.m.

FORMAL MEETING

4. **Call to Order and Verbal Roll Call:** Chairwoman Rye called the formal meeting to order at 6:00 p.m. on the 10th day of August 2021 and announced based on current CDC guidance as well as that of the Virginia Health Commissioner, as said guidance relates to physical distancing, the School Board will accommodate 100% seating capacity within the School Board chamber for attendees and guests beginning on July 20, 2021. This decision is subject to change should health or safety conditions change. Attendance means the ability to have a seat in chambers and does not provide for standing of attendees or guests. Should no seats be available, interested parties may watch via VBTv Channel 47, participate via Livestreaming on www.vbschools.com or via Zoom.

The following School Board members were present in the School Board chambers: Chairwoman Rye, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, and Ms. Riggs. The following School Board members attended via Zoom: Ms. Franklin (health reasons), Ms. Weems (health reasons), and Ms. Melnyk (health reasons) joined via Zoom at 6:14 p.m.

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Chairwoman Rye mentioned the Dr. Robertson was attending in Dr. Spence's stead, who was absent due to health reasons.

5. Moment of Silence followed by the Pledge of Allegiance

6. Student, Employee and Public Awards and Recognitions: There were no awards or recognitions.

7. Adoption of the Agenda: Chairwoman Rye called for any modifications to the agenda; Kamala Lannetti, Deputy City Attorney noted the closed session would not be necessary tonight; Chairwoman Rye noted the closed session would be deferred to the August 24th meeting and there is no Superintendent's Report this evening. Chairwoman Rye called for a motion to approve as amended. Ms. Riggs made a motion, seconded by Ms. Holtz. Chairwoman Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chairwoman Rye, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed 10-0-0. Note: Ms. Melnyk, attending the meeting via Zoom was not online at the time of the vote.

8. Superintendent's Report: There was no Superintendent's Report; see agenda item #7.

9. Approval of Meeting Minutes:

A. July 20, 2021 Regular School Board Meeting: Chairwoman Rye called for any modifications to the July 20, 2021 regular School Board meeting minutes. Hearing none, Chairwoman Rye called for a motion to approve. Ms. Felton made a motion, seconded by Ms. Anderson. Without discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion: Chairwoman Rye, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Riggs, and Ms. Weems. There was one abstention to the motion: Ms. Owens (missed the end of the meeting). The motion passed 9-0-1. Note: Ms. Melnyk attending the meeting via Zoom was not online at the time of the vote.

10. Hearing of Citizens and Delegations on Formal Agenda Items: Chairwoman Rye announced the School Board will hear comments on Formal Agenda items from citizens and delegations who signed up with the School Board Clerk prior to the meeting and stated information of speaking on formal agenda topics, decorum and order, and submitting comments via group email.

There were forty-five (45) in-person speakers and fifteen (15) online speakers; topics discussed were masks, reopening plan, and PPEA.

After the last online speaker, the School Board took a short break from 9:52 p.m. to 10:05 p.m. Chairwoman Rye reconvened the meeting at 10:06 p.m.

11. Consent Agenda: Chairwoman Rye announced there were no items on the consent agenda.

12. Action

A. Personnel Report / Administrative Appointment(s): Ms. Holtz made a motion, seconded by Ms. Felton that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the August 10, 2021 personnel report along with administrative appointments as recommended. A discussion followed regarding the funding of 15 positions (administrative assistants); noted no positions will be filled until classrooms are filled; administrative assistants working with special education students; special education specialty teachers returning to the classroom; brief overview of duties of the 15 positions (administrative assistants); additional details regarding funding of 15 positions; restated positions will not be filled until there is a teacher in those classrooms; teacher shortage; challenges of school leadership at the elementary level; pay rate will be the same; categories of administrative assistants; temporary or permanent positions; IEPs; counseling staff; provide support to special education students with existing resources; Program Compliance Support Teacher (PCST).

Without further discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Owens, Ms. Riggs, and Ms. Weems. There were two (2) nays opposed to the motion: Ms. Hughes and Ms. Manning. The motion passed 9-2-0.

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- Dr. Robertson introduced the following: Racheal L. Curry, Teacher, Pembroke Elementary as Assistant Principal, Hermitage Elementary School; Joel P. Guldenschuh, Assistant Principal, Virginia Beach Middle School as Principal, Virtual Learning Center; Jenna N. Filipowicz, Administrative Assistant, Larkspur Middle School as Assistant Principal, Green Run High School; Philip A. Friedman, Instructional Technology Specialist, Virginia Beach Middle School as Academic Dean, Green Run Collegiate; Joshua M. Petrice, Graduation Coach, Kempsville High School as Assistant Principal, Kempsville High School; Emily P. Beasley, Director of Human Resources and Benefits, Salem Academy and College, Winston-Salem, NC as Employee Relations Specialist, Department of Human Resources; Nancy D. Flinn, Assistant Principal, Landstown Elementary School as Coordinator, Science, Department of Teaching and Learning; Daniel G. Hopkins, Coordinator, Accounting, Department of Budget and Finance as Director, Business Services, Department of Budget and Finance; and Jefferson A. Ludvik, Financial Management Specialist, Department of Budget and Finance as Grants Manager, Department of Budget and Finance.
- B. 2021-22 Reopening Plan: Chairwoman Rye called for a motion. Ms. Anderson made a motion, seconded by Ms. Riggs. A recap of the 2021-22 Reopening Plan workshop presentation (Agenda item# 1B) was given by Jack Freeman, Chief Operations Officer, Eugene Soltner, Ed.D., Chief Schools Officer; the discussion continued regarding quarantine time frame; school buses and double shifts; contact tracing; staff leave due to COVID; special education students in Virtual Virginia and Virtual Virginia Beach, services provided; if student needs to be quarantined will work asynchronously; medical exemptions and process; monitoring metrics; social distancing in schools; Virginia Senate Bill 1303, House Bill 456; insurance carrier and coverage; COVID testing; would like data for student withdrawals this year compared to last year; a discussion arose regarding the metrics data and discrepancies; information will be reviewed and updated; the staff recommendation based on Governor's comments, Virginia Law, CDC guidance, public health bodies, the chart did not affect the recommendations; chart would affect removing layers of mitigation once the school year starts.
- Chairwoman Rye called for a vote. The School Board Clerk announced there were seven (7) ayes in favor of the motion: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Owens, and Ms. Riggs. There were four (4) nays opposed to the motion: Ms. Franklin, Ms. Hughes, Ms. Manning, and Ms. Weems. The motion passed 7-4-0.
- Dr. Robertson noted the data in the monitoring metrics will be reviewed and updated; communication regarding the decision of the 2021-22 Reopening Plan will be shared with principals; information to the community via an Alert Now email.

- C. Resolution: Masks/Face Coverings: Chairwoman Rye called for a motion. Ms. Hughes made a motion, seconded by Ms. Manning. Ms. Hughes read the following Resolution:

RESOLUTION
MASKS/FACE COVERINGS NOT REQUIRED IN
VIRGINIA BEACH CITY PUBLIC SCHOOLS

WHEREAS, the School Board of the City of Virginia Beach, Virginia is committed to the physical safety and emotional well-being of all students and staff as well as being committed to providing the least restrictive environment for all students; and

WHEREAS, at least nineteen states have lifted all mask mandates with no increase in COVID numbers; and

WHEREAS, the state of emergency expired on June 30, 2021; and

WHEREAS, all Virginia Beach City Public Schools staff has had an opportunity to become fully vaccinated; and

WHEREAS, Virginia Beach City Public Schools acknowledges that parents are best-suited to make decisions for their children,

NOW, THEREFORE BE IT RESOLVED, that

1. Masks/face coverings shall, in the absence of further statewide mandates, be optional in all Virginia Beach City Public Schools buildings and offices, both indoors and outdoors.

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2. Masks/face coverings will, in the absence of further statewide mandates, be optional for all Virginia Beach City Public Schools students, staff, and guests.

3. This policy shall be in effect beginning August 11, 2021.

BE IT FURTHER RESOLVED that it will not be the policy of Virginia Beach City Public Schools to either encourage or discourage any student, staff member, or guest to wear a mask or face covering.

A brief discussion followed regarding the resolution; the term in the absence of other mandates; CDC makes recommendations not mandates. Without further discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were four (4) ayes in favor of the motion: Ms. Franklin, Ms. Hughes, Ms. Manning, and Ms. Weems. There were seven (7) nays opposed to the motion: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Owens, and Ms. Riggs. The motion did not pass 4-7-0.

13. Information

- A. Unsolicited PPEA: Anthony L. Arnold, P.E., Executive Director, Facilities Services presented the unsolicited Public-Private Education & Information Act (PPEA) proposal; received an unsolicited PPEA proposal from S. B. Ballard Construction on June 4, 2021; reviewed what is a PPEA project; three CIP projects: Princess Anne High School Replacement, B.F. Williams ES/Bayside 6th (Grades 4-6) Replacement, Bayside High School Replacement; cost is approaching approximately \$429 million of which \$260 million is projected to be funded in the six-year capital program adopted in May; briefly reviewed CIP project detail sheets for projects; discussed the proposal: accelerated schedule, cost savings, shared risk, prototype high school plan, financial commitments; staff recommendation – that the School Board authorize the Superintendent to accept S.B. Ballard's unsolicited PPEA proposal for the replacement of: Princess Anne High School, Bettie F. Williams/Bayside 6th Grade Campus, Bayside High School; reviewed critical milestones: August 24 – School Board Action item, September 2021-January 2022 – RFP Process; The discussion continued regarding contractor stake in property; budget impacts; competing contracts will submit proposals; Department of Budget and Finance will review each bid as they come in; goes to City Council after – around budget time; Unsolicited PPEA as an Action item at the August 24, 2021 meeting.

14. **Committee, Organization or Board Reports:** There were no reports.

15. **Conclusion of Formal Meeting:** The formal meeting concluded at 1:08 a.m.

16. **Hearing of Citizens and Delegations on Informal Meeting and Non-Agenda Items:** Chairwoman Rye announced the School Board will hear comments on Informal Meeting items and Non-Agenda items from citizens and delegations who signed up with the School Board Clerk prior to the meeting and stated information of decorum and order, and submitting comments via group email. There were two (2) in-person speakers and one (1) online speaker; the topics discussed were CRT, Rights, and Constitution.

17. **Workshop:** None.

18. **Closed Meeting:** None – see agenda item #7.

19. **Vote on Remaining Action Items:** None.

20. **Adjournment:** Chairwoman Rye adjourned the meeting at 1:24 a.m., August 11, 2021.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair



Subject: Religious Exemptions

Item Number: 11A

Section: Consent Agenda

Date: August 24, 2021

Senior Staff: Eugene F. Soltner, Ed.D., Chief of Staff

Prepared by: Denise White, Student Conduct/Services Coordinator

Presenter(s): Michael B. McGee, Director, Office of Student Leadership

Recommendation:

That the School Board approve Religious Exemption Case No. RE-21-01, RE-21-02 and RE-21-03.

Background Summary:

Administration finds documentation meets the threshold requirements stipulated in Virginia Code.

Virginia Code §22.1-254.B.1 states the following:

“B. A school board shall excuse from attendance at school:

1. Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, “bona fide religious training or belief” does not include essentially political, sociological or philosophical views or a merely personal moral code”

Virginia Code § 22.1-254.D.1 states the following:

“D. A school board may excuse from attendance at school:

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any pupil who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school”

Source:

Virginia Code §22.1-254.B.1 and §22.1-254.D.1
School Board Policy 5-12, Legal Withdrawal

Budget Impact:

None



Subject: Personnel Report **Item Number:** 12A

Section: Action **Date:** August 24, 2021

Senior Staff: Mrs. Cheryl R. Woodhouse, Chief Human Resources Officer

Prepared by: Cheryl R. Woodhouse

Presenter(s): Aaron C. Spence, Ed.D., Superintendent

Recommendation:

That the Superintendent recommends the approval of the appointments and the acceptance of the resignations, retirements and other employment actions as listed on the August 24, 2021, personnel report.

Background Summary:

List of appointments, resignations and retirements for all personnel

Source:

School Board Policy #4-11, Appointment

Budget Impact:

Appropriate funding and allocations

Personnel Report
Virginia Beach City Public Schools
August 24, 2021
2021-2022

<u>Scale</u>	<u>Class</u>	<u>Location</u>	<u>Effective</u>	<u>Employee Name</u>	<u>Position/Reason</u>	<u>College</u>	<u>Previous Employer</u>
Assigned to Unified Salary Scale	Appointments - Elementary School	Brookwood	8/25/2021	Michele O Spraggins	Custodian III Head Day	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Centerville	9/1/2021	Tracie L Myers	Kindergarten Assistant	Virginia Commonwealth Univ, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Creeds	8/16/2021	Patrick Phillips	Custodian II Head Night	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Kempsville Meadows	8/26/2021	Hannah M Nelson	School Nurse	University of Virginia, VA	CHKD, VA
Assigned to Unified Salary Scale	Appointments - Elementary School	Luxford	8/26/2021	Stefanie C Hope	School Nurse	Oregon State University, OR	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Lynnhaven	8/23/2021	Carlos S Bautista	Custodian II Head Night	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Parkway	9/1/2021	Khadijah N Kelly	General Assistant	Tidewater Community College, VA	VBCPS
Assigned to Unified Salary Scale	Appointments - Elementary School	Pembroke	8/20/2021	D'aVnai Hamberry	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Pembroke	9/1/2021	Brianna M Benson	Kindergarten Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Rosemont	8/26/2021	Desirae F Wilson	School Nurse	Sentara College Health Science, VA	Sentara Healthcare, VA
Assigned to Unified Salary Scale	Appointments - Elementary School	Salem	9/1/2021	William F Wood	Physical Education Assistant	Old Dominion University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Shelton Park	9/9/2021	Serena L Martinez Cruz	Cafeteria Assistant, 4.5 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Three Oaks	9/1/2021	Kimberly R Brown	Special Education Assistant	Norfolk State University, VA	VBCPS
Assigned to Unified Salary Scale	Appointments - Elementary School	Three Oaks	9/1/2021	Alexis R Tilling	Special Education Assistant	James Madison University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Bayside	8/26/2021	Shateria Jones	Security Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Brandon	8/26/2021	Sharon E Knight	School Office Associate II	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Brandon	9/1/2021	Alice E Bing	Special Education Assistant	Florida State University, FL	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Brandon	9/1/2021	Lindsay R Hall	Special Education Assistant	Old Dominion University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Corporate Landing	8/26/2021	Gary J Mitcheltree	Security Assistant	Not Applicable	Norfolk Police Department, VA
Assigned to Unified Salary Scale	Appointments - Middle School	Corporate Landing	8/26/2021	Erika L Quinones	Security Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Corporate Landing	9/1/2021	AnneMarie N Jelders	Special Education Assistant	Radford University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Corporate Landing	9/1/2021	Diana N Pesheva	Special Education Assistant	Other Unknown, ZZ	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Lynnhaven	8/26/2021	Polo K Gilmore	Security Assistant	Norfolk State University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Old Donation School	8/26/2021	Mozella Dunson	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Plaza	8/26/2021	Ernesto G Dullas	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Princess Anne	8/20/2021	Cynthia C Alabaso	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Princess Anne	8/20/2021	Kimika T Gonzalez	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Princess Anne	9/1/2021	Shannon Pratt	Special Education Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Salem	8/26/2021	Lindsay Blalock	Eighth Grade Teacher	Univ of Maryland Univ College, MD	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Virginia Beach	9/1/2021	Elizabeth Reid	Special Education Assistant	Virginia Wesleyan University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Cox	8/26/2021	Todd D Day	Security Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Cox	8/26/2021	Robert Ellis	Security Assistant	Emporia State University, KS	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Cox	8/26/2021	Charles E Payne	Security Assistant	St Leo College, FL	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Green Run	8/16/2021	Deja L Lambson	School Office Associate II	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Green Run	8/20/2021	Justin Haynes	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Princess Anne	9/1/2021	Emily K Georgiades	Distance Learning Assistant	Old Dominion University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Princess Anne	9/1/2021	Vera E Lambert	Special Education Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Princess Anne	9/1/2021	Jamar E Simmons	General Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Renaissance Academy	9/1/2021	Nakia A Harris	Special Education Assistant	St Leo College, FL	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Tallwood	8/26/2021	Kimberly T Hunt	Security Assistant	Old Dominion University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Technical And Career Education Center	8/20/2021	Karen M Mercer	School Office Associate II	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Department of Technology	9/7/2021	Allison Paradise	Database Administrator	Not Applicable	ApplicaScientific
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Consolidated Benefits	8/5/2021	Miranda Morales	Benefits Assistant	James Madison University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Custodial and Distribution Services	8/10/2021	Paula M Gutierrez	Building Operations Supervisor	Not Applicable	VBCPS
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Food Services	8/20/2021	Carissa A Danahy	Cook, 7.0 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Maintenance Services	8/3/2021	James E Gordon	HVAC Craftsman III	Not Applicable	VBCPS
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Maintenance Services	8/3/2021	Clayton E Nelson	HVAC Craftsman III	Not Applicable	VBCPS
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Maintenance Services	8/9/2021	Jesse M Crotty	HVAC Craftsman II	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Maintenance Services	8/16/2021	Matthew J Hensley	Electrical Craftsman I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Student Support Services	8/20/2021	Karyn L Steen	Psychologist	University Northern Colorado, CO	Cumberland County Schools, NC
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Transportation and Fleet Management Services	8/16/2021	Jessie A Berg	Fleet Technician I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Transportation and Fleet Management Services	9/2/2021	Robin L Holliday	Bus Driver - Special Ed, 7.0 Hours	Not Applicable	VBCPS
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Transportation and Fleet Management Services	9/2/2021	Kristian Y Jones	Bus Driver	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Alanton	6/30/2021	Ruben Cortes	General Assistant (moved to public school system)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Alanton	6/30/2021	Brenda Hogge	Kindergarten Assistant (family)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Alanton	6/30/2021	Deonna A Jennings	Special Education Assistant (moved to public school system)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Alanton	6/30/2021	Elizabeth P Mendenhall	Kindergarten Assistant (continuing education)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Birdneck	6/30/2021	Sara E Awbrey	Special Education Assistant (family)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Christopher Farms	6/30/2021	Cheryl L Holloway	Physical Education Assistant (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Cooke	6/30/2021	Kallie Raymond	Security Assistant (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Corporate Landing	6/30/2021	Fiorella D Fornazari McLean	Special Education Assistant (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Indian Lakes	6/30/2021	Brigid Higgins	Kindergarten Assistant (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Landstown	6/30/2021	Brandi Butler	Security Assistant (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	New Castle	6/30/2021	Reginald Rhett	Custodian I (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Ocean Lakes	6/30/2021	Melissa Jacques	School Nurse (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Pembroke Meadows	6/30/2021	Brianna L York	Physical Education Assistant (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Red Mill	6/30/2021	Cody A Vandelinde	General Assistant (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Shelton Park	6/30/2021	Melissa C Palmer	Special Education Assistant (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Trantwood	6/30/2021	Marion R Crank Jr	Security Assistant (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Windsor Oaks	6/30/2021	Derald Frazier	Physical Education Assistant (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Windsor Woods	6/30/2021	Jessica L Shepard	Special Education Assistant (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Brandon	8/30/2021	Ebony N Hines-Woolard	School Office Associate II (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Independence	6/30/2021	Niesha L Kovalak	Special Education Assistant (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Kempsville	6/30/2021	Darphene Brown	Cafeteria Manager II (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Kempsville	6/30/2021	Kellan J Devine	School Office Associate II (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Landstown	6/30/2021	Amy E Capozzi	Library/Media Assistant (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Larkspur	6/30/2021	Roseann M Davis	Special Education Assistant (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Lynnhaven	6/30/2021	Kristy Maier	Library/Media Assistant (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Lynnhaven	8/27/2021	Alex G Sunga	Custodian I (family)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Lynnhaven	9/3/2021	Christopher W Crews	Technology Support Technician (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Old Donation School	6/30/2021	Katielynn M Gay	Physical Education Assistant, .500 (family)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Plaza	6/30/2021	Lucy E Franke	Special Education Assistant (family)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Green Run	6/30/2021	Denita G Hamlett	Special Education Assistant (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Green Run	6/30/2021	Genifer M Schwartz	Cafeteria Assistant, 5.0 Hours (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Salem	8/11/2021	Joy M Jennings	School Office Associate II (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Food Services	6/30/2021	Kimberly Y Cockrell	Cafeteria Manager in Training, 7.0 Hours (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Gifted Education & Academy Programs	8/18/2021	Alexandria R Barnes	Administrative Office Associate I (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	6/30/2021	Sasha Robey	Bus Driver, 7.5 Hours (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	8/5/2021	Chakasha K Rogers	Bus Driver, 7.5 Hours (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	8/16/2021	Jessie A Berg	Fleet Technician I (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Parkway	8/31/2021	Krista W Barton-Arnold	Principal	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Windsor Oaks	6/30/2021	Margaret A Browning	Cafeteria Assistant, 6.0 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Middle School	Larkspur	11/30/2021	Alvirda M Lammay	Special Education Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Department of Budget & Finance	9/30/2021	Farrell E Hanzaker	Chief Financial Officer	Not Applicable	Not Applicable

Personnel Report
Virginia Beach City Public Schools
August 24, 2021
2021-2022

<u>Scale</u>	<u>Class</u>	<u>Location</u>	<u>Effective</u>	<u>Employee Name</u>	<u>Position/Reason</u>	<u>College</u>	<u>Previous Employer</u>
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Office of Transportation and Fleet Management Services	6/30/2021	Robin L Gerloff	Auxiliary Driver, 5.5 Hours	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Arrowhead	8/26/2021	Jordan L Martin	Special Education Teacher	Old Dominion University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Bayside	8/26/2021	Marissa A Fuerst	Third Grade Teacher	Capella University, MN	SBUSD, CA
Assigned to Instructional Salary Scale	Appointments - Elementary School	Bettie F. Williams	8/26/2021	Kristin B Stock	School Counselor, .500	Old Dominion University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Brookwood	8/26/2021	Tiara B Pierce	Fifth Grade Teacher	Touro College, NY	NYC Department of Education, NY
Assigned to Instructional Salary Scale	Appointments - Elementary School	Centerville	8/26/2021	Sarah A Pope	School Counselor, .600	East Carolina University, NC	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Christopher Farms	8/26/2021	Kimberly Freeman	Special Education Teacher	Johnson & Wales Univ, RI	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Christopher Farms	8/26/2021	Brandi J Valet	Special Education Teacher	Old Dominion University, VA	Norfolk Public Schools, VA
Assigned to Instructional Salary Scale	Appointments - Elementary School	Fairfield	8/26/2021	Leyanne E Forero	Fifth Grade Teacher	Centenary College, NJ	Hanford ES District, CA
Assigned to Instructional Salary Scale	Appointments - Elementary School	Hermitage	8/26/2021	Ashley A Rawls	Art Teacher	Old Dominion University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Hermitage	8/26/2021	Danielle B Strutton	Fifth Grade Teacher	Hawaii Pacific University, HI	Military Service
Assigned to Instructional Salary Scale	Appointments - Elementary School	Holland	8/26/2021	Becca L Bowser	Special Education Teacher	Slippery Rock University, PA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Holland	8/26/2021	Laila Cujardo	Special Education Teacher	Philippines Other, PH	NY Department of Education, NY
Assigned to Instructional Salary Scale	Appointments - Elementary School	Holland	8/26/2021	Breanna A Diaz	Third Grade Teacher	Longwood University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Indian Lakes	8/26/2021	Amy W Meader	Third Grade Teacher	Old Dominion University, VA	Greenbrier Manor Schools, VA
Assigned to Instructional Salary Scale	Appointments - Elementary School	John B. Dey	8/26/2021	Rebecca C Tilhou	Fourth Grade Teacher	Old Dominion University, VA	VBCPS
Assigned to Instructional Salary Scale	Appointments - Elementary School	Kempsville	8/26/2021	Michelle R Malpaya	Kindergarten Teacher	Old Dominion University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Kempsville	8/26/2021	Katrina S Wansink	Third Grade Teacher	James Madison University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Kempsville Meadows	8/26/2021	Kelci L Vandiver	Fourth Grade Teacher	Regent University, VA	Military Service
Assigned to Instructional Salary Scale	Appointments - Elementary School	King's Grant	8/26/2021	Julianne C Haire	Fourth Grade Teacher	Liberty University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Luxford	8/26/2021	Mary B Guzman	Special Education Teacher	University of Saint Francis, IL	Southern Will County Cooperative for Special Education, IL
Assigned to Instructional Salary Scale	Appointments - Elementary School	Lynnhaven	8/26/2021	Kaitlyn N Barbee	Third Grade Teacher	Oakland University, MI	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Lynnhaven	8/26/2021	Norman A Hassell Jr	First Grade Teacher	University of Phoenix, AZ	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Malibu	8/26/2021	Alicia R Burt	Kindergarten Teacher	Long Island Univ Brooklyn, NY	School District of Indian River County, FL
Assigned to Instructional Salary Scale	Appointments - Elementary School	Newtown	8/26/2021	Robyn R Hoffman	Second Grade Teacher	Seabury-Western Theological, IL	VBCPS
Assigned to Instructional Salary Scale	Appointments - Elementary School	Parkway	8/26/2021	Faith E Ferrulli	First Grade Teacher	Regent University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Pembroke Meadows	8/26/2021	Jordan N Blake	First Grade Teacher	Youngstown State University, OH	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Pembroke Meadows	8/26/2021	Carissa Cannata	First Grade Teacher	Arizona State University, AZ	Kingsville Independent School District, TX
Assigned to Instructional Salary Scale	Appointments - Elementary School	Providence	8/26/2021	Audrey Stephens	Special Education Teacher	Catholic University of Amer, DC	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Salem	8/26/2021	Christina Poerstel	Second Grade Teacher	Towson University, MD	Montgomery County Public Schools, MD
Assigned to Instructional Salary Scale	Appointments - Elementary School	Tallwood	8/26/2021	Kaylyn L Berrett	Second Grade Teacher	Concordia University, OR	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Thalia	8/26/2021	Elizabeth H Rohr	Third Grade Teacher	Regent University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	White Oaks	8/26/2021	Dawn P Vang	Title II Resource Teacher	Appalachian State University, NC	Moore County Schools, NC
Assigned to Instructional Salary Scale	Appointments - Middle School	Bayside	8/26/2021	Jamie L Ramsey	Art Teacher	Randolph Macon College, VA	Chesapeake Public Schools, VA
Assigned to Instructional Salary Scale	Appointments - Middle School	Bayside	8/26/2021	Rachel K Yurko	Literacy Teacher	Southern New Hampshire Univ, NH	VBCPS, VA
Assigned to Instructional Salary Scale	Appointments - Middle School	Brandon	8/26/2021	Amanda M Burget	Sixth Grade Teacher	Tidewater Community College, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Brandon	8/26/2021	Sarah Walters	Seventh Grade Teacher	University of Phoenix, AZ	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Brandon	8/26/2021	John J Wlajnitz	Sixth Grade Teacher	Old Dominion University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Independence	8/26/2021	Joy J Olds	Eighth Grade Teacher	Virginia Wesleyan University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Larkspur	8/26/2021	Jacob W Mallett	Art Teacher	Old Dominion University, VA	VBCPS, VA
Assigned to Instructional Salary Scale	Appointments - Middle School	Larkspur	8/26/2021	Bridget K Timothy	Literacy Teacher	Winthrop University, SC	VBCPS, VA
Assigned to Instructional Salary Scale	Appointments - Middle School	Plaza	8/5/2021	David E Kellam III	Sixth Grade Teacher	Old Dominion University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Princess Anne	8/26/2021	Ann M Berg	Health & Physical Education Teacher, .600	West Chester Univ Pennsylvania, PA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Princess Anne	8/26/2021	Jennifer E Colonno	Special Education Teacher	St Leo College, FL	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Princess Anne	8/26/2021	Markus L Pfeiffer	Teen Living Teacher	Regent University, VA	VBCPS, VA
Assigned to Instructional Salary Scale	Appointments - High School	Bayside	8/26/2021	Kimberly P Shakallis	English Teacher	Southern New Hampshire Univ, NH	Atlantic Shores Christian Schl, VA
Assigned to Instructional Salary Scale	Appointments - High School	First Colonial	8/26/2021	Samuel D Bove	German Teacher	Arizona State University, AZ	Not Applicable
Assigned to Instructional Salary Scale	Appointments - High School	First Colonial	8/26/2021	Shepherd M Scott	English Teacher	College of Charleston, SC	Not Applicable
Assigned to Instructional Salary Scale	Appointments - High School	Kellam	8/26/2021	Alaina P Skelley	Science Teacher	University of Texas Austin, TX	Not Applicable
Assigned to Instructional Salary Scale	Appointments - High School	Landstown	8/26/2021	Olivia A Graham	Special Education Teacher	Liberty University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - High School	Landstown	8/26/2021	Christopher G Stathopoulos	Mathematics Teacher	College of William and Mary, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - High School	Ocean Lakes	8/26/2021	Yvaal M Hampton	Special Education Teacher	Liberty University, VA	Arlington Public Schools, VA
Assigned to Instructional Salary Scale	Appointments - High School	Renaissance Academy	8/26/2021	Melani M Miller	Health & Physical Education Teacher	Radford University, VA	Triangle Day School, NC
Assigned to Instructional Salary Scale	Appointments - High School	Salem	8/26/2021	Marcus W Johnson-Williams	Social Studies Teacher	Averett University, VA	Franklin City Public Schools, VA
Assigned to Instructional Salary Scale	Appointments - High School	Salem	8/26/2021	Janice Samonte	Special Education Teacher	Regent University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - High School	Salem	8/26/2021	Allison B Schroyer	English Teacher	Nova Southeastern Univ, FL	Not Applicable
Assigned to Instructional Salary Scale	Appointments - High School	Tallwood	8/4/2021	William D Euefueno	Technology Education Teacher	Old Dominion University, VA	Military
Assigned to Instructional Salary Scale	Appointments - High School	Tallwood	8/26/2021	Brian D Bevan Jr	Social Studies Teacher	Wilkes University, PA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - High School	Technical And Career Education Center	8/2/2021	Kelli C Rodgers	Nursing Instructor	Western Governors University, UT	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Miscellaneous	Department of School Leadership	8/2/2021	Kerry C Moncure	Special Education Teacher	Old Dominion University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Miscellaneous	Department of School Leadership	8/16/2021	Jessica A Bateman	Special Education Teacher	Virginia Wesleyan University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Miscellaneous	Office of Professional Growth and Innovation	8/16/2021	Kelly J Singer	Specialist Professional Learning	Univ North Carolina Chap Hill, NC	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Miscellaneous	Office of Programs for Exceptional Children	8/26/2021	Sarah P Franklin	Speech/Language Pathologist	Old Dominion University, VA	CHKD, VA
Assigned to Instructional Salary Scale	Appointments - Miscellaneous	Office of Programs for Exceptional Children	8/26/2021	Rhianna D Lawson	Speech/Language Pathologist	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Miscellaneous	Office of Programs for Exceptional Children	8/26/2021	Sharon M Palardy	Visual Impairment Teacher	University of New Orleans, LA	Norfolk Public Schools, VA
Assigned to Instructional Salary Scale	Appointments - Miscellaneous	Office of Programs for Exceptional Children	8/26/2021	Daria A Zlotnick	Speech/Language Pathologist	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Alanton	6/30/2021	Courtney Palmieri	Third Grade Teacher (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Bayside	6/30/2021	Tara E Lutz	Second Grade Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Birdneck	6/30/2021	Jennifer M Lehmann	Fifth Grade Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Brookwood	6/30/2021	Heather H Hudson	First Grade Teacher (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Christopher Farms	6/30/2021	Anna M Shuttleworth	Special Education Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Pembroke Meadows	6/30/2021	Makenzie Burud	Third Grade Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Rosemont	6/30/2021	Valeri R Durham	Special Education Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Salem	6/30/2021	Kaitlin C Boyer	Kindergarten Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Windsor Woods	6/30/2021	Tracy L Szczesniak	First Grade Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Bayside	6/30/2021	Catalina Betancur	Spanish Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Princess Anne	6/30/2021	Jessica H Spearman	Special Education Teacher (moved to private school)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Green Run	6/30/2021	Tamara Kincaid	Mathematics Teacher (family)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Office of Gifted Education & Academy Programs	6/30/2021	Heidi H McCray	Testing Assessment Specialist (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Middle School	Lynnhaven	6/30/2021	Deborah D Phillips	Eighth Grade Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Salem	6/30/2021	Maria Flores I Apape	Mathematics Teacher	Not Applicable	Not Applicable
Administrative	Appointments - Elementary School	Landstown	8/25/2021	Ashley C Godfrey	Principal	University of Virginia, VA	VBCPS, VA
Administrative	Appointments - Elementary School	Three Oaks	TBD	Amanda N Lantrip	Assistant Principal	Regent University, VA	VBCPS, VA
Administrative	Appointments - Middle School	Brandon	8/25/2021	Tasha Wearren	Assistant Principal	Univ of Colorado Col Springs, CO	VBCPS, VA



Subject: Unsolicited Public-Private Education & Information Act (PPEA) Proposal **Item Number:** 12B

Section: Action **Date:** August 24, 2021

Senior Staff: Jack Freeman, Chief Operations Officer, Department of School Division Services

Prepared by: Anthony L. Arnold, P.E., Executive Director, Facilities Services

Presenter(s): Anthony L. Arnold, P.E., Executive Director, Facilities Services

Recommendation:

That the School Board authorize the Superintendent to accept S. B. Ballard Construction Company's (SBBCC) unsolicited proposal for the replacement of Bayside High School, Princess Anne High School and Bettie F. Williams/Bayside 6th Grade Campus.

Background Summary:

Staff received an unsolicited PPEA proposal from SBBCC on June 4, 2021. Staff has reviewed the proposal and in accordance with School Board Policy 3-71 recommends the Superintendent formally accept the proposal.

Source:

Code of Virginia §56-575.1 The Public-Private Education Facilities and Infrastructure Act of 2002
School Board Policy 3-71 Public-Private Education Facilities and Infrastructure Act Projects

Budget Impact:

N/A


Subject: Policy Review Committee Recommendation **Item Number:** 12C
Section: Action **Date:** August 24, 2021
Senior Staff: Donald Robertson, Jr., Ph.D., Chief of Staff
Prepared by: Kamala Lannetti, Deputy City Attorney; John Sutton, III, Coordinator, Policy and Intergovernmental Affairs
Presenter(s): School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney
Recommendation:

Policy 5-7 Non-discrimination and non-harassment of students- the PRC recommends amending the Policy to direct the Superintendent to develop regulations, etc., to comply with Code of Virginia §2.2-23.3.

Background Summary

In 2020, the Virginia General Assembly enacted Code of Virginia §2.2-23.3, Treatment of transgender students; policies. This statute requires the Virginia Department of Education to develop model guidelines for school boards regarding the treatment of transgender students in public elementary and secondary schools. The General Assembly requires each school board to adopt policies that are consistent with but may be more comprehensive than the model policies developed by the Virginia Department of Education. The Virginia Department of Education Model policies for Treatment of Transgender Students in Public Elementary and Secondary Schools was finalized in March 2021 and school boards are required to adopt policies that are consistent with the Model policies prior to the start of the 2021-2022 school year. Legal challenges to the implementation of this requirement were dismissed by a Virginia Court in July 2021.

The PRC reviewed the Policy 5-7 amendments and approved the request to have Policy 5-7 added to the Action Agenda for the August 24, 2021 School Board Meeting in order to have the Policy in effect by the start of the new school year. The School Administration and School Board Legal Counsel have developed draft regulations to implement some of the requirements in the Model policies. Several School Board policies and regulations already exist that address certain requirements in the Model policies.

Source:

Code of Virginia, 1950 § 2.2-3900, *et seq.*, as amended. Virginia Human Rights Act

Code of Virginia, 1950 § 22.1-253.12:7, as amended. School Board Policies.

Code of Virginia, 1950 § 22.1-23.3, as amended. Treatment of transgender students; policies.

Virginia Department of Education Model policies for Treatment of Transgender Students in Public Elementary and Secondary Schools, March 2021.

Policy Review Committee Meeting on August 11, 2021

Budget Impact:

N/A

STUDENTS

Non-discrimination and non-harassment of students

A. Purpose

The School Board is committed to maintaining an environment where all students and staff members conduct themselves in a manner built on mutual respect, where differences are understood and appreciated, and where all persons are treated fairly and with respect. It is the Policy of the School Board to prohibit any and all discrimination, harassment and bullying based on an individual's race, color, religion, national origin, sex, sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, genetic information or military/veteran status. The School Board will have jurisdiction over such complaints when the alleged conduct happens on school property, ~~vehicles~~~~vehieles~~, ~~or grounds~~ while school activities are going on, at school related or sponsored events, or through School Division communication systems. At its discretion, the School Board or Superintendent may take jurisdiction of complaints that happen outside of these specified situations if the alleged conduct causes significant disruption to the educational environment. The Superintendent or designee is directed to develop regulations, practices and trainings related to compliance with Code of Virginia § 2.2-23.3, as amended and the Virginia Department of Education Model policies for Treatment of Transgender Students in Public Elementary and Secondary Schools. ¹The School Board directs the Superintendent to take prompt and appropriate action to investigate and resolve all complaints and to publish and provide training regarding this Policy.

B. Report of Complaint

Any student who is the ~~believes that he or she has been the~~ victim of discrimination, harassment or bullying based on race, color, religion, national origin, sex, sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, genetic information or veteran status by a student, employee, official, or non-School Division employee agent, volunteer or invitee is required to immediately report the alleged acts to the principal, assistant principal or an appropriate School Division official. Any person who has reason to believe that a student has been subject to such discrimination, harassment or bullying must report the alleged acts to the principal or an appropriate School Division official immediately, but in no case less than a reasonable amount of time after the person learned of the alleged acts.

Any employee or official who receives information that a student has or may have been the victim of such discrimination, harassment or bullying is required to promptly report the alleged acts to the principal or an appropriate School Division official. Failure to report such information may result in disciplinary action up to and including dismissal.

Use of formal reporting forms is not necessary. Nothing in this Policy will prevent any person from reporting such discrimination, harassment, or bullying directly to the Superintendent/or designee.

C. Who acts as Investigator of Complaints

1. Who acts as Investigator if a Student is the Harasser/Discriminator

The building principal or designee will act as the investigator for the purpose of investigating allegations of discrimination, harassment or bullying against a student by another student.

2. Who investigates if Employee, Official or School Division agent, volunteer or invitee is the Harasser/Discriminator.

If the principal or designee receives a complaint of discrimination, harassment or bullying against a student by a School Division employee, official or School Division agent, volunteer or invitee, the principal or designee will act as the investigator for the purpose of investigating allegations of discrimination, harassment or bullying against a student by individuals within the school. The principal should consult with the Department of Human Resources, Office of Employee Relations regarding investigations, findings and proposed actions.

3. Who investigates if a Principal, School Administrator, the Superintendent or a School Board Member is the Harasser/Discriminator.

If the complaint involves a principal, the matter will be directed to the Department of School Leadership (DOSL) for investigation. DOSL should consult with the Department of Human Resources, Office of Employee Relations regarding investigations, findings and proposed actions. If the complaint involves the Superintendent, the matter will be directed to School Board to determine whether a third party or other individual should be assigned to investigate the matter. Complaints involving School Board Members should be directed to the Chair~~man~~ of the School Board or the Vice Chair~~man~~- if the Chair~~man~~ is involved. The remaining School Board Members will determine the appropriate course of investigation under these circumstances.

D. Investigation process

Upon receipt of a report or complaint of such discrimination, harassment or bullying of a student the designated investigator will as soon thereafter as practical, undertake or authorize an investigation. The investigation may be conducted by a third party if designated by the Superintendent or School Board. Within three (3) business days, the

complainant will receive notice of who has been assigned to investigate the complaint and how to contact the investigator. Confidentiality will be maintained in accordance with applicable law and regulation. The investigator will provide the complainant, ~~victim~~victim, and alleged violators the opportunity to provide testimony, evidence and/or witnesses regarding the alleged acts. The investigator will make a reasonable effort to obtain information concerning the alleged acts and related circumstances. The investigator will prepare an investigation report which will include:

1. the allegations as made by the complainant;
2. any additional allegations as ascertained during the investigation;
3. a summary of the evidence obtained during the investigation;
4. the alleged violator's response and supporting evidence regarding the allegations;
5. a summary of statements or other evidence provided by the victim, witnesses or other related parties;
6. the efforts made by the School Division to remedy or otherwise address the circumstances leading to or resulting from the alleged acts;
7. whether the complainant or victim is satisfied with those remedies or seeks further action;
8. the investigator's recommendations regarding whether the allegation has been substantiated as a violation of this Policy and any further actions needed to remedy the complaint or address unresolved issues; and
9. any other relevant information not otherwise addressed

Within fifteen (15) business days, the investigation report will be completed and provided to the complainant (if the complainant is also the alleged victim), to the alleged violator, and to the appropriate School Division staff member. Upon agreement by the victim or if extenuating circumstances arise, the time period to complete the investigation report may be extended for a reasonable period of time. If the complainant is not the victim, then the complainant will be informed that the complaint has been investigated and handled in accordance with this Policy or applicable law and regulation. Portions of the investigation report may be kept confidential to protect the rights of students or staff members. The investigator's obligation to conduct this investigation will not be extinguished by the fact that a civil, administrative or criminal investigation involving the same or similar allegations is also pending or has been concluded.

E. Action by the School Administration or School Board

Upon receipt of the investigation report, the principal or designee, the Superintendent or designee, or the School Board, will take prompt, appropriate formal or informal action to address, and where appropriate, remediate the violation. Such action may ~~include~~include disciplining any students using student discipline procedures; disciplining any employees or officials involved using employee discipline procedures; taking appropriate action against School Division agents, volunteers or invitees. Action taken for violation of this Policy shall be consistent with the requirements of applicable

local, state and federal law and regulation and School Board policies and regulations of a related nature or degree of severity.

In the event that the evidence suggests that the discrimination, harassment or bullying at issue is also a crime or other violation of local, state or federal law or regulation, the Superintendent or designee, or other official shall report the results of the investigation to the appropriate enforcement agency.

F. Appeal of determination or action taken

If the victim of the complaint is not satisfied with the determination of the investigation report or the action taken by the School Division to prevent further harassment, discrimination or bullying of the victim, the victim may file an appeal within fifteen (15) calendar days of receipt of the investigation report. The victim will not be entitled to appeal the disciplinary action imposed on a student, employee or official. The appeal should be filed with the Superintendent if the acts were alleged to have been caused by a student, employee, official, or School Division agent, volunteer or invitee. If the acts were alleged to have been caused by the Superintendent or a School Board Member, the appeal should be filed with Clerk of the School Board. The School Board will make a decision within thirty (30) business days of receiving the appeal or within a reasonable time after the complaint is filed. The School Board may ask for oral or written argument from the victim and the School Administration and any other individual that the School Board deems relevant. At its sole discretion, the School Board may hold a hearing or designate a hearing officer to hold a hearing on the appeal. The School Board will set the terms and conditions for any such hearing.

G. Retaliation or false complaints

Persons who use this procedure for good faith complaints will not be retaliated against by the School Board or School Division staff. The School Board directs that appropriate action be taken against any person who retaliates against another person for reporting alleged violations of this Policy or for participating in related proceedings. Persons who knowingly file false complaints and any person who knowingly gives false statements or evidence in a related proceeding may be subject to discipline or other appropriate action. Students may be subject to discipline up to and including suspension or expulsion. School Board employees or officials may be subject to discipline up to and including dismissal. School Division agents, volunteers, and invitees may be subject to measures up to and including exclusion from School Board property, buses, communication systems and school sponsored events.

H. Posting of Policy and Training

The Superintendent or designee will conspicuously post this Policy or a summary thereof in each school in a place accessible to students, School Division staff and the public. The notice will include the name, mailing address and telephone number of that

School's compliance official or the contact information for any state or federal agency responsible for investigating the allegations.

This Policy will be referenced in the student handbook and will be made available upon request of parents, students, and other interested parties.

The Superintendent/or designee will develop a method of reviewing this Policy with students and employees. Training on the requirements for Compliance with this Policy will be provided to all School Division students, employees, officials and other agents on an annual basis, and at such times as the Superintendent determines are appropriate or necessary.

Notes:

¹This Policy should not be read to abrogate other School Board policies or regulations prohibiting other forms of unlawful discrimination, inappropriate behavior, and/or hate crimes within the School Division. It is the intent of the School Board that all such policies be read consistently to provide the highest level of protection from unlawful discrimination in the provision of educational services and opportunities.

²"Tolerate" is defined to mean allow to happen, fail to intervene, encourage, fail to report or otherwise, provided that the person knew or could have reasonably been expected to know about the actions.

Legal reference

Code of Virginia § 2.2-3900, *et seq.*, as amended. Virginia Human Rights Act.

Code of Virginia § 22.1-23.3, as amended. Treatment of transgender student; policies.

Adopted by School Board: June 3, 2003

Amended by School Board: November 19, 2013

Amended by School Board: August 18, 2015

Amended by School Board: August 2, 2016

Amended by School Board: May 12, 2020

Amended by School Board: 2021



Subject: Program Evaluation Schedule for 2021-2022 **Item Number:** 13A

Section: Information **Date:** August 24, 2021

Senior Staff: Lisa A. Banicky, Ph.D., Executive Director of Planning, Innovation, and Accountability

Prepared by: Heidi L. Janicki, Ph.D., Director of Research and Evaluation
Office of Planning, Innovation, and Accountability

Presenter(s): Heidi L. Janicki, Ph.D., Director of Research and Evaluation
Office of Planning, Innovation, and Accountability

Recommendation:

That the School Board receive the schedule of program evaluations that will be completed by the Office of Planning, Innovation, and Accountability (PIA) during the 2021-2022 school year.

Background Summary:

The attached 2021-2022 Program Evaluation Schedule includes programs recommended for evaluation during the 2021-2022 school year based on School Board Policy 6-26. Programs that were previously planned for evaluation during 2021-2022 include the Environmental Studies Program and Positive Behavioral Interventions and Supports. Additions to the evaluation schedule include Achieve3000, a supplemental online literacy program, the Gifted Resource-Cluster Program, and the Renaissance Academy Alternative Education Program.

Source:

School Board Policy 6-26

Budget Impact:



VIRGINIA BEACH CITY PUBLIC SCHOOLS
CHARTING THE COURSE

**Planning, Innovation, and Accountability
Office of Research and Evaluation**

2021-2022 Program Evaluation Schedule

Review of 2020-2021 Program Evaluation Schedule*

Program	Reporting Schedule
School Counseling Program**	Summer 2021
Schoology**	Summer 2021
Environmental Studies Program***	Fall 2021
Entrepreneurship and Business Academy (EBA)***	Fall 2021
Positive Behavioral Interventions and Supports (PBIS)	Fall 2021
English as a Second Language Program (K-12)	Fall 2021
Student Response Teams (SRT)	Winter 2022

2021-2022 Program Evaluation Schedule

(Submitted for School Board approval in accordance with School Board Policy 6-26)

Program	Proposed Reporting Schedule
Environmental Studies Program***	Fall 2022
Positive Behavioral Interventions and Supports (PBIS)	Fall 2022
Achieve3000	Fall 2022
Gifted Resource-Cluster Program	Fall 2022
Renaissance Academy Alternative Education Program	Fall 2022

*Once evaluation results have been presented to the School Board, recommendations may include additional evaluations to be completed by the Office of Research and Evaluation (ORE) during the 2021-2022 school year.

**An evaluation update was added to the Program Evaluation Schedule based on a School Board approved recommendation from a previous comprehensive evaluation.

***Added to the Program Evaluation Schedule based on School Board Policy 6-26 which stipulates that new educational programs or initiatives that operate with local resources will be evaluated for a minimum of two years. Programs or initiatives that take more than two years to fully implement will also be evaluated during the year in which the program or initiative reaches full implementation.



Subject: Policy Review Committee Recommendation **Item Number:** 13B 1-12

Section: Information **Date:** August 24, 2021

Senior Staff: Donald E. Robertson, Jr., Ph.D., Chief of Staff

Prepared by: Kamala Lannetti, Deputy City Attorney; John Sutton, III, Coordinator, Constituent Services

Presenter(s): School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney

Recommendation:

The Policy Review Committee met on August 11, 2021 and proposes the following policy and regulation amendments or adoptions:

1. **Policy 4-1 Definitions** - the PRC recommends amendments to remove references to benefits. Policy 4-37 now contains language regarding benefits. The time period for probationary employee is amended to be eighteen months to allow for longer periods of observation for employees who are hired later in the school year and do not work during the summer months.
2. **Policy 4-18 Dismissal or Placement on Probation** - the PRC recommends scrivener's changes.
3. **Policy 4-75 Conditions of Employment** - the PRC recommends clarifying language and updated language reflecting changes in the law regarding criminal background information.
4. **Policy 4-88 Holidays** - the PRC recommends the addition of Election Day in November as a holiday and clarifying language regarding when holidays can be observed.
5. **Regulation 5-21.1 Student Suspensions and Expulsions** - the PRC recommends amendments to Subsection B out of school suspensions of ten days or less to reflect that five or more disciplinary referrals that have not been successful in correcting behavior will constitute reason for referral for corrective action plans and that multiple scrivener's changes be made.
6. **Policy 5- 25 Student Placement** - the PRC recommends scrivener's changes.
7. **Policy 5-26 Course Load** - the PRC recommends scrivener's changes.
8. **Policy 5-27 Promotion, Retention and Acceleration** - the PRC recommends amendments to reflect current language on using multiple data points for decisions and clarifying who has authority to make final decisions.
9. **Policy 5-28 Reporting Student Progress** - the PRC recommends scrivener's changes.
10. **Policy 5-29 Awards for Achievement/Class Rank/Honor Designations** - the PRC recommends removing outdated references to awards and designations that are no longer used.
11. **Policy 5-31 Scholastic Records** - the PRC recommends scrivener's changes.
12. **Policy 6-77 Literacy and Response to Intervention Screening and Services** - the PRC recommends adopting a new Policy 6-77 to be compliant with new legislation recording literacy and response to intervention screening and services.

Source:

Code of Virginia, 1950 § 22.1-253.12:7, as amended. School Board Policies.
Policy Review Committee Meeting on August 11, 2021

Budget Impact:

N/A

PERSONNEL

Definitions

For the purpose of differentiating between various employees of the School Board the following definitions shall apply:

A. Employees of the Board

All employees are "Employees of the School Board," and whenever reference is made to employees without distinction, such statement shall refer to all employees with the exception of the [School Division Superintendent](#).

1. Full-time

With the exception of Bus Drivers/Bus Assistants and Food Service employees, a full-time employee is defined as a School Board employee who is scheduled to routinely work thirty-five (35) hours or more per consecutive work-week and who fills one hundred (100) percent of a budgeted full-time equivalency position. Such employee's hours and work-day shall be specified by the Superintendent/[designee](#). All newly hired Bus Drivers/Bus Assistants and Food Service employees who actually work twenty-five (25) hours or more per consecutive work week shall be considered to be full-time employees. Bus Drivers/Bus Assistants and Food Service employees hired prior to September 5, 2007, will be grandfathered in at the original rate of twenty (20) hours per week for Bus Drivers/Bus Assistants and fifteen (15) hours per week for Food Service Employees. Full-time employees shall be entitled to the full range of benefits provided by the School Board. [Refer to School Board Policy 4-37, as amended.](#) ~~VRS Plan 1 and Plan 2 employees are not entitled to benefits under the Virginia Local Disability Plan. VRS Hybrid employees are entitled to the benefits provided under the Virginia Local Disability Plan and are not entitled to the voluntary long term disability and group deferred compensation (457) plans.~~

2. Part-time

With the exception of Bus Drivers/Bus Assistants and Food Service employees, a part-time employee is defined as an employee who is scheduled to work less than thirty-five (35) hours per week and who fills less than 100 percent of a budgeted full-time equivalency position. Part-time employees may be entitled to School Board provided leave benefits on a pro-rated basis; however, an employee must fill fifty percent (50%) or more of an allocated position in order to be eligible for pro-rated leave benefits and other employee benefits. Part-time employees are eligible for certain retirement plans and employee benefit plans. Refer to School Board Policy Regulation 4-37, as amended. ~~Neither Virginia Retirement System nor group life insurance benefits shall be provided to part-time employees who fill less than fifty percent (50%) of an allocated position. However, all part time employees are eligible for the Employee Assistance Program, Tax Sheltered Accounts 403(b), the Deferred Compensation 457 plan, and health coverage if deemed eligible as defined by the Employer Mandate of the Patient Protection and Affordable Care Act.~~

B. Licensed Personnel

Licensed personnel shall include those employees who are required to have teaching licenses or other licensure from the Virginia Board of Education to perform the job to which they are currently assigned. For the purpose of this Policy, school psychologists, school social workers, and school counselors are included in this category.

C. Classified Personnel

Classified personnel shall include those employees designated in the Compensation Plan as approved by the School Board. Classified personnel are employees who perform clerical, instructional assistance, labor, and other support functions for the School Division.

D. Administrative Personnel

Administrative personnel shall be those employees designated in the Compensation Plan as approved by the School Board which include, but are not limited to, non-school-based instructional and non-instructional administrators,

principals, assistant principals, and instructional supervisors as that term is defined by the Virginia Board of Education Regulations.

E. Professional Personnel

Professional personnel shall be those employees designated in the Compensation Plan as approved by the School Board. This category includes but is not limited to, occupational therapists, physical therapists, psychologists, nurses, computer programming and systems analysts, and accountants.

F. Temporary Employee

A temporary employee is one who is employed for a specified purpose over a limited period of time and does not fill a budgeted full-time equivalency position, including those persons employed pursuant to a temporary employment agreement. All categories of substitutes are temporary employees. A written contract shall be required for a substitute teacher who fills a teacher vacancy for longer than ninety (90) days in one school year. No license shall be required for substitute teachers employed to substitute for a contracted teacher, for a period of less than twenty (20) consecutive days. Long-term substitute teachers, defined as those substitutes teaching for more than twenty (20) consecutive days in the same position, shall hold or be eligible for a Virginia license.

Employees who are regular full-time contracted personnel may also be employed in a temporary status, e.g., full-time contracted teachers may be temporarily employed as summer ~~school teachers~~school teachers or for one school year only.

Temporary employees are not eligible for most benefits arising out of their service in this capacity unless such benefits are specifically designated in the temporary employment agreement or as outlined in School Board Policy Regulation 4-37, as amended as certain retirement plans and employee benefit plans are available to Temporary employees. ~~Temporary Employees are eligible for the Employee Assistance Program, Tax Sheltered Accounts 403(b), the Deferred Compensation 457 plan, and health coverage as determined by the Employer Mandate of the Patient Protection and Affordable Care Act. Temporary employees shall not have the right to access the grievance procedure in any matter regarding dismissal, probation or other disciplinary action. Temporary employees shall not have the right to access the grievance procedure in any matter regarding dismissal, probation or other disciplinary action.~~

G. Probationary Employees

All employees, other than those subject to §§ 22.1-303 and 22.1-294 of the Code of Virginia (as amended), during the initial ~~eighteen~~ twelve (18~~2~~) months from the first day of employment or re-employment in a full-time position with the School Board are considered to be in a probationary status and shall have no right to access the grievance procedure in any matter regarding dismissal, probation or other disciplinary matter. ~~Probationary employees shall be entitled to meet with the Chief Human Resources Officers or designee as provided in School Board Policy 4-18 and School Board Regulation 4-18.1 (B)(2)(c) (d); however, the provision of such meeting shall not be interpreted to mean that cause is required to dismiss a probationary employee. The School Board authorizes the Chief Human Resources Officer or designee to extend the probationary period up to an additional six months for:~~

- ~~1.—Documented performance reasons;~~
- ~~2.—If the employee is absent for an extended period of time (exceeding 14 consecutive calendar days); or~~
- ~~3.—If the employee moves to another position within the last 6 months of the 12-month probationary period.~~

~~The total probationary period shall not exceed 18 months.~~

Editor's Note

~~*See Also: School Board Policy 4-56 Licensed Personnel: Role of Professional Teaching Staff/Conditions of Employment*~~

~~*School Board Policy 4-75 Classified Personnel Conditions of Employment*~~

~~*School Board Regulation 4-90.1 Substitute Teachers*~~

~~*School Board Policy 4-92 Summer School Teachers Assignment and Placement*~~

Legal Reference

Code of Virginia §22.1-79, as amended. Powers and duties.

Code of Virginia § 22.1-294, as amended. Probationary terms of service for principals, assistant principals, and supervisors; evaluation; reassigning principal, assistant principal, or supervisor to teaching position.

Code of Virginia § 22.1-302, as amended. Written contracts required; execution of contracts; qualifications of temporarily employed teachers; rules and requirements.

Code of Virginia § 22.1-303, as amended. Probationary terms of service for teachers.

Related Links

[School Board Policy 4-37](#)

School Board [Policy 4-56](#)

School Board [Policy 4-75](#)

School Board [Regulation 4-90.1](#)

School Board [Policy 4-92](#)

[School Board Regulation 4-37](#)

Adopted by School Board: July 13, 1993 (Effective August 14, 1993)

Amended by School Board: September 7, 1999

Amended by School Board: September 5, 2007

Amended by School Board: November 9, 2010

Scrivener's Amendments: August 16, 2013

Amended by School Board: November 8, 2017

[Amended by School Board: 2021](#)

PERSONNEL

Dismissal or Placement on Probation

A. Licensed Personnel

In the event the Superintendent [or designee](#) determines to recommend the dismissal of any teacher or the placing on probation of a teacher on continuing contract, the procedures set forth in the Code of Virginia at §§ 22.1-307 through 22.1-313, as amended, shall apply.

A majority vote of a quorum of the School Board is necessary for dismissal or placement on probation.

B. Classified Personnel

The Superintendent or designee may place on probation or dismiss classified personnel for failure to satisfactorily perform assigned duties, for noncompliance with School Board [bylaws](#), policies, ~~or~~ regulations, [applicable state or federal law](#) or for other good and just cause. Before taking such action, the Superintendent or designee shall require the Chief Human Resources Officer or designee to investigate the matter by interviewing witnesses to the misconduct, obtaining written statements of the witnesses, and preparing a written report summarizing the findings of the investigation.

The employee must be given written notification of the proposed action, the reason for the proposed action, a summary of the evidence supporting the action and be given the opportunity to respond to allegations.

For non-probationary employees, the Chief Human Resources Officer or Designee will hold a due process hearing ~~pursuant to School Board Regulation 4-18.1.~~

For matters specified as grievable, [non-probationary](#) classified employees shall have access to grievance procedures as established in School Board Regulation 4-3.2.

C. Placement on Probation

Placement on probation may result in up to a 6% reduction in pay for the term of the probation. During the period of probation, the employee will not be eligible for bonuses or other increases in pay. When probation ceases, the employee may then receive such bonuses or increases [the employeehe/she](#) would have received if [the/she employee](#) had not been placed on probation. The Superintendent [or designee](#) shall inform any employee recommended for or receiving probation of these consequences.

Editor's Note

~~See School Board Regulation 4-3.2: Grievance Procedures—Supervisory and Classified Employees~~

~~See School Board Regulation 4-18.1: Dismissal/Placement on Probation~~

Legal Reference

Code of Virginia §§ 22.1-307 through 22.1-313, as amended.

[Virginia Board of Education Regulation 8VAC20-90-10, et seq., as amended.](#)

Related Links

[School Board Regulation 4-3.2](#)

[School Board Regulation 4-18.1](#)

[Adopted by School Board: July 16, 1991](#)

[Amended by School Board: July 13, 1993 \(Effective August 14, 1993\)](#)

[Amended by School Board: June 16, 1998](#)

[Amended by School Board: June 8, 2004](#)

[Scrivener's Amendments: February 5, 2014](#)

[Amended by School Board: April 24, 2018](#)

[Amended by School Board: 2021](#)

PERSONNEL

Conditions of Employment

A. General qualifications

All applicants and employees must meet or exceed the necessary knowledge, skills, [essential functions](#), and abilities to perform the functions of [the his/her](#) job [sought or hired for](#) as outlined in the position's job description. All positions require the basic ability to read/understand/speak English.

Employees are subject to all conditions of the employment contract, notification or agreement including any special covenants or other conditions imposed by the School Board or state or federal agencies.

B. Licensed Employees

All applicants or employees are responsible for providing evidence of required licensure, certification, or other qualifications for their positions. Employees shall be required to provide proof of baccalaureate degree, major, concentration, or graduate degrees, and field of discipline. Educational transcripts are required as evidence of eligibility for Virginia Licensure.

Failure to maintain required licensure, certification, or other qualifications will constitute a breach of any employment contract or agreement with the School Board that adversely affects the business and operations of the School Division.

An applicant may be subject to withdrawal of an employment offer or an employee may be disciplined up to and including termination for failing to maintain licensure, certification, or other qualifications.

1. Instructional personnel whose positions require licenses issued by the Virginia Department of Education will be issued annual probationary contracts until they have met the criteria for a continuing contract. Licensed instructional personnel who have met the criteria for a continuing contract with the School Board will receive a continuing contract their first year of eligibility and will receive employment notification/assignment forms each following school year unless their continuing contracts are otherwise terminated.
2. Assistant Principals, Principals, and Supervisors/Coordinators who require licenses in accordance with Virginia Department of Education Regulations will receive annual probationary contracts until they meet the criteria for a continuing contract in their positions.
3. The School Board may enter into written employment agreements/contracts with other individuals when the School Board determines that such an arrangement is beneficial to the School Division.

C. Non-licensed Employees

All non-licensed employees will be given an employment notification upon hire and will receive annual employment notifications thereafter. Non-licensed

employees with employment agreements or annual assignments do not have a guarantee of employment and remain at-will employees.

D. Substitute Employees

The Superintendent [or designee](#) is authorized to employ substitutes for certain certified and classified personnel at an hourly rate established by the School Board as published in the Annual Compensation Plan. Persons employed as substitute teachers must have a minimum of thirty (30) credit hours of college study. In an emergency, the Superintendent or designee may approve the employment of substitute teachers who do not meet this requirement, but who are otherwise competent to perform the needed service, at least twenty-one (21) years of age, and hold a high school diploma or a general education development (GED) certificate.

Qualifications for other categories of substitute employees will be determined by the Superintendent [or designee](#) and will be in accordance with [applicable law](#), [regulation](#), and Virginia Board of Education regulations as applicable.

Substitute employees shall be employed and paid on an hourly basis and for a minimum of two (2) hours. They shall not be given a contract. Substitute employees shall receive no leave benefits (e.g., sick leave, annual leave, and personal reasons leave) or other employee benefits except for the Employee Assistance Program, Tax-Sheltered Accounts 403(b), the Deferred Compensation 457 plan and health coverage if deemed eligible as defined by the Employer Mandate of the Patient Protection and Affordable Care Act.

E. Coaching or Extracurricular Sponsorship Contracts

Coaching contracts or extracurricular activity sponsorship contracts shall be separate and apart from annual or continuing contracts or employment agreements. Termination of the coaching contract or extracurricular activity sponsorship contract may occur at any time. Such termination shall not constitute cause for the termination of the annual or continuing contract or employment agreement.

F. Conditions of Work

The Superintendent, or a designee, shall establish work schedules, provisions for absences and other conditions of work in keeping with School Board policy, [regulation, and guidance](#).

G. Background Check Required

The Superintendent [or designee](#) shall require that all employees, whether full-time or part-time, permanent or temporary, submit to fingerprinting and provide personal descriptive information to obtain criminal history record information for the purpose of screening individuals who accept employment [within](#) the [School Division](#).

The Superintendent [or designee](#) shall forward the personal descriptive information 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 Superintendent [or designee](#) shall require that any applicant who is offered or accepts employment requiring direct contact with students provide written consent and the necessary personal information to obtain a search of the registry of founded complaints of child abuse and neglect maintained by the [Virginia](#) Department of Social Services. The Superintendent [or designee](#) shall thereafter request a search of the records of the [Virginia](#) Department of Social Services to be conducted for each such applicant.

The Superintendent [or designee](#) shall also require that each employee, whether full-time or part-time, permanent or temporary, certify that ~~the employee~~[he or she](#) has not been: 1) convicted of [any violent](#) -felony [set forth in the definition of a barrier crime in subsection A of Code of Virginia §19.2-392.02, as amended](#), [any](#) crime of moral turpitude, or any offense involving the sexual molestation, physical or sexual abuse or rape [of a child](#); and 2) has not been the subject of a founded case of child abuse and neglect. [The School Division 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 Code of Virginia §19.2-392.02, as amended and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, provided that in the case of a felony conviction, the Governor has restored the individual's civil rights.](#)

Substitute employees may be permitted to work pending the results of the Federal Bureau of Investigation background investigation and [Virginia](#) Department of Social Services search of the registry of founded complaints if the following conditions are met:

1. The School Division has successfully completed a state and local police background check for the individual; and
2. The School Division has successfully completed a check of the sex offender website and the sex offender and crimes against minors registry for the individual; and
3. The School Division requires the individual to serve in the presence of an employee who has successfully completed the Federal Bureau of Investigation background investigation and the Department of Social Services search of the registry of founded complaints.

H. Health Requirements

All persons selected for employment shall submit a certificate signed by a licensed physician stating they are~~he/she is~~ free of communicable tuberculosis.

I. Probationary Periods

1. Instructional: Although contracts for probationary instructional personnel are issued for one (1) year only, the first three (3) years of a person's employment shall be considered a probationary period for new personnel.

In calculating a probationary year of service, the first year is defined as 160 or more actual days worked. The remaining probationary years of service shall be defined as 180 or more actual days worked during one school year. ~~The School Board authorizes the Superintendent or designee~~

~~to extend a probationary period up to five (5) years total for an individual employee.~~

- a. All probationary employees, except those with prior successful teaching experience, shall be provided with a mentor teacher during their first year. Further, probationary employees will be given extra supervision and assistance in adjusting to their new positions, and particular attention will be given to a continuing evaluation of their efficiency.
 - b. Probationary teachers shall annually be evaluated using the procedures developed by the School Board. The Superintendent shall consider each annual evaluation of a probationary employee in the nonrenewal process. If a teacher's annual performance evaluation during the probationary period is unsatisfactory, the School Board shall not reemploy such teacher.
 - c. Teachers who have attained continuing status in another public school division in Virginia shall serve a probationary period of no less than one (1) year and not to exceed two (2) years in the School Division before attaining continuing contract status.
Such probationary period shall be a part of the initial contract.
2. Non-instructional: All employees, other than those subject to §§ 22.1-303 and 22.1-294 of the Code of Virginia, as amended shall serve an ~~twelve~~eighteen-month probationary period. ~~The probationary period can~~

~~be extended up to six (6) additional months under certain circumstances
(see Policy 4-1). The total probationary period shall not exceed 18 months.~~

Legal Reference

~~Code of Virginia § 19.2-389, as amended. Dissemination of criminal history record information.~~

~~Code of Virginia § 22.1-296.2, as amended. Fingerprinting required.~~

Immigration Reform and Control Act of 1986.

~~Code of Virginia § 22.1-296.1, as amended. Data on convictions for certain crimes and child abuse and neglect required; penalty.~~

~~Code of Virginia § 22.1-296.2, as amended. Fingerprinting required; reciprocity permitted.~~

~~Code of Virginia § 22.1-296.1, as amended. Data on convictions for child abuse or molestation required.~~

~~Code of Virginia § 22.1-296.4, as amended. Child abuse and neglect data required.~~

~~Code of Virginia § 19.2-389, as amended. Dissemination of criminal history record information.~~

~~Code of Virginia § 19.2-390.1, as amended. Sex ~~e~~Offender and ~~C~~erimes ~~A~~gainst ~~M~~inors ~~R~~egistry; maintenance; access.~~

~~Code of Virginia § 19.2-390.2, as amended. Automatic notification of registration to certain entities.~~

[Code of Virginia § 19.2-392.02, as amended. National criminal background checks by businesses and organizations regarding employees or volunteers providing care to children and the elderly.](#)

~~State of~~ Virginia [State Police](#) Sex Offender [and Crimes Against Minors](#) Registry.

Related Links

School Board [Policy 4-1](#)

School Board [Policy 4-5](#)

School Board [Policy 4-12](#)

School Board [Policy 4-56](#)

[School Board Regulation 4-57.1](#)

~~[State of Virginia Sex Offender Registry](#)~~

Adopted by School Board: July 13, 1993 (Effective August 14, 1993)

Amended by School Board: March 21, 2000

Amended by School Board: December 4, 2017

Amended by School Board: February 25, 2020

[Amended by School Board: 2021](#)

PERSONNEL

Holidays

• A. **Designated holidays**

Unless otherwise designated in the school calendar as instructional days or used as inclement weather make up days, the following days shall be observed as holidays for all twelve-month employees:

- Independence Day
- Labor Day
- Veterans Day
- Election Day (November)
- Thanksgiving Day
- Day following Thanksgiving Day
- Christmas Eve Day
- Christmas Day
- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Spring Holidays (two days)
- Memorial Day
- Juneteenth

• B. **Holidays on weekends or makeup days for holidays**

1. When a paid holiday falls on a Saturday or Sunday, the observed federal and/or state holiday may be observed.

• 2. When the Observed holiday falls on a day in which schools are still in session, the Superintendent or designee shall have the authority to designate an alternate date to observe the holiday or award employees additional annual/personal reasons leave in lieu of the holiday.

• 3. The Superintendent or designee shall have the authority to designate a holiday, within the same calendar year, for twelve-month

employees when a holiday (listed above) is lost due to make-up days because of inclement weather or for other circumstances.

- **C. Office hours on other workdays**

On all other workdays not listed above, the individual schools and the School Board offices will be open during published office hours.

- **D. Eligibility for holiday pay**

~~In order to~~ To be eligible for holiday pay, employees must work and/or be on approved paid leave on the scheduled workday before and after the holiday.

- **E. Non-workdays for certain employees**

1. On non-workdays, certain employees (bus drivers/assistants, food service employees, interpreters, teacher assistants, clinic assistants and any others designated by the Superintendent or designee) will not report to work on teacher in-service days unless otherwise set forth in the employee's work calendar or if designated as a make-up day for a missed workday.
2. In an effort to continue to attract and retain employees, the School Board authorizes the Superintendent or designee to align employee work calendars with competing school divisions in the Commonwealth.

Legal Reference

Code of Virginia, § 2.2-3300, as amended. Legal holidays.

Adopted by School Board: July 13, 1993 (Effective August 14, 1993)

Amended by School Board: May 17, 1994

Amended by School Board: May 16, 2000

Amended by School Board: November 8, 2017

Amended by School Board: June 25, 2019

[Amended by School Board: August 24, 2021](#)

STUDENTS

Student Suspensions and Expulsions

A. Generally

1. For suspension and expulsion of an identified student with disabilities the procedures set forth in Regulation 5-21.3 shall be followed.
2. For the purpose of this Regulation the term "parent" will be defined to mean: a natural or biological parent, a legal or adoptive parent, a foster parent or legal guardian, step parent or other person standing in locos parentis to a minor student. Any requirement for notice to or meeting with a parent will be satisfied by providing notice to or meeting with any one person meeting the definition of parent.

B. Out-of-School Suspensions of Ten (10) Days or Less

1. The school principal, assistant principal, acting principal or ~~his/her~~ designee may suspend a student from school for a period of five (5) days and may suspend a student for six to ten (6-10) days with the approval of the Director of the Office of Student Leadership or designee.
2. At the principals discretion, ~~For those students who have been suspended for any duration of five (5) or more times~~ five (5) or more disciplinary referrals without improvement in behavior after interventions and supports put in place by the school, ~~the principal~~ may be referred to the student to the Office of Student Leadership for follow-up contact with adult student or parent/legal guardian of a minor student and the development of corrective action plans.
 - a. With each referral, the principal or designee shall submit copies of the entire discipline file(s) which shall include, but not be limited to, suspension letters and teacher referrals.
 - b. Once referred by the principal or designee, the adult student or the parent/legal guardian of a minor student and the minor student shall meet with a designated Student Leadership staff person for initiation to participate in a ~~of the~~ corrective action plan. Student Support Specialists will provide follow-up contact and/or assist in monitoring any corrective action plan. Failure to comply with the corrective action plan shall result in a referral of the student for appropriate disciplinary action.

- c. The student may only be readmitted to school after the corrective action plan has been signed and the parent/legal guardian of a minor student, the minor student or the ~~and student or~~ adult student has conferred with the principal or designee prior to the student's reinstatement.
3. Any student who is under out-of-school suspension and either enrolled in a work cooperative program and/or a participant in extracurricular activities shall be restricted from such employment and/or excluded as a participant or spectator from extracurricular activities until reinstated in the student's ~~his/her~~ school.

C. Procedure for Out-of-School Suspensions of Ten (10) Days or Less

1. The student will be given written notice of the charges and/or the reason(s) for the suspension.
2. A student who denies the charges will be given an explanation of the facts as known to school personnel as well as the opportunity to present the student's ~~his/her~~ version of what occurred. If ~~he/she~~ deems it necessary, the principal, assistant principal, acting principal, or ~~his/her~~ designee may conduct a further investigation into the matter. School Administrators are not required to obtain parental consent prior to speaking with students about disciplinary matters and issues.
3. The principal, assistant principal or acting principal will report the facts of the case in writing to the Director of the Office of Student Leadership and to the adult student or the ~~and~~ parent/legal guardian of a minor student. The adult student or parent/legal guardian of a minor student ~~or adult student~~ shall be informed of the suspension, the right to appeal such suspension, any required parental ~~parental~~ conference prior to return, the prohibition from coming on school property and/or attending scheduled school activities, the availability of alternative education programs and the student's right to return to regular school attendance upon the expiration of the suspension.
4. Appeals of disciplinary actions resulting in out-of-school suspension of ten (10) days or less shall be governed by the procedures set forth in Policy 5-6 and Regulation 5-6.1.
5. If the principal or ~~his/her~~ principal's designee determines that the student's presence at the school creates a continuing danger to persons or property or an ongoing threat of disruption, the student may be removed from school immediately and the notice, explanation of the facts and opportunity to present ~~his/her~~ the student's version shall be given as soon as practicable thereafter.
6. If a student is unavailable to meet with the principal or designee due to incarceration, hospitalization, or other reason, the principal or designee may hold the meeting with the parent/legal guardian of a minor student or a designated representative of the adult student ~~or~~ send a written explanation to the student.

D. Out-of-School Suspension for Eleven to Forty-five Days or Expulsion

1. Meeting with principal or designee

If the principal or ~~his/her~~principal's designee decides to recommend a long term suspension (eleven to forty five school days) or expulsion, the principal or designee~~he/she~~ shall inform the student in writing of the charges ~~against him/her~~, give an explanation of the facts known and provide the student with the opportunity to present ~~his/her~~the student's version of what occurred and immediately notify the minor student's parent/legal guardian in writing of the following:

- a. The proposed action, the length of any suspension or expulsion, when the student may return to school or to an appropriate alternative education program, and reasons therefor;
- b. The right of the adult student or ~~his/her~~ parent/legal guardian of a minor student to participate in a hearing before a hearing officer or discipline committee as determined by the Superintendent or designee in the case of a recommendation for long term suspension or expulsion within ten (10) school days from the date of the notice from the principal, assistant principal, or acting principal or designee;
- c. The right to inspect the student's records; and
- d. The adult student ~~and his or~~ parent/legal guardian of a minor student shall be provided with a copy of the Policy on Student Suspensions and Expulsions and Regulation on Suspension, Long-Term Suspension, and Expulsion.

2. Long Term Suspension

In the case of a recommendation for long term suspension, the Superintendent ~~or his/her~~ designee's, the Director of the Office of Student Leadership or designee, shall arrange a time and place for the hearing and notify in writing the adult student of the parent/legal guardian of a minor student~~and the parent~~ and the principal.

- a. A student disciplinary packet will be prepared and provided to the hearing officer and involved parties prior to the hearing. At the hearing, the principal or ~~his/her representative designee~~ shall present any additional evidence ~~he/she wishes~~ in support of the recommendation and the student, the student's representative or the his/her parent/legal guardian of a minor student or representative may present any evidence. Both parties may submit questions of witnesses

to the hearing officer during the course of the hearing, and the hearing officer shall be free to ask questions of witnesses at any time. The hearing officer may continue the hearing to another date when ~~he/she deems~~ such action necessary for the full development of the facts.

- b. The hearing officer may uphold the recommendation of the principal either in whole or in part or reject it entirely.
- c. The hearing officer, through the Director of Student Leadership, shall advise the adult student or parent/legal guardian of a minor student in writing of ~~his/her~~the decision and of their right to an appeal to a discipline committee of the School Board. A copy of this letter shall be sent to the principal.
- d. The adult student or ~~his/her~~ parent/legal guardian of a minor student may appeal a decision of the hearing officer to the discipline committee of the School Board by notifying the Director of the Office of Student Leadership in writing of ~~his/her~~the intent to appeal within five (5) school days from receipt of decision. This time limit shall be so stated in the above letter from the Director of Student Leadership or designee. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The discipline committee will consider the appeal within thirty (30) days of the appeal but such date may be extended by mutual consent or when it is not practicable to hold the hearing within the thirty (30) day period.
- e. If the decision of the full discipline committee is unanimous, the adult student or ~~his/her~~ parent/legal guardian of a minor have no right of appeal to the full School Board. If the full committee's decision is not unanimous or if the decision is made by a committee consisting of less than three School Board members as outlined in School Board Policy 5-21 D, the adult student or ~~his/her~~ parent/legal guardian of a minor student may appeal the discipline committee's decision to the full School Board. The notice of right to appeal must be in writing~~parent or adult student must be notified in writing of his/her the right to appeal~~. The appeal must be in writing and must be filed with the Director of the Office of Student Leadership within five (5) school days of the receipt~~by the parent or adult student of~~ the committee's decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to appeal. The School Board shall consider the appeal within thirty (30) school days of the request for an appeal but such date may be extended by mutual consent or when it is not practicable to hold the hearing within the thirty (30) day period.

e.f. A copy of the record, and any additional evidence provided to the discipline committee will be provided to the School Board and the parties prior to the hearing. The School Board, at its election, may hear oral argument on the appeal.

3. Expulsion

In the case of a recommendation for expulsion, the Superintendent or ~~his/her~~ designee shall review the principal's recommendation ~~which he/she and~~ may uphold or modify such recommendation. If the Superintendent or ~~his/her~~ designee upholds the recommendation of expulsion, ~~he/she, shall notify the~~ adult student and his/her parent/legal guardian of a minor student will be notified of the time and place of a hearing before a discipline committee of the School Board. A hearing shall be held before the discipline committee within ten (10) school days of the date of notice from the principal or ~~his/her principal's~~ designee as outlined in paragraph G(3) of Policy 5-21 but may be extended past thirty by mutual consent of the parties or when it is not practicable to hold the hearing in such time period. The discipline committee has the authority to confirm, disapprove or amend the recommendation to expel the student that is upheld by the Director of the Office of Student Leadership or designee. If the decision of the full discipline committee is unanimous, the adult student or his/her parent/legal guardian of a minor student have no right of appeal to the full School Board. If the full committee's decision is not unanimous or if the decision is made by a discipline committee consisting of less than three School Board members as outlined in School Board Policy 5-21 D, an appeal may be made ~~the student and parent may appeal~~ to the full School Board by notifying the Superintendent or ~~his/her~~ designee within five (5) school days of receipt of the committee's decision ~~by the student or parent~~ as outlined in paragraph G (4) of Policy 5-21.

4. Notice Requirements

The written notice from the hearing officer or the discipline committee ~~to the student and parent~~ upholding a long-term suspension or expulsion recommendation shall also provide information concerning the availability of community-based education, alternative education, training or intervention programs.

The notice shall indicate in the case of suspension: when the student is eligible to return to regular school attendance and whether the student may attend an alternative education program during or upon the expiration of the suspension. In the case of expulsion, the notice shall state whether the student is eligible to return to regular school attendance or to attend an alternative education program or an adult education program offered by the School Division during or upon the expiration of the expulsion and the terms or conditions of readmission to programs of the School Division. If an expelled student is found to be ineligible to return to regular school attendance or to attend an alternative education program or adult education program in the School Division during expulsion, the adult student or the and-parent/legal guardian of a minor student shall be advised that the student may petition the School Board in writing for readmission after one calendar year from the date of his/her the student's expulsion and of the conditions under which readmission may be granted.

5. Status of Student Pending Hearing and Appeal

A student recommended for long-term suspension or expulsion shall remain suspended pending a hearing. If the student is recommended to attend an alternative placement by a hearing officer or discipline committee, the student must enroll in that program pending resolution of the appeal process or waive any loss of educational opportunity for the period between notification of eligibility for the alternative placement and final resolution of the appeal.

6. Expulsion Factors to be Considered

In making a recommendation to expel a student for misconduct, other than for actions specified in Virginia Code § 22.1-277.07 and § 22.1-277.08 (related to firearms and drug offenses) the principal or his principal's designee shall consider and document, in writing, the following factors;

- a. the nature and seriousness of the violation;
- b. the degree of danger to the school community;
- c. the student's disciplinary history, including the seriousness and number of previous infractions;
- d. the appropriateness and availability of an alternative education placement or program;

- e. the student's age and grade level;
- f. the results of any mental health, substance abuse, or special education assessments;
- g. the student's attendance and academic records; and
- h. such other matters as he deems appropriate.

The written documentation of the principal or ~~his principal's~~ designee regarding the consideration of these factors shall be transmitted to the Superintendent/designee, Hearing Officer, Discipline Committee/School Board with the student's case and each shall consider these factors in recommending expulsion of the student. No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection shall be deemed to preclude a School Board from considering any of these factors as "special circumstances" for purposes of Virginia Code § 22.1-277.07 and § 22.1-277.08.

E. Reinstatement, Admission and Readmission of Suspended or Expelled Students

1. Expelled adult students or the parent/legal guardian of a minor student ~~and the parent~~ shall be notified in writing of the schedule for applying/reapplying for readmission. The scheduled date for applying for readmission will ensure that the hearing and ruling on any initial petition for readmission, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. The Superintendent/designee shall establish a schedule pursuant to which such student may apply and reapply for readmission to school. Such schedule shall be designed to ensure that the hearing and ruling on any initial petition for readmission, if granted, would enable the student to resume school attendance one calendar year from the date of expulsion.
2. A student readmitted to school by the School Board or a committee thereof, or Superintendent or designee following a long term suspension or by the School Board following an expulsion shall be allowed to attend school subject to the terms of attendance set forth by the Superintendent or designee for a specified probationary term.

F. Violation of Expulsion

An expelled student who is found on school premises at any time without the permission of the principal, the Superintendent, or School Board may be referred to law enforcement authorities as a trespasser.

Editor's Note

~~*For discipline of students with disabilities, see Division Regulation 5-21.3.*~~

~~*For appeals of In-School discipline or Out-of-School Suspension of ten days or less, see
Division Regulation 5-6.1.*~~

Legal Reference

Code of Virginia § 22.1-277, as amended, Suspension and expulsion of pupils; generally.

Code of Virginia §§ 22.1-277.04 - 22.1-277.2:1, as amended.

Related Links

School Board [Policy 5-6](#)

School Board [Regulation 5-6.1](#)

School Board [Policy 5-21](#)

School Board [Regulation 5-21.3](#)

Approved by Superintendent: July 16, 1991

Revised by Superintendent: August 18, 1992

Revised by Superintendent: September 21, 1993 (Effective August 14, 1993)

Revised by Superintendent: April 19, 1994

Revised by Superintendent: July 19, 1994

Adopted by School Board: August 4, 1998

Amended by School Board: September 21, 1999

Amended by School Board: June 5, 2001

Amended by School Board: August 21, 2001

Amended by School Board: October 9, 2001

Amended by School Board: April 4, 2006

Amended by School Board: August 27, 2018

[Amended by School Board: 2021](#)

STUDENTS

Student Placement

A. Elementary Schools

1. Transfer Students

Students who transfer from other elementary schools within the ~~S~~school ~~D~~ivision shall be placed in the grade which has been recommended by the previous school.

The Superintendent shall develop procedures for the placement of transfer students from outside the ~~D~~ivision.

2. Placement of Twins or Multiple Siblings

The parent~~(s)~~/~~or~~ legal guardian~~(s)~~ of twins or higher multiple siblings ~~s~~ in the same grade level may request that the ie children be placed in the same classroom or in a separate classroom if they are at the same elementary school.

- a. Schools may recommend classroom placement to the parent~~(s)~~/legal guardian~~(s)~~.
- b. Schools must provide the placement requested by the children's parent/legal guardian, unless the ~~D~~ivision ~~S~~uperintendent or ~~his~~ designee makes a classroom placement determination following the school principal's request in accordance with this subsection.
- c. A parent/legal guardian must request the classroom placement to the building principal in writing 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.
- d. At the end of the initial grading period, if the school principal or designee, in consultation with the children's classroom teacher, determines that the requested classroom placement is disruptive to the school or is harmful to the children's educational progress, the school principal or designee may request that the ~~D~~ivision ~~S~~uperintendent or designee determine the children's classroom placement.

B. Secondary Schools

Students who transfer from other secondary schools within the [School Division](#) shall be placed in a level best reflecting their earned units of credit, regulations for promotion and graduation requirements as established by the School Board.

The Superintendent [or designee](#) shall establish procedures for evaluating transcripts of transfer students and for awarding credits.

Legal Reference

Code of Virginia § 22.1-79.3, as amended. Policies regarding certain activities

Related Links

~~Code of Virginia § 22.1-79.3~~

Adopted by School Board: October 21, 1969

Amended by School Board: September 20, 1983

Amended by School Board: August 21, 1990

Amended by School Board: July 16, 1991

Amended by School Board: June 15, 1993 (Effective August 14, 1993)

Amended by School Board: April 4, 2006

Amended by School Board: August 18, 2009

[Amended by School Board: 2021](#)

STUDENTS

Course Load

A. Generally

All students in grades 1-12 shall maintain a full-day schedule of classes (5 1/2 hours), unless a waiver is granted by the Superintendent or designee pursuant to criteria set forth in Rregulation. No waiver shall be granted where such waiver reduces the instructional time in core academics.

B. Additional Course Load

Students at the high school level may be permitted to carry additional courses provided that their records indicate their ability to handle such courses, that their presence in the class will not cause overcrowding and that the needs of students requiring the courses have been fulfilled.

C. Reduced Course Load

Upon presentation of a physician's certificate and with the consent of the principal or designee, a student may be permitted to carry less than a normal class load and to restrict ~~his or her~~ activities to those recommended by a physician.

Legal Reference

Virginia Board of Education Regulations Establishing Standards for Accrediting Public Schools in Virginia, 8-VAC 20-131-10 *et seq.* as amended.

Adopted by School Board: August 21, 1990

Amended by School Board: July 16, 1991

Amended by School Board: June 15, 1993 (Effective August 14, 1993)

Amended by School Board: October 6, 1998

Amended by School Board: 2021

STUDENTS

Promotion, Retention and Acceleration

Each student should learn the relevant grade level subject matter before promotion to the next grade. Each student shall take and be expected to achieve a passing score on the SOL tests for the students' respective grade. Schools shall use SOL test results as part of a ~~multiple~~ set of ~~multiple data point~~~~criteria~~ for determining promotion in grades three (3) through eight (8) as set forth in more detail below. The use of SOL test score results as the sole criterion for awarding credit is prohibited.

A. Kindergarten

Students shall be retained in kindergarten only after a conference with the parent/~~legal guardian(s) or guardian~~ and approval of the principal ~~or designee~~. The principal or designee's decision will be final

In special cases the school may refer students from kindergarten to first grade during the school year.

B. Elementary School

Promotion will be made through grade five based on an evaluation of the student's acquisition of basic skills and other evidence of growth as determined by the student's teacher and principal/~~desginee~~ as evidenced by the one or more of the following factors:

1. SOL test scores at the end of grades three (3) through ~~fiveeight~~ (58), if applicable;
2. special needs;
3. academic performance;
4. prior retentions;
5. attendance;
6. physical size;
7. reading level;
8. work habits;
9. intellectual ability;
10. parental support;
11. age; and
12. school/family history.

The decision to promote a student is final with the principal/designee.

C. Middle School

Students in grades six, seven, and eight are promoted to the next grade on the basis of earning passing final grades in the core subjects of language arts, mathematics, science, and social studies and a passing final grade in one of the following program areas:

health/physical education and the equivalent of a full-year course in the **exploratories**/electives together with consideration of the following factors:

1. academic performance;
2. ability level;
3. attendance in conjunction with poor classroom performance;
4. chronological age in relation to the normal grade/age group;
5. prior retentions;
6. delayed/advanced physical development;
7. maturity in emotional and social development;
8. work and study habits;
9. student and parent attitude;
10. parental support; and
11. SOL test scores at the end of grades six (6) through eight (8); however, the use of SOL test scores as the sole criterion in awarding credit is prohibited.

D. High School

Promotion at the high school level is based upon academic achievement and the meeting of attendance requirements in individual courses. Promotion is based on the number of credits earned. The use of SOL test scores as the sole criterion in awarding credit is prohibited. An assignment of class standing will be made on the following basis:

1. Grade 12: at least 16 credits and/or eligible for June graduation
2. Grade 11: at least 10 credits, but fewer than 16 credits
3. Grade 10: at least 5 credits, but fewer than 10 credits
4. Grade 9: fewer than five credits

Acceleration at the high school level will be on a course-by-course basis.

E. Interventions

Those students identified as possible candidates for retention shall receive interventions as set forth in the Standards of Quality and the Standards of Accreditation.

F. Final decision on promotion or retention

The principal or designee will have final authority to decide whether a student will be retained or promoted to the next grade. Students who have met the academic requirements to be promoted will not be retained for social, emotional, or disciplinary reasons.

Legal Reference

[Virginia](#) Board of Education Regulations for Establishing Standards for Accrediting Public Schools in Virginia. 8-VAC-20-131-30, [as amended](#). [Role of the Principal](#).

Code of [Virginia](#), § 22.1-253.13:3, [as amended](#). Standard 3. Accreditation, other standards and evaluation.

~~8 VAC 20-131-30, as amended. Role of the Principal~~

Adopted by School Board: June 15, 1993 (Effective August 14, 1993)

Amended by School Board: October 19, 1993

Amended by School Board: September 15, 1998

Amended by School Board: March 22, 2005

Amended by School Board: April 4, 2006

[Amended by School Board: 2021](#)

STUDENTS

Reporting Student Progress

A. Progress Reports

Periodically during the school year, a progress report shall be given to the adult students or parents/legal guardian of a minor student ~~or to the adult student~~, including those with Individualized Education Programs (IEPs), who is in danger of failing a course or subject. This report shall provide information regarding the student's academic achievements during the period and may include information relevant to the student's work habits, attitudes and weaknesses. The report should give an evaluation of the student's academic progress as compared to what might normally be expected of a student in the student's is particular grade.

B. Warning Notices

In cases where a student is in danger of failing a course or subject or experiences a significant, negative change in performance, sufficient notice shall be sent home to provide warning of the possibility that the student may fail the subject or class.

C. Conferences Regarding Student Progress

The School Board encourages the use of conferences between the adult student or parents/legal guardians of minor students ~~or the adult students~~ and teachers and/or principals. Such conferences shall be called to explore the needs of the student, to resolve misunderstandings, to devise plans for assisting the students to succeed or for other reasons relevant to the student's education.

D. High School Seniors

If a senior is in danger of failing to meet the graduation requirements, the adult student or parents/legal guardians of a minor student ~~or the adult student~~ shall receive reasonable notification of the possibility of not qualifying for graduation and of the options for seeking assistance. Assistance should be provided where possible to help the student meet the requirements.

E. Access to Student Progress Reports

Access to student progress reports will be granted in accordance with Policy 5-31 and Regulation 5-10.2, as amended.

In questionable cases the principal is to seek advice of the Superintendent or his/her designee.

Editor's Note

See School Board Policy 2-42 and Division Regulations 2-42.1 and 2-42.2 for reporting requirements. See School Board Policy 5-31 and Regulation 5-10.2 for rights to access scholastic records.

Related Links

School Board **Policy 2-42**

[School Board](#)~~Division~~ **Regulation 2-42.1**

[School Board](#)~~Division~~ **Regulation 2-42.2**

[School Board](#)~~Division~~ **Regulation 5-10.2**

School Board **Policy 5-31**

Adopted by School Board: June 15, 1993 (Effective August 14, 1993)

Amended by School Board: August 4, 1998

Amended by School Board: September 5, 2012

[Amended by School Board: 2021](#)

STUDENTS

Awards for Achievement/Class Rank/Honor Designations

A. Generally

The School Board approves of awards for students who achieve high academic standing, outstanding citizenship, physical expertise and other characteristics that contribute to good citizenship. The School Board, however, does not approve of giving awards to students where the basic purpose is obviously commercialism. Awards donated by ~~nonschool~~non-school agencies which are recognized nationally and approved by the Superintendent or designee or the School Board may be awarded to students at appropriate ceremonies and times.

B. Honor Rolls

Students should be encouraged to reach their maximum potential in academic programs. Students who do outstanding work shall be recognized through an honor roll system.

C. Awards for Exemplary Performance

1. Students who complete the requirements for a Standard Diploma or Advanced Studies Diploma with a grade average of 4.0 or better in the required courses will receive a Virginia Board of Education seal on the diploma.
2. Students who complete the requirements for an Advanced Studies Diploma with a grade point average of 3.0 or better and successfully complete college-level coursework that will earn the student at least nine transferable college credits in Advanced Placement (AP), International Baccalaureate (IB), Cambridge, or dual enrollment courses will receive a Governor's seal on the diploma.
3. Students may receive other seals or awards for exceptional academic, vocational, citizenship, or other exemplary performance in accordance with criteria defined by the School Board or the Virginia Board of Education ~~of Virginia~~.

~~D. Valedictorian(s)/Salutatorian(s)~~

~~To be eligible as or valedictorian(s)/salutatorian(s) students must complete the last four (4) consecutive semesters in the high school.~~

~~E. Class Rank~~

~~Through the graduating class of 2021, a student's grade point average and class rank will be computed for the following purposes:~~

- ~~1. To determine honor graduates.~~
- ~~2. To determine if the student is eligible for the diploma seal awarded by the Virginia Board of Education.~~
- ~~3. Communication to college admission offices and other agencies designated by the student and/or parent.~~
- ~~4. To determine the valedictorians and salutatorians for the graduating class.~~

F.D. D.Honor Designations

Beginning with the 9th grade cohort of students (Class of 2022) entering high school in the fall of 2018, Class Rank will no longer be reported. Each high school will be provided with a percentile rating of Grade Point Averages for estimating class rank for individual scholarships or military applications that require this information. High Schools will not calculate a numerical class rank other than this percentile rating. The principal or school designee shall provide colleges and universities with an explanation of the Latin Honors system through the Virginia Beach City Public Schools transcript profile.

1. A student's grade point average will be computed for the following purposes:
 - a. To determine honor designations.
 - b. To determine if the student is eligible for certain diploma seals awarded by the Virginia Board of Education.
 - c. To communicate to college admission offices and other agencies designated by the [adult](#) student and/or parent/[legal guardian of a minor student](#).
2. The following honor designations will be utilized to distinguish academic achievement for graduating seniors:
 - a. A student earning a 3.0 cumulative grade point average or higher will be considered an honor graduate.
 - b. A student earning a 3.5 - 3.75 cumulative grade point average will be awarded the Cum Laude distinction.
 - c. A student earning a 3.76 - 3.99 cumulative grade point average will be awarded the Magna Cum Laude distinction.
 - d. A student earning a 4.0 and above cumulative grade point average will be awarded the Summa Cum Laude distinction.

e. And will be added to the student's final transcript.

3. The designation of Valedictorian and Salutatorian will not be utilized.
4. The Superintendent or designee shall develop regulations for formally acknowledging academic achievement for graduating seniors, to include the student(s) with the highest GPA.

Legal Reference

Virginia Board of Education Regulations Establishing Standards for Accrediting Public Schools in Virginia, § 8VAC-20-131-10 *et seq.*, as amended.

Adopted by School Board: October 21, 1969

Amended by School Board: February 16, 1971

Amended by School Board: August 21, 1990

Amended by School Board: July 16, 1991

Amended by School Board: June 15, 1993 (Effective August 14, 1993)

Amended by School Board: October 6, 1998

Amended by School Board: April 20, 2010

Amended by School Board: April 24, 2018

Amended by School Board: 2021

COMMUNITY RELATIONS

Scholastic Records

A. Definitions

Words and terms when used in this Policy and its implementing regulations are established in ~~School Division~~ Regulation 5-31.2.

“Eligible student” means a student who is eighteen (18) years of age or older, a student attending a postsecondary institution, or an emancipated student. Students who are 18 years old and subject to a court order that places the student under the legal guardianship of another person will be treated as minor students.

B. Generally

All information regarding students and their families shall be collected and maintained under safeguards of privacy established by federal and state laws or regulations ~~(as cited in the legal reference to this policy)~~ and School Board policies and regulations.

An accurate and complete individual, permanent and cumulative record shall be maintained for each student in grades pre-K-12 enrolled in the School Division. When appropriate, a separate confidential record shall be maintained for those students requiring differentiated. When a separate confidential record is established, a notation on the cumulative record shall indicate the location of the confidential records. All data (cumulative and confidential) shall be considered the student's official scholastic records. In accordance with Code of Virginia § 22.1-288.2, as amended, every notice of adjudication of delinquency or conviction received by a superintendent in accordance with applicable law, including any information contained in such notice, which is not a disciplinary record as defined in Virginia Department of Education regulations, shall be maintained separately from all other records concerning the student. However, if disciplinary action is taken against a student based upon the information provided in such notice, then the notice shall become a part of the student's disciplinary record.

No statement in this Policy or any implementing regulations shall be construed by employees as negating their responsibility for reporting child abuse or neglect cases as required by Code of ~~Va.~~ Virginia § 63.2-1509, as amended, and School Board Policy 4-68.

All personnel authorized access to scholastic records shall be informed of this Policy and its implementing regulations. Strict adherence shall be considered a condition of employment or authorization to access such files by volunteers and agents of ~~by~~ the School Board.

C. Custodian(s) of Student Records

The employee responsible for the in-service education of records maintenance personnel and the collection, security, use, disclosure, periodic evaluation, transfer, and destruction of scholastic records data shall be designated as custodian of student records.

At the individual school level, the custodian of student records shall be the principal or a designee. When scholastic records are on file in a central facility the Superintendent or a designee shall be the custodian.

The [Executive](#) Director of the Office of Programs for Exceptional Children shall designate a custodian to maintain the confidential files for students with disabilities (preschool, unserved) who are not enrolled as students in the School Division.

D. Notification of Records Policies and Regulations

1. Generally

School Board policies and regulations pertinent to scholastic records shall be available to interested parties on the School Division website which is available and accessible at each school administrative office, media center (library), and the central office.

2. Parents/Legal Guardians/Eligible Students

Each year the School Board shall notify eligible students, the parents and/or legal guardians of minor students in attendance and eligible students in attendance of their rights as established in School Board policies and regulations. Such notification may be by letter, mailing, electronic communication, patron organization bulletins or by public notice in the newspaper press. However transmitted, the notification shall include the following:

- a. The types and location of scholastic records and information maintained therein;
- b. The title and address of the employee responsible for the maintenance of scholastic records, the parties to whom data may be disclosed, and the purpose for disclosure;
- c. The policy for reviewing and expunging scholastic records;
- d. The policies and regulations for disclosure of data from scholastic records;
- e. The right to challenge the content of scholastic records and to file with the Office of Family Compliance, U.S. Department of Education, a

complaint concerning an alleged failure by the School Division to comply with the Family Education Rights and Privacy Act (FERPA);

- f. The fee for reproducing copies of scholastic records;
- g. The data designated as directory information; and
- h. The right to obtain, upon payment of the appropriate fee, a copy of School Board policies and regulations on the management of the scholastic records and the location of same.

3. Local Agencies

Each year the custodian of scholastic records shall inform local agencies cooperating with the School Division in the student's educational development of the location of School Board policies and regulations in the management of scholastic records.

E. Access to Student Records

1. School Division Employees

a. Licensed Personnel

Licensed personnel (including itinerant teachers) within the student's school shall have access to his/her student's records.

Other licensed personnel shall have access to these records if the custodians of scholastic records determine they have a legitimate educational interest in requesting such access. The criterion for determining "legitimate educational interest" shall be the student's welfare. Licensed personnel who copy data from student records shall protect the confidentiality of such data.

b. Classified Personnel

Classified personnel assigned to duties within the facility where student records are maintained shall have access to such records only with the prior approval of the custodian of scholastic records. Students and paraprofessional employees shall not be assigned clerical duties where they may have access to scholastic records.

c. In-service Education

The custodian of student records shall supervise an in-service education program for employees having access to these records. The

core documents for the program shall be this Policy and its implementing regulations.

d. Employee Access Roster

Custodians of scholastic records shall maintain an up-to-date roster of division employees within their facility having access to scholastic records. These rosters shall be made available for public inspection.

2. Parents/Legal Guardians/Eligible Students

- a. The custodian of student records shall permit parents and/or legal guardians of minor students or eligible students to inspect and review such records. Compliance with requests shall be made without unnecessary delay and in no case more than forty-five (45) calendar days after the request has been made in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232(g), as amended and related regulations. In the case of requests made by parents, legal guardians, or eligible students for records of students with disabilities, compliance with such request shall be made prior to any meeting for a student identified under the Individuals with Disabilities Education Act.
- b. The custodian of student records may presume that ~~both~~ parents/legal guardians of minor students have the authority to inspect and review records relating to the minor student unless the School Division has been advised that ~~either~~ parent/legal guardian does not have the authority under applicable state law governing such matters as guardianship, separation, divorce or Child Protective Services.

3. Student (under eighteen) who is Subject of Record

Transfer of rights to review scholastic records from the parent/legal guardian to an eligible student happens when the student reaches eighteen (18) years of age. Parents or legal guardians who continue to claim the student as a tax dependent may continue to access the eligible student's scholastic record.

4. Third Parties

The custodian of records may permit the following third parties to access student records in accordance with applicable state and federal laws:

- a. A person designated in writing by either parent or legal guardian of the student if the student is less than eighteen years of age or as designated by an eligible student (eighteen years of age or older);

- b. 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 official ~~his~~ duties;
- c. An agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [25 U.S.C. 450(b)], who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student. Any agency caseworker or other representative of a State or local child welfare agency or tribal organization (as referenced above) who does not meet the requirements outlined above, must obtain a written release from the parent, guardian, or eligible student (eighteen years of age or older) authorizing access to such student records. The release must specify the records to be released, the reasons for such release, and to whom the records are to be released.
- d. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication:
 - 1) Attorneys for the Commonwealth;
 - 2) Court services units;
 - 3) Juvenile detention centers or group homes;
 - 4) Mental and medical health agencies;
 - 5) State and local children and family service agencies;
 - 6) The Department of Juvenile Justice; and
 - 7) The staff of such agencies.

For purposes of this section, "group home" means a "juvenile residential facility that is a community based, home-like single dwelling, or its acceptable equivalent, other than the private home of the operator, and does not exceed the capacity approved by the regulatory authority" and "juvenile detention center" means "a local, regional, or state, publicly or privately operated secure custody facility that houses individuals who are ordered to be detained pursuant to the Code of Virginia. This term does not include juvenile correctional centers."

Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the custodian of records 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 student or by such student if the student is eighteen years of age or older. Private agencies or private individuals must provide a written release or authorization from the student's parents specifying the records to be released, the reasons for such release, and to whom the records are to be released.

The custodian of records shall release student records in accordance with a Federal grand jury subpoena, any other subpoena issued for a law enforcement purpose, a judicial order, or any lawfully issued subpoena, that lawfully requires disclosure of such records and shall notify the parents, legal guardian or eligible student of such disclosure as required by the Family Educational Rights and Privacy Act, ~~20 U.S.C. § 1232(g)~~, as amended, and related regulations.

The custodian of records shall permit a guardian ad litem or counsel for the child appointed pursuant to Code of Virginia § 16.1-266 as amended to inspect and copy, without the consent of the child or the child's ~~his~~ parents/legal guardians, any records relating to the child whom the guardian or counsel represents, upon presentation by the guardian ad litem of a copy of the court order appointing ~~ing him~~ or a court order specifically allowing ~~him~~ such access.

Pursuant to Standard 1 of the Standards of Quality (Chapter 13.2 (§ 22.1-253.13:1 *et seq.*) of Title 22.1), all school boards are required to implement career and technical education programs promoting knowledge of careers and various employment opportunities, including, but not limited to, military careers. Therefore, any school board that provides access to one or more of its high schools and contact with such high school's student body or other contact with its high school students during a school or School Division-sponsored activity whether conducted on School Board property or other property to persons or groups for occupational, professional or educational recruitment shall provide equal access on the same basis to official recruiting representatives of the military forces of the Commonwealth and the United States.

F. Disclosure of Scholastic Records Content

For disclosure of student records see School Board Policy 5-66.

G. Amendment of Scholastic Records Content

The parent/~~s~~ legal guardian of a minor student or the eligible student who believes that information in the student's record is inaccurate, misleading or violates the privacy or other rights of the student may request that the custodian who maintains the record amend such record. Upon receipt of such request the custodian shall be responsible for administering the subsequent procedures as established in Virginia Department of Education. Consistent with federal law and regulation, each school shall annually notify parents, legal guardians, or eligible students currently enrolled in attendance of their rights under the Family Education Rights and Privacy Act, (20 U.S.C. § 1232(g), ~~and~~) and related regulations.

H. Content and Disclosure of Student Directory Information

See School Board Policy 5-66 and School Board Regulation 5-66.1.

I. Periodic Evaluation of Scholastic Records

In cooperation with ~~guidance-school counseling~~ personnel, the custodian of student records shall annually review the contents of these records for the purpose of removing data no longer educationally useful as directed in School Board Regulation 5-31.1 and as directed in the Commonwealth of Virginia Records Retention and Disposition Schedule (Form RM-2).

J. Transfer of Scholastic Records

Scholastic records shall be transferred as directed in School Board regulation and in accordance with applicable law and regulation.

K. Implementation

The Superintendent is authorized to implement this Policy with appropriate School Board regulations.

Legal Reference

The Family Educational Rights and Privacy Act. 20 USC § 1230, 1232 g, 34 CFR Part 99, as amended.

Code of Virginia § 16.1-266, as amended. Appointment of counsel and guardian ad litem.

Code of Virginia § 22.1-130.1, as amended. Access to high schools and high school students for military recruiters.

Code of Virginia § 22.1-20, as amended. Retention of pupil personnel records.

Code of Virginia § 22.1-287, as amended. Limitations on access to records.

Code of Virginia § 22.1-287.1, as amended. Directory information.

Code of Virginia § 22.1-288.2, as amended. Receipt, dissemination and maintenance of records of certain law-enforcement information.

Code of Virginia § 22.1-289, as amended. Transfer and management of scholastic records; disclosure of information in court notices; penalty

Virginia Board of Education Regulation, 8-VAC 20-150-20, as amended. Management of Scholastic Record.

Virginia Department of Corrections Regulation, 6-VAC 35-41-10, as amended. Definitions.

Virginia Department of Corrections Regulation, 6_VAC_35-101-10. Suspected child abuse or neglect.

Related Links

School Board **Policy 4-68**

School Division **Regulation 5-31.1**

School Division **Regulation 5-31.2**

School Board **Policy 5-66**

School Board **Regulation 5-66.1**

Adopted by School Board: October 21, 1969

Amended by School Board: June 17, 1975

Amended by School Board: January 20, 1981

Amended by School Board: August 21, 1990

Amended by School Board: July 16, 1991

Amended by School Board: June 15, 1993 (Effective August 14, 1993)

Amended by School Board: April 4, 2006

Amended by School Board: August 19, 2014

[Amended by School Board: 2021](#)

INSTRUCTION

Literacy and Response to Intervention Screening and Services

The Superintendent or designee will develop procedures for providing timely and written notification to adult students or parents/legal guardians of minor student who:

- A. Undergo literacy and Response to Intervention screening and services; and
- B. Do not meet the benchmark on any assessment used to determine at-risk learners in preschool through grade 12. Such notification shall include all such assessments scores and sub-scores and intervention plan that results from such assessment scores or sub-scores.

Legal Reference

Code of Virginia § 22.1-215.2, as amended. Parental notification; literacy and Response to Intervention screening and services; certain assessment results.

Adopted by School Board: 2021



Subject: Closed Session **Item Number:** 18

Section: Closed Session **Date:** August 24, 2021

Senior Staff: Aaron Spence, Superintendent

Prepared by: Kamala H. Lannetti, Deputy City Attorney

Presenter(s): Aaron Spence, Superintendent

Recommendation:

That the School Board recess into Closed Session to deliberate on the following matters: a closed meeting pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraph 1 , as amended, for 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 any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals.

Namely: for the purpose of addressing the Superintendent's annual goals.

Background Summary:

Source:

Code of Virginia, Section 2.2-3711

Budget Impact:

N/A