



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

Daniel D. Edwards
District 2 – Kempsville

Sharon R. Felton
District 6 – Beach

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

Tuesday, March 10, 2020

School Administration Building #6, Municipal Center
2512 George Mason Dr.
P.O. Box 6038
Virginia Beach, VA 23456
(757) 263-1000

In accordance with [School Board Bylaw 1-48](#) §G, "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 is meeting"

INFORMAL MEETING

1. **Convene School Board Workshop (einstein.lab)..... 4:00 p.m.**
If there is insufficient time for completion of workshop topics at this time, remaining items may be carried forward under Item 17
 - A. School Board Administrative Matters and Reports
 1. Citizen Advisory Committee Vacancies
 - B. Overview of Communications and Community Engagement Department and NSPRA Audit
 - C. Virginia Department of Health COVID-19 Update
 - D. WHRO Services Update
2. **Closed Meeting: Legal Matters**
3. **School Board Recess..... 5:30 p.m.**

FORMAL MEETING

4. **Call to Order and Electronic 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 Recognition**
National Board Certified Teachers
7. **Superintendent's Report**
8. **Hearing of Citizens and Delegations on Agenda Items**

The School Board will hear public comment on items germane to the School Board Agenda for the meeting from citizens who have signed up to speak with the Clerk of the School Board. Citizens are encouraged to sign up by noon the day of the meeting by contacting the Clerk at 263-1016 and shall be



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Regular Meeting Agenda (continued)

Tuesday, March 10, 2020

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allocated 4 minutes each until 7:30 p.m., if time is available. If time does not permit all members of the public to speak before 7:30 p.m., an additional opportunity for public comment on Agenda items may be given after the Information section of the Agenda. All public comments shall meet the [School Board Bylaw 1-48](#) requirements for Decorum and Order.

9. *Approval of Minutes:*

- A. February 25, 2020 Regular School Board Meeting
- B. March 3, 2020 Special School Board Meeting

10. *Adoption of the Agenda*

11. *Consent Agenda*

All items under the Consent Agenda are enacted on by one motion. During Item 10 – 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.

12. *Action*

Personnel Report / Administrative Appointment(s) **UPDATED 3/11/2020**

13. *Information*

- A. Strategic Framework Update
- B. Policy Review Committee Recommendations
 - 1. Policy 3-68 Employee Lactation Support
 - 2. Policy 5-7 Non-Discrimination and Non-Harassment of Students
 - 3. Regulation 5-21.3 Discipline of Students with Disabilities
 - 4. Policy 5-76 Homeless Children and Youth
 - 5. Policy 7-37 Gifts to Staff Members

14. *Standing Committee Reports*

15. *Conclusion of Formal Meeting*

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

At this time, the School Board will hear public comment on items germane to the business of the School Board that are not on the School Board's Agenda for the meeting from citizens who sign up to speak with the Clerk of the School Board by 3:00 p.m. the day of the meeting and shall be allocated 4 minutes each. All public comments shall meet the [School Board Bylaw 1-48](#) requirements for Decorum and Order.

17. *Workshop* (as needed)

18. *Closed Meeting* (as needed)

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

20. *Adjournment*



Subject: Overview of Communications & Community Engagement Dept. & Its Audit **Item Number: 1B**

Section: Workshop

Date:

March 10, 2020

Senior Staff: Natalie Allen, Chief Communications and Community Engagement Officer, Dept. of Communications and Community Engagement

Prepared by: Dr. Amber Rach, Director of Strategic Communications, Dept. of Communications and Community Engagement, Dr. Admon Alexander Director of Family and Community Engagement, Dept. of Communications and Community Engagement

Presenters: Natalie Allen, Chief Communications and Community Engagement Officer, Dept. of Communications and Community Engagement; Dr. Amber Rach, Director of Strategic Communications, Dept. of Communications and Community Engagement; Dr. Admon Alexander, Director of Family and Community Engagement, Dept. of Communications and Community Engagement; and Ms. Mellissa Braham, Associate Director for the National School Public Relations Association

Recommendation:

That the School Board be given the opportunity to learn more about the Department of Communications and Community Engagement, which functions to support the division in its mission of effectively communicating to internal and external stakeholders. The department works to support and communicate the division's goals, strategic information, education initiatives and student and staff successes through videos, stories, social media, advisories and media connections. The presentation will also include the findings of a communications audit executed by the National School Public Relations Association, which was completed in spring 2019.

Background Summary:

The Department of Communications and Community Engagement, formerly known as the Department of Media and Communications, was renamed in July 2019. The reason for this change was to better align the department name with the division's strategic plan, which includes a strong emphasis on community partnerships and family outreach. By focusing on community outreach while also handling day-to-day communications operations, the department is able to build partnerships and narrate the stories and successes of the division while also working to navigate any issues that may arise, which require communication efforts on behalf of the division, school board or superintendent. The department is responsible for more than 35,000 volunteers, the division's website, the division's rapid notification system AlertNow, 86 school webmasters, 86 media liaisons, 86 community engagement liaisons, the Great Dreams Needs Great Teachers campaign, division social media, multiple events including the Parent Connection series and teacher of the year event, the Virginia Beach Education Foundation, internal and external communication and more.

Source:

Audit findings are from the National School Public Relations Society (NSPRA).

Budget Impact:

None



Subject: Virginia Department of Health COVID-19 Update **Item Number:** 1C

Section: Workshop **Date:** March 10, 2020

Senior Staff: John “Jack” Freeman, Chief Operations Officer

Prepared by: Demetria Lindsay, MD, Virginia Department of Health (VDH)

Presenter(s): Demetria Lindsay, MD, Virginia Department of Health (VDH)

Recommendation:

That the School Board receive an update from the Virginia Department of Health on the Novel Coronavirus (COVID-19).

Background Summary:

Recent news regarding the Novel Coronavirus (COVID-19) across the globe has understandably caused worry. At this time, there are no cases of the virus in Virginia, and the Centers for Disease Control (CDC) has reported that "the immediate health risk from COVID-19 is considered low."

VBCPS is working closely with the Virginia Department of Health (VDH) in monitoring the status of the virus and is following current guidance from the VDH and Centers for Disease Control and Prevention (CDC).

Source:

Budget Impact:



Subject: WHRO Services Update **Item Number:** 1D

Section: Workshop **Date:** March 10, 2020

Senior Staff: N/A

Prepared by: Bert Schmidt, WHRO President and Chief Executive Officer; and
Elmer Seward, WHRO Vice President of Education

Presenter(s): Bert Schmidt, WHRO President and Chief Executive Officer; and
Elmer Seward, WHRO Vice President of Education

Recommendation:

That the School Board receive an update on WHRO services and programs.

Background Summary:

Source:

WHRO

Budget Impact:



Subject: Closed Session Item Number: 2

Section: Closed Meeting Date: March 10, 2020

Senior Staff: N/A

Prepared by: School Board Legal Counsel, Kamala H. Lannetti, Deputy City Attorney

Presenter(s): Kimberly A. Melnyk, School Board Vice Chair

Recommendation:

MOTION: I move that the School Board recess into a closed meeting pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraph 7 of the *Code of Virginia*, 1950, as amended, for

LEGAL MATTERS: Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the Board pursuant to Section 2.2-3711(A) (7); namely to discuss status of pending legal matters.

RECONVENE IN OPEN SESSION:

CERTIFICATION:

WHEREAS, the School Board of the City of Virginia Beach has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the *Code of Virginia* requires a certification by this School Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the School Board of the City of Virginia Beach hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification applies, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered.

ACTION AS NEEDED:

Background Summary:

Appropriate requests have been made for a closed meeting.

Source:

Bylaw 1-36 and Code of Virginia, Section 2.2-3711

Budget Impact:

N/A



Subject: 2019 National Board Certified Teachers **Item Number:** 6

Section: Student, Employee and Public Awards and Recognition **Date:** March 10, 2020

Senior Staff: Ms. Natalie Allen, Chief Media & Communications Officer, Department of Communications and Community Engagement

Prepared by: Dr. Amber F. Rach, Director, Office of Strategic Communications

Presenter(s): Mrs. Carolyn Rye, Chairwoman, and Dr. Aaron C. Spence, Superintendent

Recommendation:

That the Board recognize the 2019 class of National Board Certified Teachers for Virginia Beach City Public Schools.

Background Summary:

Created by teachers for teachers, National Board Certification is one of the most respected distinctions in the teaching profession. This voluntary certification, which is offered in 25 certificate areas spanning 16 disciplines, takes anywhere between three to five years to complete.

Source:

Office of Professional Growth and Innovation

Budget Impact:

None



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

Section: Approval of Minutes **Date:** March 10, 2020

Senior Staff: N/A

Prepared by: Dianne P. Alexander, School Board Clerk

Presenter(s): Dianne P. Alexander, School Board Clerk

Recommendation:

That the School Board adopt the following sets of School Board meeting minutes as presented:

- February 25, 2020 regular meeting
- March 3, 2020 special meeting

Background Summary:

Source:

Bylaw 1-40

Budget Impact:

N/A



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Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting MINUTES

Tuesday, February 25, 2020

School Administration Building #6, Municipal Center
2512 George Mason Dr.
Virginia Beach, VA 23456

INFORMAL MEETING

1. **Convene School Board Workshop:** The School Board convened in the einstein.lab in workshop format at 4:02 p.m. All School Board members were present along with Superintendent Spence. Ms. Owens and Ms. Manning arrived late at 4:06 p.m. and 4:08 p.m., respectively.
 - A. **School Board Administrative Matters and Reports:** Chairwoman Rye routed an RSVP request for the Virginia School Boards Association (VSBA) Tidewater Region Spring Forum as Ms. Felton spoke about the event as the Vice Chair of the VSBA Tidewater Region.

School Board members shared reports on recent events and activities attended.

This portion of the workshop concluded at 4:12 p.m.
 - B. **School Operating Budget FY2020-21 and Capital Improvement Program (CIP) FY2020-21 through FY2025-26 Workshop #3:** Farrell E. Hanzaker, Chief Financial Officer, reported on a comparison of the Governor's, House, and Senate 2021 budget and responded to School Board members' questions. John A. Mirra, Chief Human Resources Officer, presented information in response to inquiries relative to news about Chesapeake Public Schools considering the concept of implementing "targeted raises" by providing historical background on equity adjustments used by the division to align pay for employees. Daniel F. Keever, Senior Executive Director for High Schools, presented follow-up information on the topic of synthetic turf fields. In conclusion, Mr. Hanzaker reported the budget resolution reflecting the Superintendent's Estimate of Needs and resolution for the Capital Improvement Program (CIP) as proposed will be brought forward for the School Board to take action at their Special Meeting scheduled for March 3 to begin with a final budget/CIP workshop at 5:00 p.m. This portion of the workshop concluded at 4:59 p.m.
 - C. **Behavioral Supports Update:** Alveta J. Green, Ed.D., Executive Director, and Adrian J. Day, Director of Student Support Services, presented an update on behavioral supports for students to include information regarding Behavior Intervention Specialists (BIS), the Behavior



and Social Emotional (BASE) Program, and Therapeutic Day Treatment (TDT). Discussion concluded at 5:39 p.m.

- D. Introduction on the College, Career and Civic Readiness Index and Update on Work-based Learning: Taken up at the conclusion of the formal meeting under Item 18.

The workshop concluded at 5:39 p.m.

2. **Closed Meeting:** None
3. **School Board Recess:** The School Board recessed at 5:39 p.m. to reconvene in School Board Chambers in formal meeting format at 6:00 p.m.

FORMAL MEETING

4. **Call to Order and Electronic Roll Call:** Chairwoman Rye called the formal meeting to order at 6:00 p.m. All School Board members were present along with Superintendent Spence.
5. **Moment of Silence followed by the Pledge of Allegiance**
6. **Student, Employee and Public Awards and Recognition:** National Blue Ribbon School: The School Board recognized Tallwood Elementary School for being named a 2019 National Blue Ribbon School.
7. **Superintendent's Report:** In his tradition of recognizing the newest member(s) of the *Compass Keepers Club*¹, Superintendent Spence's report focused on the Black Student Union at Kempsville High School pioneered by Jordan Felder, and featured activities and events they have sponsored that welcome students of all backgrounds.

The School Board then recognized the School Board Clerk and Deputy Clerk in observance of the Virginia School Boards Association (VSBA) School Board Clerk Appreciation Week declared by the Governor to be February 17-21, 2020.

8. **Public Hearing on School Operating Budget FY2020-21 and Capital Improvement Program (CIP) FY2020-21 through FY2025-26:** The School Board heard comments from twelve speakers regarding budget and CIP items related to increased compensation for employees, specifically, teachers and bus drivers; equity adjustments for school counselor department chairs; increase in coaching stipends; capital improvement needs; and funding for the health insurance credit for current and retired employees who are not currently covered under the Virginia Retirement System (VRS).
9. **Hearing of Citizens and Delegations on Agenda Items:** The School Board heard comments from eleven speakers regarding the SY22 school calendar's first day of school conflict with Rosh Hashana.
10. **Approval of Minutes:**
- A. February 11, 2020 School Board Regular Meeting: Ms. Hughes made a motion, seconded by Ms. Riggs, that the School Board approve the minutes of their February 11, 2020 regular meeting as presented. Without discussion, the motion passed unanimously.
- B. February 18, 2020 School Operating Budget FY2020-21 and Capital Improvement Program (CIP) FY2020-21 through FY2025-26 Workshop #2: Ms. Weems made a motion, seconded by

¹ Members of the Compass Keepers Club are students, staff or community supporters who truly represent Virginia Beach City Public Schools with dedication, determination, passion and drive



Ms. Holtz, that the School Board approve the minutes of their February 18, 2020 School Operating Budget FY2020-21 and Capital Improvement Program (CIP) FY2020-21 through FY2025-26 Workshop #2 as presented. Without discussion, the motion passed (ayes 9, nays 0; 2 abstentions – Hughes and Manning who were not present at the February 18 workshop).

11. **Adoption of the Agenda:** Ms. Anderson made a motion, seconded by Ms. Owens, that the School Board adopt the meeting agenda as published. Without discussion, the motion passed unanimously.
12. **Consent Agenda:** After Chairwoman Rye's review of items presented for approval as part of the Consent Agenda, Ms. Holtz made a motion, seconded by Mr. Edwards, that the School Board approve the Consent Agenda as presented. Without discussion, the motion passed unanimously, and the following items were approved as part of the Consent Agenda:

A. Resolutions:

1. Women's History Month as follows:

**RESOLUTION
WOMEN'S HISTORY MONTH
MARCH 2020**

WHEREAS, women of every race, class and ethnic background have made historic contributions to our schools, community and nation in countless recorded and unrecorded ways; and

WHEREAS, women have played and continue to play a critical economic, cultural, political and social role in every sphere of American life through their service as a significant portion of the labor and volunteer force; and

WHEREAS, women have been traditionally underrepresented as leaders in areas of business, science, technology and government; and

WHEREAS, today's children have the opportunity to learn about the significant contributions of women as leaders not only in securing their own rights of suffrage and equal opportunity, but also as leaders in the forefront of every major progressive social change movement, which creates a more fair and just society for all; and

WHEREAS, despite their many contributions, the role of women in history has been consistently overlooked and undervalued in the literature, teaching and study of American history; and

WHEREAS, the school division's strategic framework Compass to 2020 calls upon our staff, students and community to support a culture of growth and excellence for all people.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach recognizes the month of March 2020 as Women's History Month in Virginia Beach City Public Schools; and be it

FURTHER RESOLVED: That the School Board of the City of Virginia Beach encourages all students, schools and citizens to celebrate the many contributions and accomplishments of women in our community and our nation through participation in Women's History Month activities; and be it

FINALLY RESOLVED: That a copy of this resolution be spread across the official minutes of this Board.

2. National Social Work Week as follows:

**Resolution for National School Social Work Week
March 1-7, 2020**

WHEREAS, Virginia Beach City Public Schools social workers help identify and remove environmental barriers to learning, thus allowing students to reach their full potential; and



WHEREAS, Virginia Beach City Public Schools social workers are committed to mobilizing family, school and community resources to enable students to learn and fully benefit from their educational program; and

WHEREAS, Virginia Beach City Public Schools social workers are valuable members of the multidisciplinary team serving schools, providing a wide range of services to students, parents and staff; and

WHEREAS, Virginia Beach City Public Schools social workers use their expertise in child development, community resources, mental health and crisis intervention to develop and implement interventions to support educational success; and

WHEREAS, Virginia Beach City Public Schools social workers assist the most vulnerable children and adolescents, including children with disabilities, children living in homelessness, children living in poverty, pregnant teens, suicidal teens, truants and other at-risk children; and

WHEREAS, this shared approach to assisting students promotes students' learning and helps guide students to high school graduation and postsecondary experiences and the skills necessary to be productive citizens.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach recognize the first full week of March 2020 as National School Social Work Week in Virginia Beach City Public Schools; and be it

FURTHER RESOLVED: That a copy of this resolution be spread across the official minutes of this Board.

3. Read Across America as follows:

Read Across America

WHEREAS, the citizens of Virginia Beach stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future and their ability to compete in a global economy; and

WHEREAS, Virginia Beach City Public Schools has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that education investment is key to the community's well-being and long-term quality of life; and

WHEREAS, "National Education Association's (NEA) *Read Across America*," a national celebration of Dr. Seuss's 116th birthday on March 2, 2020, promotes reading and adult involvement in the education of our community's students.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach calls on all the citizens of Virginia Beach to assure that every child is in a safe place reading together with a caring adult on March 2, 2020, and be it

FURTHER RESOLVED: That this body enthusiastically endorses "NEA's *Read Across America*" and recommits our community to engage in programs and activities that improve the reading abilities of all children; and be it

FINALLY RESOLVED: That a copy of this resolution be spread across the official minutes of this Board.

4. Fine Arts in our Schools Month as follows:

**RESOLUTION
FINE ARTS IN OUR SCHOOLS MONTH
MARCH 2020**



WHEREAS, fine arts programs in Virginia Beach City Public Schools provide curricular, co-curricular and extracurricular experiences in art, dance, music and theatre arts for all student members of the school community and for the Virginia Beach community at large; and

WHEREAS, the School Board of the City of Virginia Beach recognizes the importance of fine arts to all our students, not only while they are in school but also throughout their lives; and

WHEREAS, art, dance, music and theatre arts are now and have been a vital part of the curriculum and instruction of the public schools of Virginia Beach; and

WHEREAS, the month of March has been designated as Music in Our Schools Month, Youth Art Month, and Theatre in the Schools Month by their national associations.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach recognizes the month of March 2020 as Fine Arts in Our Schools Month in Virginia Beach City Public Schools; and be it

FURTHER RESOLVED: That the School Board of the City of Virginia Beach expresses its appreciation to our fine arts educators for enhancing our lives and the lives of our children through art, dance, music and theatre arts; and be it

FINALLY RESOLVED: That a copy of this resolution be spread across the official minutes of this Board.

- B. Recommendations derived from the 2018-19 implementation evaluation of the English as a Second Language (ESL) Program (K-12) as follows:
- Recommendation #1: Continue the ESL program with modifications noted in recommendations 2 through 6. (*Responsible Group: Department of Teaching and Learning*)
 - Recommendation #2: Develop a plan to provide translation and interpretation services when needed to communicate with parents and families of EL students. (*Responsible Group: Department of Teaching and Learning*)
 - Recommendation #3: Implement new strategies to improve communication and collaboration between ESL and classroom teachers. (*Responsible Groups: Department of Teaching and Learning, Schools*)
 - Recommendation #4: Enhance professional learning related to ESL instruction by providing expanded professional learning opportunities for ESL teachers and encouraging classroom teachers to participate in ESL-related professional learning. (*Responsible Group: Department of Teaching and Learning*)
 - Recommendation #5: Expand the availability of ESL instructional materials and resources. (*Responsible Group: Department of Teaching and Learning*)
 - Recommendation #6: Encourage EL students to participate in a variety of curricular options to help them reach their goals. (*Responsible Groups: Department of Teaching and Learning, Schools*)
- C. Policy Review Committee (PRC) recommendations regarding review, amendment and repeal of certain policies reviewed by the committee at their January 9, 2020 meeting as follows:
1. Policy 3-12 Capital Improvement Program: Modified with scrivener and formatting changes along with the addition of references to the Long-Range School Facility Master Plan and the Five-Year Forecast



2. Policy 3-16 Local Funds/Virginia Beach Education Foundation, Inc.: Amended to incorporate the Foundation's mission statement and make minor additions regarding scholarships
3. Policy 3-17 State Funds: Language added to acknowledge that state funds are provided to the division through the Direct Aid to Public Education budget in the Appropriation Act noting the Virginia General Assembly appropriates the funds and the Virginia Department of Education administers the funding. Funding is appropriated into four major categories (SOQ - Standards of Quality programs, incentive programs, categorical programs, and lottery programs)
4. Policy 3-18 Federal Funds: Scrivener changes made
5. Policy 4-75 Conditions of Employment: Scrivener changes made along with the removal of language referring to the School Board approving annual contracts for non-licensed employees, and, instead, referring to the annual notification of the employment process

13. Action:

- A. Personnel Report: Vice Chair Melnyk made a motion, seconded by Ms. Anderson, that the School Board approve the appointments and accept the resignations, retirements and other employment actions as listed on the Personnel Report dated February 25, 2020. Without discussion, the motion passed unanimously. Although there were no recommended administrative appointments, Superintendent Spence introduced Grant L. Baker, current Assistant Principal at Kingston Elementary School, as the new principal of Kingston Elementary School as approved by the School Board at their February 11 regular meeting.
- B. School Calendar SY2021-22 Suspension for Further Review: Chairwoman Rye made a motion, seconded by Ms. Anderson, that the School Board suspend the use of the finalized calendar for the 2021-2022 school year until further notice, and direct the Calendar Workgroup to reconvene for the purpose of reviewing the issue of the first day of school conflicting with the first full day of Rosh Hashana in 2021. Prior to a vote, Chairwoman Rye noted community input will be shared and weighed by the Calendar Workgroup and the School Board, as well as outreach to the broader faith community and consultation with the School Board's legal counsel being a part of the process. School Board members further commented prior to the motion passing unanimously.
- C. 403b Retirement Savings Plan:
 1. Charter for Oversight Committee: Mr. Edwards made a motion, seconded by Ms. Riggs, that the School Board approve the Charter of the Section 403(b) Retirement Savings Plan Oversight Committee as proposed. Farrell E. Hanzaker, Chief Financial Officer, presented an overview of the Charter including an outline of the powers and duties of the Oversight Committee before the motion passed unanimously.
 2. Oversight Committee Membership: Chairwoman Rye reviewed the list of staff members proposed to serve on the committee along with Dan Edwards assigned as the School Board liaison. Ms. Anderson made a motion, seconded by Ms. Manning, that the School Board approve the membership as presented. Without discussion, the motion passed unanimously, and membership was approved as follows:



- Farrell Hanzaker, Chief Financial Officer
- Crystal Pate, Director of Business Services
- Daniel Hopkins, Coordinator of Accounting
- Linda Matkins, Director of Consolidated Benefits
- Debbie Robertson, Math Teacher – First Colonial High School
- Cheryl Woodhouse, Senior Executive Director of Middle Schools
- Charlene Garra, Principal – Alanton Elementary School
- Scott Zellner, Human Resources Information Systems Specialist
- Daniel Edwards, School Board Member

- D. Governance Committee Appointment to Fill At-Large Vacancy: Chairwoman Rye presented a recommendation to appoint School Board member Beverly Anderson to fill the at-large vacancy on the Governance Committee for the remainder of the fiscal year ending June 30, 2020. Vice Chair Melnyk made a motion, seconded by Ms. Riggs, that the School Board approve the assignment as presented. Without discussion, the motion passed (ayes 10, nays 1 – Manning)
- E. In-House Pharmacy Exploratory Committee Assignments: Chairwoman Rye presented the recommendation to appoint School Board members Melnyk and Riggs to serve on an In-House Pharmacy Exploratory Committee. Mr. Edwards made a motion, seconded by Ms. Owens to approve the recommendation as presented. Chairwoman Rye explained the committee was established by City Council with membership comprised of two City Council members and two members of the School Board, with assistance from appropriate staff members as needed, to study the potential benefits, costs and cost savings of implementing an in-house pharmacy program for the City and School employees. Without discussion, the motion passed unanimously.

14. Information:

Interim Financial Statements – January 2020: Crystal M. Pate, Director of Business Services, presented highlights of revenues and expenditures representing the division's financial position for the period ending January 31, 2020. She reported overall revenues remain acceptable at this time and explained variables in state revenue projections. Sales tax receipts were reviewed in comparison to prior years, and expenditures were reported as acceptable at this time in the fiscal year.

- 15. Standing Committee Reports**: School Board designated representatives reported on behalf of the Mayor's Committee for Persons with Disabilities (Holtz), the Legislative Committee (Melnik), the Audit Committee (Edwards), and the Governance Committee (Rye).

- 16. Conclusion of the Formal Meeting**: The formal meeting concluded at 8:17 p.m.

- 17. Hearing of Citizens and Delegations on Non-Agenda Items**: The School Board heard comments from Karen Greenhaugh regarding House Bill 257 and potential impact on division policies and regulations.

The School Board recessed at 8:22 p.m. to reconvene in the einstein.lab in workshop format at 8:30 p.m.

- 18. Workshop (Item 1 continuation)**: Introduction on the College, Career and Civic Readiness Index and Update on Work-based Learning: Matthew D. Delaney, Executive Director of Secondary Teaching and Learning, and Sara L. Lockett, Ed.D., Director of Technical and Career Education, presented



information regarding the College, Career and Civic Readiness Index (CCCRI) and efforts to increase work-based learning opportunities in support of the division's strategic plan. It was reported that with the Class of 2022, high school accreditation ratings will include the new CCCRI as an indicator of school quality; and measure the extent to which students successfully complete advanced coursework, Career and Technical Education sequences, and credentialing and work – or service-based learning. Highlights of the presentation included defining CCCRI, outlining the work underway to ensure that the division is capturing and reporting all opportunities available to division students, and sharing plans to expand work-based learning opportunities for students.

19. **Closed Meeting:** None
20. **Vote on Remaining Action Items:** None
21. **Adjournment:** There being no further business before the School Board, Chairwoman Rye adjourned the meeting at 8:48 p.m.

Respectfully submitted:

Dianne P. Alexander, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

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Aaron C. Spence, Ed.D., Superintendent

School Board Special Meeting MINUTES

Tuesday, March 3, 2020

School Administration Building #6, Municipal Center
2512 George Mason Dr.
Virginia Beach, VA 23456

NOTICE OF SPECIAL MEETING OF THE SCHOOL BOARD OF THE CITY OF VIRGINIA BEACH

In accordance with the Schedule of School Board Meetings approved by the School Board at their January 8, 2019 Organizational/Regular meeting, and pursuant to Bylaw 1-46, and *Virginia Code* § 2.2-3707, the School Board will hold a workshop followed by a special meeting on Tuesday, March 3, 2020, beginning at 5:00 p.m., at the School Administration Building #6 at the Municipal Center, 2512 George Mason Dr., Virginia Beach, VA 23456. The purpose is for the School Board to discuss and take action on the

- 1) Schools Operating Budget for Fiscal Year 2020-21; and
- 2) Capital Improvement Program (CIP) Fiscal Year 2020-21 through Fiscal Year 2025-26.

INFORMAL MEETING

- 1. Convene School Board Workshop:** The School Board convened in the einstein.lab in workshop format at 5:00 p.m. All School Board members were present along with Superintendent Spence.

School Operating Budget FY2020-21 and Capital Improvement Program (CIP) FY2020-21 through FY2025-26 Workshop #4: Farrell E. Hanzaker, Chief Financial Officer, reviewed the proposed School Operating Budget FY2020-21 resolution in detail explaining components of the \$818.4 million spending plan. Anthony L. Arnold, P.E., Executive Director of Facilities Services, reviewed the resource summary for the \$480.6 million six-year Capital Improvement Program (CIP) and reported on the transfer of \$5 million earmarked for field lighting associated with a potential shift in school start times to grounds for the installation of synthetic turf fields at four additional schools. Daniel F. Kever, Senior Executive Director for High Schools, responded to questions regarding factors taken into consideration for the selection of the proposed schools and further explained the Field Sharing Plan while Mr. Arnold spoke to the advantages of the turf fields and addressed questions regarding future related CIP projects. Noting these funds must be used for one-time expenses and could not be used for employee compensation, it was affirmed approval of the CIP would authorize the installation of synthetic turf fields as proposed.

John A. Mirra, Chief Human Resources Officer, reviewed information provided in response to compensation topics raised during the School Board's budget/CIP public hearing. School Board



members suggested any additional funds identified in the state budget be used in compensation areas recommended by Administration keeping the ongoing list of unmet needs in mind.

The workshop concluded at 6:12 p.m.

2. **School Board Recess:** The School Board recessed at 6:12 p.m. to reconvene in School Board Chambers in formal meeting format at 6:21 p.m.

FORMAL MEETING

3. **Call to Order and Electronic Roll Call:** Chairwoman Rye called the formal meeting to order at 6:21 p.m. All School Board members were present along with Superintendent Spence.
4. **Moment of Silence followed by the Pledge of Allegiance**
5. **Adoption of the Agenda:** Prior to a motion to adopt the agenda, Chairwoman Rye announced the stated purpose of the special meeting. Ms. Manning then made a motion, seconded by Vice Chair Melnyk, that the School Board adopt the meeting agenda as presented. Without discussion, the motion passed unanimously.
6. **Action:**
 - A. **Resolution Regarding School Operating Budget for Fiscal Year 2020-21:** Ms. Weems made a motion, seconded by Ms. Hughes, that the School Board approve the resolution regarding the School Operating Budget for Fiscal Year 2020-21 as presented. After a School Board member's comment, the motion passed unanimously, and the resolution was approved as follows:

Budget Resolution – FY 2020/21

WHEREAS, the mission of Virginia Beach City Public Schools (VBCPS), in partnership with the entire community, is to empower every student to become a life-long learner who is a responsible, productive, and engaged citizen within the global community; and

WHEREAS, the School Board of the City of Virginia Beach has adopted a comprehensive strategic plan and school improvement priorities to guide budgetary decisions; and

WHEREAS, the School Board has studied the recommended FY 2020/21 Operating Budget in view of state and federal requirements, the strategic plan, priorities, community expectations, competitive compensation for employees and the best educational interests of its students; and

WHEREAS, the City/School Revenue Sharing Policy provides 46.75% of certain general fund revenues to meet obligations of the School Board of the City of Virginia Beach; and

WHEREAS, the proposed Operating Budget moves all eligible employees up an experience step (0.5 percent) not to exceed the "top of scale" and provides a 3.0 percent cost of living adjustment (COLA) for all employees; and

WHEREAS, the total funds requested for FY 2020/21 from the City of Virginia Beach to the School Board of the City of Virginia Beach are \$458,924,065, and

WHEREAS, the debt service payment is estimated to be \$47,630,328 leaving a balance of \$411,293,737 to allocate between the Operating Budget and the Capital Improvement Program (CIP); and

WHEREAS, \$5,800,000 of the School Reserve Special Revenue Fund, which would have normally been used for major one-time purchases, will now be budgeted to use for the FY 2020/21 Operating Budget.

NOW, THEREFORE, BE IT



RESOLVED: That \$3,591,000 of the Sandbridge Tax Increment Financing (TIF) be allocated to the Schools' Pay-As-You-Go (PAYGO) for the CIP, with the remaining \$409,000 earmarked for the Operating Budget, bringing it to a total of \$411,702,737; and be it

FURTHER RESOLVED: That \$500,000 be allocated to the Schools' PAYGO, leaving a balance of \$411,202,737; and be it

FURTHER RESOLVED: That federal funds in the amount of \$13,500,000 along with state funds in the amount of \$383,927,952 and other local funds in the amount of \$3,968,341 be added to the Operating Budget, bringing it to a total for FY 2020/21 of \$812,599,030; and be it

FURTHER RESOLVED: That \$5,800,000 of the School Reserve Special Revenue fund be added to the Operating Budget, bringing the total to \$818,399,030; and be it

FURTHER RESOLVED: That the School Board of the City of Virginia Beach requests a Lump Sum Appropriation of \$818,399,030 from the City Council of Virginia Beach for the School Board FY 2020/21 Operating Budget; and be it

FURTHER RESOLVED: That the School Board of the City of Virginia Beach requests an appropriation of \$123,673,708 for categorical grants and other special revenue funds comprised of federal grants in the amount of \$40,499,512, state grants in the amount of \$21,363,909, other grants in the amount of \$7,599,890; Green Run Collegiate in the amount of \$4,076,486; and other special revenue funds in the amount of \$50,133,911; and be it

FURTHER RESOLVED: That the total of the Operating Budget of \$818,399,030 plus the other funds of \$123,673,708 brings the grand total of all funds to \$942,072,738 and that the School Board of the City of Virginia Beach requests a Lump Sum Appropriation for this grand total of all funds; and be it

FINALLY RESOLVED: That a copy of this Resolution be spread across the official minutes of this School Board, and the Clerk of the School Board is directed to deliver a copy of this Resolution to the Mayor, each member of the City Council, the City Manager, and the City Clerk.

- B. Resolution Regarding Capital Improvement Program (CIP) for Fiscal Year 2020-21 through Fiscal Year 2025-26: Mr. Edwards made a motion, seconded by Ms. Holtz, that the School Board approve the resolution regarding the Capital Improvement Program (CIP) for Fiscal Year 2020-21 through Fiscal Year 2025-26 as presented. Without discussion, the motion passed unanimously, and the resolution was approved as follows:

**FY 2020/21 - FY 2025/26 Capital Improvement Program (CIP)
RESOLUTION**

WHEREAS, the mission of Virginia Beach City Public Schools, in partnership with the entire community, is to empower every student to become a life-long learner who is a responsible, productive, and engaged citizen within the global community; and

WHEREAS, the School Board of the City of Virginia Beach has adopted a comprehensive strategic plan and school improvement priorities to guide budgetary decisions; and

WHEREAS, the primary funding sources for the School CIP have been Sandbridge Tax Increment Financing (TIF) funds and the issuance of debt by the City; and

WHEREAS, the City/School Revenue Sharing Policy provides 46.75% of certain general fund revenues to meet obligations of the School Board of the City of Virginia Beach; and



WHEREAS, the City/School Revenue Sharing Policy allocates funds first to Debt Service, while the balance is used for the Operating Budget; and

WHEREAS, the School Board has comprehensively reviewed all sources of funding, projected various scenarios and prioritized the needs of the Operating and CIP budgets.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach adopts a CIP program of \$480,543,623 (as shown on the attached School Board Funding Summary and Project Summary dated March 3, 2020), and be it

FINALLY RESOLVED: That a copy of this Resolution be spread across the official minutes of this School Board, and the Clerk of the School Board is directed to deliver a copy of this Resolution to the Mayor, each member of the City Council, the City Manager, and the City Clerk.

Virginia Beach City Public Schools
FY 2020/21 - FY 2025/26 Capital Improvement Program (CIP)

March 3, 2020

Funding Sources	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Charter Bonds	32,300,000	32,300,000	32,300,000	32,300,000	32,300,000	32,300,000
Sandbridge	3,591,000	3,600,000	3,700,000	3,800,000	3,900,000	4,000,000
Public Facility Revenue Bonds	15,000,000	0	0	0	0	0
PayGo	500,000	1,000,000	1,500,000	2,000,000	2,500,000	3,000,000
Interest/Sale of Property	7,500,000 ¹	0	0	0	0	0
Energy Performance Contracts Funding	5,000,000	5,000,000	0	0	0	0
State Construction Grants	0	0	0	0	0	0
Lottery Funds	0	0	0	0	0	0
School Special Reserve Fund Balance	0	0	0	0	0	0
Total	\$ 63,891,000	\$ 41,900,000	\$ 37,500,000	\$ 38,100,000	\$ 38,700,000	\$ 39,300,000

¹Projected proceeds from sale of Laskin Road Annex



School Board Funding Summary
Virginia Beach City Public Schools
FY 2020/21 - FY 2025/26 Capital Improvement Program (CIP)
March 3, 2020

CIP #	Project Category	Total Project Cost	Six Year Appropriations	Appropriations to Date	Year 1 2020-2021	Year 2 2021-2022	Year 3 2022-2023	Year 4 2023-2024	Year 5 2024-2025	Year 6 2025-2026
1-003	Renovations and Replacements - Energy Management/Sustainability	18,875,000	18,875,000	7,775,000	1,700,000	1,800,000	1,900,000	1,900,000	1,900,000	1,900,000
1-004	Tennis Court Renovations - Phase II	2,400,000	2,400,000	1,200,000	200,000	200,000	200,000	200,000	200,000	200,000
1-035	John B. Dey Elementary School Modernization	28,040,076	28,040,076	28,040,076	0	0	0	0	0	0
1-043	Thoroughgood Elementary School Replacement	32,470,000	32,470,000	32,470,000	0	0	0	0	0	0
1-056	Princess Anne Middle School Replacement	77,238,759	77,238,759	77,238,759	0	0	0	0	0	0
1-107	Princess Anne High School Replacement	170,750,000	122,059,000	4,218,000	32,191,000	17,650,000	16,850,000	17,450,000	17,050,000	16,650,000
1-110	Energy Performance Contracts - Phase II	30,000,000	30,000,000	20,000,000	5,000,000	5,000,000	0	0	0	0
1-178	Renovations and Replacements - Grounds - Phase III	17,629,510	17,629,510	7,729,510	1,500,000	1,600,000	1,700,000	1,700,000	1,700,000	1,700,000
1-179	Renovations and Replacements - HVAC - Phase III	62,221,541	62,221,541	13,121,541	7,250,000	7,850,000	8,500,000	8,500,000	8,500,000	8,500,000
1-180	Renovations and Replacements - Reroofing - Phase III	38,750,000	38,750,000	6,900,000	4,750,000	5,100,000	5,500,000	5,500,000	5,500,000	5,500,000
1-182	Renovations and Replacements - Various - Phase III	18,075,000	18,075,000	4,125,000	2,100,000	2,250,000	2,400,000	2,400,000	2,400,000	2,400,000
1-184	Plaza Annex/Laskin Road Office Addition	13,500,000	13,500,000	13,500,000	0	0	0	0	0	0
1-185	Elementary School Playground Equipment Replacement	2,334,737	2,334,737	834,737	250,000	250,000	250,000	250,000	250,000	250,000
1-209	B.F. Williams/Bayside 6th (Grades 4-6) Replacement	79,037,500	3,000,000	0	0	0	0	0	1,000,000	2,000,000
1-275	Achievable Dream at Lynnhaven Middle School	12,750,000	12,750,000	4,000,000	8,750,000	0	0	0	0	0
1-280	Renovations and Replacements - Safe School Improvements	1,200,000	1,200,000	0	200,000	200,000	200,000	200,000	200,000	200,000
			Total	Appropriations to Date	Year 1 2020-2021	Year 2 2021-2022	Year 3 2022-2023	Year 4 2023-2024	Year 5 2024-2025	Year 6 2025-2026
GRAND TOTAL (all projects)		605,272,123	480,543,623	221,152,623	63,891,000	41,900,000	37,500,000	38,100,000	38,700,000	39,300,000
TARGETS					63,891,000	41,900,000	37,500,000	38,100,000	38,700,000	39,300,000
DIFFERENCE					0	0	0	0	0	0

7. **Adjournment:** Prior to adjournment, Superintendent Spence thanked the Chief Financial Officer and budget development staff for their efforts, and extended appreciation to the School Board's Planning and Performance Monitoring Committee for their support throughout the process. Chairwoman Rye adjourned the special meeting at 6:36 p.m.

Respectfully submitted:

Dianne P. Alexander, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair



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

Section: Action **Date:** March 10, 2020

Senior Staff: Mr. John A. Mirra, Chief Human Resources Officer

Prepared by: John A. Mirra

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 March 10, 2020, 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
March 10, 2020
2019-2020

<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	Arrowhead	2/27/2020	Kevin L Hardy	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Bayside	2/27/2020	Dwayne M Connor	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Bayside	2/27/2020	Thomas L King	Custodian II Head Night	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Indian Lakes	2/27/2020	Katherine S Banta	General Assistant	Old Dominion University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Kempsville Meadows	2/27/2020	Lycee E Hawkins	Cafeteria Assistant, 5.0 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Landstown	2/24/2020	SuShanna D Mercado	School Office Associate II	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	Luxford	2/21/2020	Justin D Washington	Physical Education Assistant, .500	Norfolk State University, VA	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Brandon	2/27/2020	Kili X Hill	Special Education Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Larkspur	2/27/2020	Rachel E Novakoski	School Office Associate II	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Lynnhaven	3/5/2021	Heather L Castles	Security Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Old Donation School	2/6/2020	Marissa E Nihill	Physical Education Assistant, .600	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Old Donation School	2/27/2020	Frank R Gill	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Virginia Beach	2/27/2020	Christopher J Everheart-Montinat	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Cox	2/20/2020	Vernell B King	Cafeteria Assistant, 5.0 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	First Colonial	2/20/2020	Emily K Pirrone	Special Education Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Kellam	2/13/2020	Felicitas F Macapobre	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Kellam	2/19/2020	Elvira L Adriano	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Kellam	2/20/2020	Ajeaya S Hawkins	Distance Learning Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Kempsville	2/27/2020	Antwon D Boughton	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Landstown	2/18/2020	Teresa L Lu	Cafeteria Assistant, 6.5 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Princess Anne	2/20/2020	Audrey D Leak	Special Education Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - High School	Renaissance Academy	2/26/2020	Michael D Lee	Custodian II	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Transportation and Fleet Management Services	2/26/2020	Sharlette D Gaines	Bus Driver - Special Ed, 5.5 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Transportation and Fleet Management Services	2/26/2020	Chui Ching Ling	Bus Assistant, 5.0 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Transportation and Fleet Management Services	2/26/2020	Xiomara M Rodriguez	Bus Driver, 6.0 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Transportation and Fleet Management Services	2/26/2020	Taira L Shull	Bus Driver, 6.0 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Transportation and Fleet Management Services	2/26/2020	Katherine M White	Bus Assistant, 5.5 Hours	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Transportation and Fleet Management Services	3/2/2020	Patrick D Cousin	Fleet Technician II	Not Applicable	VA Department of Transportation, VA
Assigned to Unified Salary Scale	Resignations - Elementary School	Birdneck	2/24/2020	Naun Shtrepi	Custodian I (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Birdneck	3/3/2020	Lynanne Firmino	General Assistant (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Indian Lakes	2/14/2020	Diane Z Grimes	Cafeteria Assistant, 6.0 Hours (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Kempsville Meadows	1/28/2020	Nisrine Makhzar	Cafeteria Assistant, 5.0 Hours (family)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Lynnhaven	2/26/2020	Marlon E Fox	Custodian I (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Newtown	2/21/2020	Amavi K Gbanganan	Custodian I (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Rosemont Forest	3/13/2020	Rozalyn S O'Toole	School Nurse (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Windsor Woods	3/6/2020	Randy D Suing	Custodian I (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Independence	2/28/2020	Edanjarlo R Dildili	Custodian I (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Lynnhaven	2/20/2020	Brittany M Horner	Clinic Assistant (family)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Bayside	2/20/2020	Philipplians Bleech	Drivers Education Instructor (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Cox	3/3/2020	Christy Marchiano	School Office Associate II (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Cox	3/13/2020	Cerine L Davis	Custodian I (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Green Run	6/12/2020	Bonnie L Huss	School Office Associate II (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Kellam	3/3/2020	Tchernavian R Campbell	School Administrative Associate II (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Kempsville	3/6/2020	Wesley Hill	Custodian I (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Ocean Lakes	2/13/2020	Susan M Harris	Custodian I (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Tallwood	3/5/2020	Tobias J Sweeney	Clinic Assistant (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Programs for Exceptional Children	6/30/2020	Shajada C Hodges	Instructional Specialist (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Student Support Services	6/30/2020	Erin A Loeffler	Behavior Intervention Specialist (family)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	2/24/2020	Staci L Gardner	Bus Driver, 7.0 Hours (family)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	2/24/2020	Detra McLaughlin	Bus Driver, 6.0 Hours (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	2/25/2020	Brittany C Dickerson	Bus Driver, 5.5 Hours (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	2/25/2020	Nick Sorokos	Bus Driver, 6.5 Hours (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	2/26/2020	Donna L Smith	Bus Assistant (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	3/2/2020	Donald J Gamber Jr	Bus Driver (personal reasons)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Department of Budget & Finance	2/28/2020	Mary Jo Hulburt	Accounting Technician	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Other Employment Actions - Miscellaneous	Office of Maintenance Services	1/31/2020	David M Laswell	Carpentry Craftsman I (Mr. Laswell changed from resignation to retirement.)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Diamond Springs	2/27/2020	Tammy E Billings	Kindergarten Teacher	Northcentral University, AZ	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Malibu	2/19/2020	Elizabeth R Short	Special Education Teacher	East Carolina University, NC	Ledyard Public Schools, CT
Assigned to Instructional Salary Scale	Appointments - Elementary School	Parkway	2/27/2020	Bianna Preputnik	Art Teacher	James Madison University, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Seatack	2/20/2020	Andrea D Jones	Second Grade Teacher	SUNY College Cortland, NY	Norfolk Public Schools, VA
Assigned to Instructional Salary Scale	Appointments - Elementary School	White Oaks	2/26/2020	Megan B McCoy	Special Education Teacher	Concord College, WV	Dominion Academy, VA
Assigned to Instructional Salary Scale	Appointments - Middle School	Landstown	2/6/2020	Carrie Pellegrino	Special Education Teacher	Nazareth College of Rochester, NY	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Landstown	2/20/2020	Edward A Brownlow	Keyboarding Teacher	College of William and Mary, VA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Landstown	2/27/2020	Diane C Keegan	Special Education Teacher	Cambridge College, MA	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Plaza	3/2/2020	Heath M Lucas	Sixth Grade Teacher	Univ South Carolina Columbia, SC	Not Applicable
Assigned to Instructional Salary Scale	Appointments - Middle School	Princess Anne	2/13/2020	Paula R Patrick	Seventh Grade Teacher, .750	Morehead State University, KY	Gateway Christian Academy, VA
Assigned to Instructional Salary Scale	Appointments - Middle School	Virginia Beach	2/27/2020	Boguslawa Farbaniec-Wojtyna	Seventh Grade Teacher	Jagiellonian University, PL	Zespol Szkol Publicznych
Assigned to Instructional Salary Scale	Appointments - High School	Landstown	2/20/2020	James A Myrick	Family & Consumer Science Teacher, .600	East Carolina University, NC	Hyde County Schools, NC
Assigned to Instructional Salary Scale	Resignations - Elementary School	Birdneck	6/30/2020	Erin Strait	Fourth Grade Teacher (transfer of spouse)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Diamond Springs	6/30/2020	RT Caston	First Grade Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Parkway	6/30/2020	Alexandria M Haines	Fourth Grade Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Pembroke Meadows	3/9/2020	Leyla Mastroianni	School Counselor (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Rosemont Forest	6/30/2020	Michele M Kelly	Special Education Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Shelton Park	3/6/2020	Candice A Tuosto	Fourth Grade Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Windsor Oaks	6/30/2020	Kelly S Baumgarten	Special Education Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Great Neck	6/30/2020	Joshua K Chung	Sixth Grade Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Landstown	2/21/2020	Edward A Brownlow	Keyboarding Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Landstown	6/30/2020	Robert W Arbuckle II	Eighth Grade Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Lynnhaven	6/30/2020	Alexandra N Cipriano	Special Education Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Green Run	6/30/2020	Howard C Simmons	Mathematics Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Kempsville	2/26/2020	Monica M Prewitt	English Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Tallwood	6/30/2020	Natalie A Andrejko	Mathematics Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Landstown	2/29/2020	Gordon R Cunningham	Special Education Teacher	Not Applicable	Not Applicable
Administrative	Appointments - Miscellaneous	Department of Teaching and Learning	7/1/2020	Christopher J Freeman	Coordinator, Environmental Studies Program	University of Maine, ME	Not Applicable
Administrative	Appointments - Miscellaneous	Department of Technology	3/11/2020	David N Din	Chief Information Officer	Not Applicable	Virginia Employment Commission, VA



Subject: Strategic Framework Update **Item Number:** 13A

Section: Information **Date:** March 10, 2020

Senior Staff: Marc A. Bergin, Ed.D., Chief of Staff

Prepared by: Lisa A. Banicky, Ph.D., Executive Director
Office of Planning, Innovation, and Accountability

Presenter(s): Lisa A. Banicky, Ph.D., Executive Director
Office of Planning, Innovation, and Accountability

Recommendation:

That the School Board receive information about the progress related to the strategic priorities identified for the 2019-2020 school year as well as an update on the work related to *Compass to 2025*.

Background Summary:

Compass to 2020 is the division's five-year strategic framework that has been in place since July 1, 2015. On an annual basis, strategic priorities are identified to assist schools in advancing the work in the framework. Updates are provided to the School Board through a variety of workshops and presentations throughout the school year. The new strategic Framework, *Compass to 2025*, will officially launch on July 1, 2020.

Source:

Code of Virginia § 22.1-253.13:6, as amended. Standard 6. Planning and public involvement School Board Regulation 7-21.7

Budget Impact:

None



Subject: Policy Review Committee Recommendations **Item Number:** 13A1-5

Section: Information **Date:** March 10, 2020

Senior Staff: Marc A. Bergin, Ed.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:

That the School Board review Policy Review Committee recommendations regarding review, amendment, and repeal of certain policies as reviewed by the committee at their February 13, 2020 meeting and presented for Information to the School Board March 10, 2020.

Background Summary:

Policy 3-68/ Employee Lactation Support

The PRC reviewed Policy 3-68 and determined that no amendments are needed at this time.

Policy 5-7/Non –Discrimination and Non-Harassment of Students

The PRC recommends changes to Policy 5-7 to clarify certain procedures and when the School Division will assume jurisdiction over discrimination complaints as well as formatting changes.

Regulation 5-21.3/ Discipline of Students with Disabilities

The PRC recommends changes to Regulation 5-21.3 to update certain regulatory citations and to reflect current practices. Significant formatting changes were made to bring the Regulation in compliance with current policy and regulation formatting.

Policy 5-76/Homeless Children and Youth

The PRC recommends changes to Policy 5-76 that reflect statutory and regulatory changes to procedures related to the McKinney-Vento Act requirements as well as formatting corrections.

Policy 7-37/Gifts to Staff Members

The PRC recommends that Policy 7-37 be amended to add a reference to the Virginia State and Local Governments Conflict Interests Act.

Source:

Code of Virginia, 1950, as amended, §22.1-253.12:7 School Board Policies.
Policy Review Committee Meeting of February 10, 2020

Budget Impact: None.

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

Employee Lactation Support

In each school or administrative building there shall be designated a non-restroom location that is shielded from the public view to be identified as an area in which any mother who is employed by the School Board or is enrolled as a student may take breaks of reasonable length during the school day or during work hours to express milk to feed her child until the child reaches the age of one year old.

Legal Reference:

Code of Virginia § 22.1-79.6, as amended. Employee lactation support policy.

Adopted by the School Board: August 19, 2014

Reviewed by School Board: 2020

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 veteran status. The School Board will have jurisdiction over such complaints when the alleged conduct happens on school property, vehicles 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. 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 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 aActs 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 ~~i~~nvestigates 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 ~~i~~nvestigates 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 Chairman of the School Board or the Vice Chairman if the Chairman is involved. The remaining School Board Members will determine the appropriate course of investigation under these circumstances.

D. Investigation process:

~~I~~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 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: 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. 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 gives false statements or evidence in a related proceeding ~~may~~shall 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:

¹ This 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.

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: 2020

STUDENTS

Discipline of Students with Disabilities

Students with disabilities may be suspended to an alternative setting or out of school for ten (10) school days per school year to the extent that such setting is also used for non-disabled students. Subsequently, a student with disabilities may be removed ~~for up to ten (10) additional cumulative school days~~ for separate incidents of misconduct as long as the removals do not constitute a pattern. Students with disabilities may be suspended for longer than ten (10) school days at a time or expelled from school after the manifestation determination review team~~school~~ administration has followed procedures to determine whether the student's misconduct was not a manifestation of the student's disability.

Students with disabilities who fall under the protection of Section 504 of the Rehabilitation Act but not under the Individuals with Disabilities in Education Act (IDEA) do not have all of the disciplinary rights afforded students who have been identified under IDEA.

A. Definitions

1. Behavioral intervention plan (BIP) means a plan that utilizes positive behavioral interventions and supports to address behaviors which interfere with the learning of students with disabilities or with the learning of others or that require disciplinary action.
2. Business day means Monday through Friday, twelve months of the year, exclusive of federal and state holidays (unless holidays are specifically included in the designation of business days).
3. Calendar days mean consecutive days, including Saturdays; and Sundays ~~and officially designated holidays~~. Whenever any period of time expires on a Saturday, Sunday, or state or federal holiday, the period of time for taking such action is extended to the next day which is not a Saturday, Sunday, or state or federal holiday.
4. Change of placement, for purposes of discipline, means:
 - ~~1.~~ a. ~~a~~ removal of a student from the student's current educational placement for more than ten consecutive school days; or when
 - ~~2.~~ b. the student is subjected to a series of removals that constitute a pattern because it cumulates to more than ten school days in a school year, and because of factors such as:

- a. 1) the length of each removal;
- b. 2) the total amount of time the student is removed;
- c. 3) the proximity of the removals to one another; or
- d. 4) The substantial similarity of the student's behavior to the student's behavior in the previous ~~and current~~ incidents that resulted in the series of removals.

5. Controlled substances or drugs mean under the federal definition, those substances listed in the schedule of controlled substances in 21 U.S.C. 812(c), as amended.

6. Functional Behavioral Assessment (FBA) means a process to determine the underlying cause or functions of a student's behavior that impede the learning of the student with a disability or the learning of the student's peers. A Functional Behavioral Assessment may include a review of existing data or new testing data or evaluation as determined by the IEP Team.

7. Free and appropriate public education (FAPE) means special education and related services that:

- ~~3.~~ a. are provided at public expense, under public supervision and direction, and without charge;
- ~~4.~~ b. meet standards of the Virginia Board of Education;
- ~~5.~~ c. include an appropriate preschool, elementary school, middle school, or secondary school education in ~~the state~~ Virginia; and
- ~~6.~~ d. are provided in conformity with an individualized education program that meets the requirements of the federal and state laws and regulations governing special education.

8. General curriculum means the curriculum that applies to students who are not disabled. The term further means the curriculum adopted by a local school division, schools within the school division, or where applicable, the Virginia Board of Education, for all children from preschool through secondary school. The term relates to content of the curriculum and not the setting in which it is taught. The term includes vocational education.

9.- Individuals with Disabilities in Education Improvement Act (IDEIA) means the federal law enacted at 20 U.S.C. §1400 *et seq.* and the regulations found at 34 C.F.R. Part B §300 *et seq.* The most recent

reauthorization in 2004 changed the title to Individuals ~~W~~with Disabilities Education Improvement Act, (IDEIA).

10. Individual Education Program (IEP) means a written statement for a student with a disability that is developed, reviewed, and revised in a team meeting in accordance with federal and state law. The IEP specifies the individual educational needs of the student and what special education and related services are necessary to meet the needs.

11. IEP team means those persons required by federal and state law to be on the team, including: the student's parent(s); at least one regular education teacher of the student; at least one special education teacher of the student; a representative of the local educational agency who is qualified to provide or supervise services unique to students with disabilities, knowledgeable of the general curriculum and knowledgeable of the resources of the local educational agency; an individual who can interpret instructional implications of evaluation results (may be a person already serving on the team who is not the parent or student); at the discretion of the parents or school team members, any other individuals who have knowledge of or special expertise related to the student; and the student, if appropriate.

12. In-School Suspension (ISS) means removal of a student from the regular or special education classroom and placement in a special setting within the school that is monitored by school personnel. In-school suspensions that result in the student not receiving special education or related services, which do not allow contact with general education peers or do not allow the student to progress in the general curriculum may be counted as a day of suspension. Partial day suspensions or bus suspensions may also be counted.

13. Interim Alternative Educational Setting (IAES) means an alternative educational placement for a maximum of forty-five (45) school days occasioned by a disciplinary action involving weapons, drugs, or inflicted serious bodily injury upon another person. A hearing officer, for disciplinary situations involving safety/danger, may also order such a placement.

14. Long term removal or suspension means suspension of a student with a disability for more than ten (10) consecutive school days in a school year; or, multiple short term suspensions occurring when the student is subjected to a series of removals that constitutes a pattern because they cumulate to more than ten (10) school days in a school year.

15. Manifestation Determination Review (MDR) means a process to review all relevant information and the relationship between the student's disability and the behavior subject to the disciplinary action.

16. Out-of-School Suspension (OSS) means disciplinary removal of a student from school with or without services.

17. "Parent" means a natural or adoptive parent or parents of a child, a guardian, a person acting in the place of a parent (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare), a foster parent under the circumstances described below, or a surrogate parent who has been appointed in accordance with this chapter. The term means either parent, unless the local educational agency has been provided with evidence that there is a legally binding instrument, state law, or court order that has terminated the parent's or parents' rights. A foster parent may also serve as a parent:

7. a. If the natural parent's or parents' authority to make educational decisions on the child's behalf has been extinguished under § 16.1-283, § 16.1-277.01 or § 16.1-277.02 of the Code of Virginia or a comparable law in another state;

8. b. The child is in permanent foster care pursuant to § 63.1-206.1 of the Code of Virginia or comparable law in another state; and

9. c. The foster parent or parents (i) have an ongoing, long-term parental relationship with the child; (ii) are willing to make the educational decisions required of the parent or parents under this chapter; and (iii) have no interest that would conflict with the interests of the child.

The term "parent or parents" does not include local or state agencies or their agents, including local departments of social services, if the child is in the custody of such an agency. Notice to any one parent will constitute adequate notice under this regulation.

18. Pattern means separate incidents of removal that cumulate to more than ten (10) school days in a given school year and constitute a change in placement.

19. Principal means the principal of the school or another staff member authorized by the principal to act on student disciplinary matters.

20. Removal means excluding the student from the student's current placement as reflected in the student's IEP due to inappropriate behavior.

21. Serious Bodily Injury means bodily injury which involves:

~~10.~~a. A substantial risk of death;

~~11.~~ b. Extreme physical pain;

~~12.~~ c. Protracted and obvious disfigurement; or

~~13.~~ d. Protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

22. School day means any day, including a partial day, which students are in attendance at school for instructional purposes. The term has the same meaning for all students in school, including students with and without disabilities.

23. Section 504 means The Rehabilitation Act of 1973, 29 U.S.C. Section 504.

24. Weapons means, under federal definition, a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or series bodily injury, except that such term does not include a pocket knife with a blade of less than 2-1/2 inches in length (20 U.S.C. sec 614(k)(10)(D); 18 U.S.C. sec 903(f)(2). Only weapons as defined by federal law may count toward a forty-five (45) school day removal under IDEIA. The Code of Virginia includes everything in the federal law and, in addition, other weapons that are not commonly thought of as firearms, including: destructive devices such as explosives, incendiary or poison gas, bombs, grenades, rockets, mines or other devices as set forth in Virginia Code § 22.1-277.08 (as amended); or firearms which include any weapon prohibited on school property or a school sponsored events and otherwise defined in Virginia Code § 22.1-277.08 (as amended). Any weapon, explosive, firework, firearm, look-alike weapon or other item prohibited by School Board policy or regulation or the Code of Student Conduct is also included in this definition.

25. Other terms— Definitions found at 8 VAC 20-801-10, as amended, will govern the interpretation of terms not set forth in this Regulation.

B. Short Term Removals

Short term removal means suspending a student with disabilities from ~~his~~their current educational setting for ten (10) school days or less in a year. It also applies when the cumulative amount of suspensions is ten (10) school days in a school year but is not consecutive and does not constitute a pattern or change in the student's placement.

1. Students with disabilities may be suspended from school without services for either ten (10) consecutive school days or a cumulative total of ten (10) school days in one (1) school year. Suspensions of this length do not constitute a change in placement for a student with disabilities.
2. The principal may suspend a student with disabilities from school for a period of up to five (5) school days. The principal may suspend a student with disabilities for six (6) to ten (10) school days ~~after notification to the Director of the Office of Programs for Exceptional Children and~~ with the approval from the Director of Student Leadership.
3. Prior to imposing a suspension, the student must be given written notice of the charges against him. If the student denies the charges, the principal will explain the facts as known to school personnel. The student will be given the opportunity to present the student's version of the incident and to appeal any decision.
4. Students with disabilities who are subject to short term suspensions are subject to normal disciplinary procedures which apply to students without disabilities whether or not the misconduct was a manifestation of the student's disability.
5. Removal of a student from school for less than one (1) day should be counted as one half day removal. Removal of a student for less than one (1) day must be counted when considering total days of suspension. Indirect removals from school that are the result of a bus suspension must be considered a one day suspension if alternate transportation arrangements are not made.
6. Educational services during the first ten (10) days of suspension are not required unless provided to students without disabilities during the first ten (10) days of removal.

C. Serial Suspensions

A student with disabilities may be removed for a series of short term suspensions for separate, unrelated incidents of misconduct, as long as the removals do not constitute a pattern.

1. A student with disabilities may be removed from school for a series of short term suspensions for misconduct. If the removals total more than ten (10) school days in a school year, the suspensions still will not constitute a change in the student's placement provided that a pattern of removal by the school is not established. The school administrator should make this determination in consultation with the student's special education teacher. Parents are not

required to be involved in this decision. A pattern that equates to a change in placement is determined by close examination of:

~~1.~~

- a. The length of each removal;
 - b. The total time the student is out of school; and
 - c. The proximity of the removals.
 - d. Whether the student's behavior is substantially similar to the student's behavior in the previous and current incidents.
2. Separate unrelated incidents are defined as behavioral episodes that occur under different circumstances or situations. Such episodes are considered unrelated if the behaviors involved do not naturally seem to fall into similar categories. Examples include: behaviors that constitute general disobedience such as talking back, talking out, or non-compliance would be related; acts of physical fighting or aggression may be related.
 3. School personnel, in consultation with the student's special education teacher, determine the extent to which educational services are necessary during the suspension. Educational services must be provided to the extent necessary for the student to: ~~1a~~) progress in the general curriculum; and ~~2b~~) appropriately advance toward achieving the goals set out in the student's IEP. Parents are not required to participate in the decision regarding the need for and extent of educational services when the short term suspension does not constitute a change in placement.
 4. After a student has been removed from school for a total of ten (10) school days (ISS and OSS) the IEP team should complete a Functional Behavioral Assessment plan (FBA) within ten (10) school days and develop a Behavioral Intervention Plan (BIP) as soon as practical following the completion of the FBA. If a FBA and a BIP already exist as part of this student's IEP, the IEP team must meet to review the BIP and determine its appropriateness in relation to the behavior in question.

D. Long Term Suspensions and Expulsions

For the safety of students and staff or to ensure an educational environment conducive to learning for all persons, students with disabilities may be recommended for and disciplined by suspensions in excess of ten (10) consecutive school days or a series of suspensions cumulating more than ten (10) school days within a school year or recommended for expulsion. Prior to imposing such discipline, a review of the student's history of misconduct in relation to the behavior currently being considered for disciplinary action as well as any special education and related services being provided must be undertaken. School personnel

are permitted to consider any unique circumstances on a case-by-case basis when deciding whether or not to remove a student with a disability long term from a current educational placement as a result of a violation of the code of conduct.

1. When a student with disabilities is recommended for suspension longer than ten (10) consecutive school days or when serial suspensions (that constitute a pattern) cumulate to more than ten (10) school days in a school year or when the principal has recommended expulsion, the principal will notify the Directors of the Office of Programs for Exceptional Children and Student Leadership. The principal will give the student written notice of the charges against him. If the student denies the charges, the principal will explain the facts as known to school personnel. The student will be given the opportunity to present the student's version of the incident. The principal will give the student's parent written notice of the recommendation for long term suspension or expulsion on the day that the recommendation for discipline is made. The notice may be provided by mailing the recommendation by first class mail. A copy of the Virginia Special Education Procedural Safeguards may be provided at this time if the parent has not yet received his annual copy of the Safeguards as required by the Individuals with Disabilities Education Improvement Act of 2004 (i.e., at the time of the annual review of the IEP, at the time of an initial referral for a suspected disability, at the time of a request for a due process hearing, or any time a parent requests a copy) or if the parent requests an additional copy in the particular instance of a recommended disciplinary action.
2. Long term suspension, expulsion, and placement in an interim alternative educational setting constitute changes in placement which require that a Manifestation Determination Review be undertaken.

3. Manifestation Determination Review—

~~3.~~ The principal will arrange for a Manifestation Determination Review meeting to be set within ten (10) school days after the recommendation for long term suspension or expulsion is made. Schools must consider the number of days the student has already been suspended during the year and convene the Manifestation Determination Review so as to expedite a decision and determine the educational services to be provided to the student.

Notice

Notification to the parent of the Manifestation Determination Review meeting date, participants, purpose(s), and time may be made verbally if insufficient time is available to send written notification. Written notification of the meeting date, participants, time, and the purpose(s) of the meeting should be sent to the parent prior to the meeting if time permits or provided to the parent and student no later than the beginning of the Manifestation Determination Review meeting. Notice of the

Manifestation Determination Review meeting will include notice that a Manifestation Determination will be made, that the student's IEP may be modified to provide for an alternative education program, and that the FBA and BIP will be reviewed or developed.

4. Manifestation Determination Review Team Composition

The following individuals must be invited to attend the Manifestation Determination Review meeting:

- a. The parent (if the parents does not attend after being provided reasonable notice the meeting will go forward);
- b. The student, if appropriate;
- c. The Special Education Coordinator or a representative of the Office of Programs for Exceptional Children;
- d. Not less than one general education teacher of the student;
- e. Not less than one special education teacher of the student, or if appropriate, at least one special education provider of the student;
- f. A representative of the ~~s~~School ~~d~~Division who must meet all of the following criteria: ~~a~~1) is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities; ~~b~~2) is knowledgeable about the general curriculum; and ~~e~~3) is knowledgeable about the availability of resources of the ~~s~~School ~~d~~Division (e.g. principal, assistant principal, administrative designee);
- g. An individual who can interpret the instructional implications of evaluation results, who may be one of the other members of the team described above (e.g. assistant principal, general or special educator, psychologist, social worker/visiting teacher). The parent or student may not serve in this capacity;
- h. At the discretion of the parent or the ~~s~~School ~~d~~Division, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate; and
- i. Other qualified personnel.

5. Manifestation Determination Review meeting

Within ten (10) school days after the decision to take disciplinary action is made, the manifestation determination review meeting must be held unless the conditions for an expedited meeting exist. The manifestation determination team works toward consensus of the participants not a majority vote on the final manifestation determination decision. The participants must consider: the behavior subject to the disciplinary action; all relevant information including evaluations and diagnostic results; information supplied by the parent; observations of the student; and the student's current IEP and placement.

6. Manifestation Determination Review

The Manifestation Determination Review Team and other qualified personnel shall determine that a behavior was a manifestation of the student's:

- a. After considering, in terms of behavior subject to disciplinary action, all relevant information, including:
 - 1) Evaluation and diagnostic results including the results of other relevant information supplied by the parents;
 - 2) observations of the student, and;
 - 3) the student's IEP and placement.
- b. If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
- c. If the conduct in question was the direct result of the ~~s~~School ~~d~~Division failure to implement the student's IEP.

7. Manifestation Determination decision

The participants must either determine that:

- a. The student's misconduct was not a manifestation of the student's disability, therefore the student is subject to the same disciplinary action as non-disabled students.

- 1-) The student should be referred to the Director of Student Leadership to continue the same disciplinary process that non-disabled students are subject to the disciplinary process will not be suspended if the parent appeals the manifestation determination decision;
 - 2) The IEP team must convene an IEP meeting to determine the extent to which educational services are necessary to enable the student to appropriately advance toward achieving the goals set out in the student's IEP and progressing in the general curriculum;
 - 3) The IEP team should transmit the manifestation and disciplinary records to the Director of Student Leadership.
- b. Or, the student's misconduct was a manifestation of the student's disability and the student should not be disciplined.

- 1-) The IEP team should convene and the student's IEP should be reviewed and revised as necessary to address the student's conduct;
- 2-) The FBA should be reviewed or plans must be made to complete the FBA;
- 3-) The student's BIP should be reviewed, or a BIP should be developed;
- 4-) The student can be removed from the current educational placement only by the IEP team.

8. Reporting Crimes to Law Enforcement

In accordance with School Board policy, regulation, and procedure, students with disabilities who commit crimes may be reported to the appropriate authorities. The student's disciplinary and special education records should be transmitted to the authority to whom the crime was reported.

9. Appeals and the "Stay Put" Provision

If the manifestation determination review decision is appealed through an expedited due process hearing requested by the parent, the student remains in the discipline setting pending the hearing officer's decision or the expiration of the removal time, whichever is first, unless the parent and ~~s~~School ~~d~~Division agree otherwise.

10. Interim Alternative Educational Setting (IAES) for Weapons, Drugs or Serious Bodily Injury

The principal may remove a student with disabilities from the student's current placement for up to forty-five (45) school days if the student: 1) carries or is in possession of a weapon at school or a school sponsored function; or 2) knowingly possesses or uses illegal drugs or sells or solicits the sale of controlled substances at school or a school sponsored event; or 3) has inflicted serious bodily injury upon another person while at school or on school premises, or at a school function under the jurisdiction of the state or school division

- a. The principal will give notice to the parent of the recommendation for discipline no later than the date on which the decision to discipline the student is made. This notice may be provided by first class mail.
- b. A Manifestation Determination Review process must be completed within ten (10) school days. Despite the decision of the manifestation determination participants, the student may still be required to serve up to forty-five (45) school days in the IAES. Additional days may be imposed if there is no manifestation.
- c. The IEP team determines the appropriate interim alternative educational setting (IAES) for the forty-five (45) school day period. Parental permission is not required to implement the IAES. The IAES must:
 - 1) Be selected to enable the student to progress in the general curriculum (even if in an alternative setting);
 - 2) Continue to receive services and modifications, including those described in the current IEP, that will enable the student to meet the student's IEP goals; and

- 3) Include services and modifications to address the behavior that led to the drug, weapons, or serious bodily injury violation so that it does not recur.
- d. A student may receive an additional forty-five (45) school days removal for new acts of misconduct related to weapons, drugs or serious bodily injury that may subsequently occur.
- e. A parent who disagrees with any decision regarding placement, or the manifestation determination, may appeal the IAES decision to a hearing officer. The student will remain in the placement pending this appeal or until the expiration of the 45 school days, whichever occurs first, unless the parent and school division agree otherwise.

11. Removal of Dangerous Students

If the ~~s~~School ~~d~~Division believes that maintaining the current placement of the student is substantially likely to result in the injury to the student or to others, the student with disability may be removed from his current placement:

- a. After an expedited hearing before a state hearing officer;
- b. After obtaining a court injunction from a state or federal court (Honig Injunction);
- c. With parental permission to placement change; or
- d. Changing placement pursuant to the IEP process.

School personnel, in consultation with the student's special education teacher, propose the interim alternative educational setting when a student is removed for dangerous behavior. Removal to an IAES for dangerous behavior may occur even if the behavior was a manifestation of the student's disability.

E. Students Not Yet Determined Eligible for Special Education Services

Students who have not been identified as ~~disabled~~eligible for special education services and who engage in misconduct may assert the protections of the disciplinary provisions of IDEIA, even though not formally identified as disabled, if the ~~s~~School ~~d~~Division had knowledge that the student was a student with a disability before the behavior occurred.

1. When a student is recommended for discipline the student or parent may assert the protections of the disciplinary provisions of IDEIA even though the student has not yet been identified as a student with disabilities. To do so, the student or parent must establish that the school division had knowledge that the student had a disability prior to the student's misconduct.
2. Circumstances which indicate that the school division has prior knowledge are:
 - a. The parent expressed concern in writing (or orally only if the parent cannot write or has a disability that prevents the parent from writing) to personnel of the school division that the student is in need of special education and related services. The parent must report sufficient information for the school division to determine that the student required evaluation for special education and related services;
 - b. The parent of the student has requested an evaluation to determine if the student qualifies as disabled; or
 - c. A student's teacher or other personnel of the school division have expressed specific concerns about a pattern of behavior to the Director of the Office of Programs for Exceptional Children or designee.
3. If the school division conducted a prior evaluation and determined that the student did not have a disability or the school division determined that an evaluation was not necessary, then the student will not be entitled to the disciplinary protections of IDEIA. The school division must have provided prior written notice to the parent of the refusal to evaluate or refusal to identify including the reasons for the determination, and other prior notice considerations. A copy of the Virginia Special Education Procedural Safeguards may be provided at this time if the parent has not yet received his annual copy of the Safeguards as required by the Individuals with Disabilities Education Improvement Act of 2004 (i.e., at the time of the annual review of the IEP, at the time of an initial referral for a suspected disability, at the time of a request for a due process hearing, or any time a parent requests a copy) or if the parent requests an additional copy in the particular instance of a recommended disciplinary action.
4. If the parent of the student has not allowed an evaluation of the student or has refused consent for services, then the student will not be entitled to the disciplinary protections of IDEIA.

5. If there is reason to suspect a disability, the school division will refer the student to the Special Education Committee for an expedited evaluation. If the student is determined to have a disability under IDEIA, a Manifestation Determination Review will be undertaken.
6. The student will remain on suspension or expulsion pending the evaluation. If the student is later found to have a disability, the student must be provided special education and related services.

F. Students with Disabilities Protected Only Under Section 504

The Rehabilitation Act of 1973 is a civil rights statute that prohibits discrimination against individuals with disabilities. The Rehabilitation Act does not provide for the same procedural rights as IDEIA. Students with disabilities that are protected under the Rehabilitation Act of 1973, Section 504, but not protected under IDEIA do not enjoy all of the disciplinary rights set forth above.

1. Students with disabilities who are protected only under Section 504 have similar rights regarding discipline as students with disabilities protected under IDEIA except for the following:
Use or possession of illegal substances or alcohol - students with disabilities who are protected under Section 504 only do not have the right to a manifestation determination review if such student uses, possesses or is currently engaging in the use of alcohol or illegal substances. Such a student may be disciplined to the same extent as non-disabled students. The student is not entitled to educational services during a suspension or expulsion for alcohol or illegal substances unless those services are available for non-disabled students. The student and parent have no right to a due process hearing with a state hearing officer for discipline related to alcohol or illegal substances.
2. Except as provided in Section F.1. a manifestation determination must be made for students identified under Section 504. If there is no manifestation, the student may be disciplined on the same basis as a non-disabled student. If there is a manifestation, the student may not be disciplined.
3. Impartial Hearing - a student with disabilities protected only under Section 504 may appeal the manifestation determination to a hearing officer, except in cases of drugs or alcohol as addressed in Section F.1. The Office of Programs for Exceptional Children will obtain a hearing officer and make arrangements for an impartial hearing. The party requesting an impartial hearing will bear the cost of recording or transcribing such hearing.
4. Educational services will be provided during a disciplinary removal only to the extent provided to non-disabled students.

Legal References

Virginia Board of Education Regulations Governing Special Education Programs for Children with Disabilities, 8 VAC 20-801-10 *et seq.*, as amended.

The Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. § 1400 *et seq.*, 34 C.F.R. Part B § 300 *et seq.*, as amended.

The Rehabilitation Act of 1973, 29 U.S.C. § 701 *et seq.*, as amended.

Code of Virginia, § 22.1-214, as amended. Board to prepare special education programs for children with disabilities.

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: December 3, 1996

Approved by School Board: October 21, 1997

Amended by School Board: May 19, 1998

Amended by School Board: December 3, 2002

Amended by School Board: June 20, 2006

Amended by School Board: 2020

STUDENTS

Homeless Children and Youth

A. Generally

Subtitle B of Title VII of the federal McKinney-Vento Homeless Assistance Act cited in the legal reference to this ~~P~~policy ensures that children and youth experiencing homelessness have full and equal access to an appropriate public education and that they experience success in school.

B. Definition

Homeless children and youth are defined as:

1. Children and youth who lack fixed, regular, and adequate nighttime residence, including children and youth who are:

~~a. a.~~ Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason.

~~b. b.~~ Living in motels, hotels, trailer parks, or camping grounds due to lack of ~~alternative~~ adequate alternative accommodations.

~~c. c.~~ Living in emergency or transitional shelters.

~~d. d.~~ Abandoned in hospitals.

~~e. e.~~ ~~Awaiting foster care placement.~~

2. Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

3. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

4. Migratory children who qualify as homeless because they are living in circumstances described above.

C. Homeless Liaison ~~Person~~Responsibilities

The Superintendent shall designate a person to serve as the School Division's homeless liaison, who is able to carry out his/her legal duties, and whose duties shall ensure that:

1. Homeless children and youths are identified by school personnel and through outreach and coordination activities with other entities and agencies;
2. Homeless children and youths enroll in, and have a full and equal opportunity to succeed in schools, programs, and services of the local educational agency;
3. Homeless families, children, and youths receive educational services for which such families, children, and youths are eligible, including Head Start, ~~and Even-Start program~~early intervention, and preschool programs administered by the local educational agency;
4. Homeless families, children, and youths are provided resources and referrals to health care services, dental services, mental health services, and other appropriate services;
5. The parents or legal guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
6. Public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens;
7. Enrollment disputes are mediated in accordance with Regulation 5-76.1; ~~and~~
8. The parent or legal guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin and is assisted in accessing transportation to the school that is selected as described in ~~Division~~ Regulation 5-76.1;
9. School personnel providing McKinney-Vento services receive professional development and other support;
10. Public Notice of McKinney-Vento rights is disseminated in locations frequented by parents, legal guardians, and unaccompanied youth, in a manner and form understandable to them;
11. Unaccompanied youth are enrolled in school and that procedures are implemented to identify and remove barriers that prevent them from receiving credit for full or partial coursework satisfactorily completed at a prior school in accordance with sState, local and school policies; and
12. Liaisons must participate in professional development and technical assistance as determined appropriate by the State Coordinator.

~~All other applicable provisions of §1301 of the No Child Left Behind Act of 2001 are incorporated in this policy or in Regulation 5-76.1.~~

Legal Reference

The McKinney-Vento Homeless Assistance Act (~~42 U.S.C. 11431, et seq.~~) at Subtitle B of Title VII, (42 U.S.C. 11431, et seq., as amended. Reauthorized January 2002).

~~No Child Left Behind Act of 2001~~Elementary and Secondary Education act of 1965 as amended by the Every Student Succeeds Act of 2015, 20 U.S.C. 6301, et seq.:

Related Links

~~Division~~ Regulation 5-76.12

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

Amended by School Board: September 2, 2003

Amended by School Board: 2020

COMMUNITY RELATIONS

Gifts to Staff Members

A. Generally

1. No employee or officer shall solicit or accept money or other things of value for services performed within the scope of his or her official duties, except the compensation, expenses or other remuneration paid by the School Board. This prohibition shall not apply to the acceptance of special benefits that may be authorized by law.
2. Employees and officers shall also not:
 - a. Offer or accept any money or other thing of value for or in consideration of obtaining employment, appointment, or promotion of any person with the School Board;
 - b. Offer or accept any money or other thing of value for or in consideration of the use of his or her public position to obtain a contract for any person or business with the School Board;
 - c. Use for his or her own economic benefit or that of another party confidential information that he or she has acquired by reason of his public position and which is not available to the public;
 - d. Accept any money, loan, gift, favor, service, or business or professional opportunity that reasonably tends to influence him or her in the performance of his or official duties. This subdivision shall not apply to any political contribution actually used for political campaign or constituent service purposes and reported as required by law;
 - e. Accept any business or professional opportunity when he or she knows that there is a reasonable likelihood that the opportunity is being afforded him or her to influence him in the performance of his official duties;
 - f. Accept a gift from a person who has interests that may be substantially affected by the performance of the officer's or employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the officer's or employee's impartiality in the matter affecting the donor.

- g. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his public office for private gain-; and
- h. These prohibitions shall not be construed to prohibit or apply to the acceptance of an award or payment in honor of meritorious or exceptional services performed by the employee or officer and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

B. Gifts by Students

The School Board discourages students from giving gifts to members of the staff. The School Board recommends that students and parents who wish to express high regard for a staff member's efforts use notes and letters of appreciation.

C. Gifts from Public Monies

Public monies may not be used to purchase gifts of any kind. Awards of recognition are not considered gifts.

D. State and Local Government Conflict of Interests Act- application

Employees and officers remain subject to the provisions of the Virginia State and Local Government Conflict of Interests act and should not accept or solicit any gifts or opportunities that would be prohibited under the Act.

Editor's Note

~~*See also School Board Policy 3-2 on Ethics in Public Contracting and any implementing regulations.*~~

~~*See also School Board Policy 4-23 on Conflict of Interest and any implementing regulations.*~~

Legal Reference

Virginia State and Local Government Conflict of Interests Act, Code of Virginia § 2.2-3100, *et seq.*, as amended.

Related Links

School Board Policy 3-2
School Board Policy 4-23

Adopted by School Board: October 20, 1992

Amended by School Board: August 19, 2014

Amended by School Board: 2020