

**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 Electronic Regular Meeting Agenda
Tuesday, May 12, 2020

Due to Governor Northam's Stay at Home Executive Order Fifty-Five related to the COVID-19 coronavirus pandemic, it is determined that holding a School Board Meeting in person would pose a real and substantial threat to public health and safety. Accordingly, pursuant to and in compliance with the provisions outlined in School Board Resolution of April 7, 2020, this School Board Meeting will be conducted electronically with School Board members participating remotely by telephone or on an online platform. The School Administration Building will remain closed; however, the meeting will be streamed live on vbschools.com as well as on VBT Channel 47 and recorded for archival purposes. Members of the public may also observe/listen to this meeting by clicking on the following link or calling in:

Attendee link: <https://us02web.zoom.us/j/81927380194>

Call-in info – (929) 436-2866, Webinar ID: 819 2738 0194

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

FORMAL MEETING

- 1. Call to Order and Verbal Roll Call 6:00 p.m.**
- 2. Moment of Silence followed by the Pledge of Allegiance**
- 3. Superintendent's Report**
- 4. Hearing of Citizens and Delegations on Agenda Items**

The School Board invites the public to submit comments through their group e-mail account at vbcpschoolboard@googlegroups.com. Citizens who wish to speak during the meeting on items germane to the School Board agenda should contact the Clerk of the School Board at 263-1016 by 3PM the day before the meeting to receive instruction on how to participate. Each speaker shall be allocated 4 minutes each. All public comments shall meet the [School Board Bylaw 1-48](#) requirements for Decorum and Order.



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Electronic Meeting Agenda (continued)

Tuesday, May 12, 2020

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5. **Approval of Minutes:** April 28, 2020 Electronic School Board Meeting
 6. **Adoption of the Agenda**(as amended)
 7. **Action**
 - A. Personnel Report / Administrative Appointment(s) **Updated 5/13/2020**
 - 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
 - C. Appointment of a Hearing Officer
 8. **Information**
 - A. Virginia School Boards Association (VSBA) Legislative Position Proposal(s)
 - B. Superintendent's Summative Performance Evaluation Process FY20 (added during Item 6)
 9. **Standing Committee Reports (added during Item 6)**
 - ~~9~~10. **Conclusion of Formal Meeting**
 - ~~10~~11. **Closed Meeting** (as needed)
 - ~~11~~12. **Vote on Remaining Action Items** (as needed)
 - ~~12~~13. **Adjournment**



Subject: Approval of Minutes **Item Number:** 5

Section: Approval of Minutes **Date:** May 12, 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 minutes of their April 28, 2020 Electronic School Board Meeting as presented.

Pursuant to School Board Resolution dated April 7, 2020, entitled *Resolution Authorizing Finding that a Local Emergency Exists, Adoption of Procedures for Electronic or Other Public Meetings and Public Hearings, and to Ensure the Continuity of School Board and School Division Operations During the COVID-19 Pandemic Disaster*, Item F, action taken on this recommendation will be ratified at a regular or special meeting after the State of Emergency and disaster have concluded.

Background Summary:

Source:

Bylaw 1-40

Budget Impact:

N/A



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Services

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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 Meeting

Tuesday, April 28, 2020 (6:00 p.m.)

MINUTES

- 1. *Call to Order and Verbal Roll Call:*** Chairwoman Rye called the School Board meeting to order at 6:00 p.m. and announced that due to Governor Northam's Stay at Home Executive Order Fifty-Five related to the COVID-19 coronavirus pandemic, it is determined that holding a School Board Meeting in person would pose a real and substantial threat to public health and safety. Accordingly, pursuant to and in compliance with the provisions outlined in School Board Resolution of April 7, 2020, the School Board Meeting was being conducted electronically with School Board members participating remotely on the Zoom meeting platform. The School Administration Building remained closed; however, the meeting was being streamed live on vbschools.com as well as on VBTv Channel 47 and recorded for archival purposes. After conducting a verbal roll call, the School Board Clerk affirmed a quorum was present with all School Board members participating remotely along with Superintendent Spence. Mrs. Felton joined the platform after the verbal roll call.
- 2. *Moment of Silence followed by the Pledge of Allegiance***
- 3. *Superintendent's Report:*** Superintendent Spence's monthly report is replicated below:
 - "As of yesterday, we implemented the VBCPS 2019-20 Emergency Learning Plan or E-L-P, which will take us to the end of the academic year. The ELP was created through thoughtful discussion and guidance from division teachers, principals, administrators and senior leadership. This plan is not intended to recreate the typical educational setting, nor is that even possible during this time. Our ELP offers a balanced learning plan that will allow students to continue with their education, while also being mindful of the challenges students and families are facing as we navigate this health crisis. To fulfill educational requirements, students must continue submitting thoughtful and meaningful work to be promoted to the next grade level or to receive credit for the high school courses they are taking. Additional details on grading can be found on your child's grade level ELP, which is located on vbschools.com
 - For the class of 2020, we are unsure what graduation will look like at this point, however it is in the forefront of everyone's minds. There are many ideas being discussed, and we're



being mindful of maintaining health and safety recommendations while still honoring the immense work done by our seniors. Whatever graduation looks like—it is important for our seniors to know we are proud of you, your tenacity and your flexibility—you are all truly leaders and I am excited to see the path each of you make for your future

- The customer support center, which offers technology support for students and staff, will continue to operate Monday through Friday from 9 a.m. to 4 p.m. to assist with technology issues, replacement of malfunctioning school-issued devices, password resets, and assistance with options for device connectivity if students do not have internet at home. They can be reached by calling 757-263-1111
- For the third consecutive year, all our comprehensive high schools earned the National Gold Council of Excellence Award from the National Association of Student Councils. This award recognizes student councils for their records of leadership, service and activities that improve the school and community. VBSchools represents more than 50% of the schools in Virginia on the list of awardees. And an additional should out to Corporate Landing Middle School, which received the NASC's National Council of Excellence Award, one of only three middle schools in the entire state to be so honored
- VBSchools has been named one of the Best Communities for Music Education by the [National Association of Music Merchants \(NAMM\) Foundation](#) for outstanding commitment to music education. Less than 5% of school districts across the nation earn this prestigious honor, and VBSchools has done it now for 11 consecutive years. Congrats to John Brewington, Helen Sunderland and our 148 music teachers, who provide instruction to students in all grades as early as pre-kindergarten”

“As a reminder, next week is Teacher Appreciation Week. I want to take a moment tonight to give a BIG thank you to our teachers for everything they do for our students each day. During this closure, what they have been able to accomplish has been nothing short of amazing. I am so proud to work with such a dedicated and talented group of professionals. Students and families--Remember to show your teachers some love next week via email and social media using hashtag #VBAlwaysLearning.”

4. **Hearing of Citizens and Delegations:** The School Board heard comments from Kelly Walker, president of the Virginia Beach Education Association (VBEA), who spoke to the impact of the COVID-19 national pandemic shutdown and offered suggestions for the School Board to consider in lessening the loss of raises for employees in the upcoming school year in addition to acknowledging Teacher Appreciation Week.
5. **Approval of Minutes:** April 7, 2020 Electronic School Board Meeting: There being no proposed modifications for the draft minutes, Mr. Edwards made a motion, seconded by Ms. Anderson, that the School Board approve the minutes of their April 7, 2020 electronic School Board meeting as presented. Without discussion, the School Board Clerk called for a verbal vote from each School Board member, and then announced the motion passed unanimously.
6. **Adoption of the Agenda:** Prior to a motion, and in an attempt to avoid separate verbal roll call votes for each Action Item, Chairwoman Rye suggested Action Items 7A, B, C, F, G1-4, H and I be taken up under one motion at the conclusion of all of the Action presentations noting Action Items 7D and 7E would stand alone. Absent objection, Ms. Riggs made a motion, seconded by



Ms. Felton, that the School Board adopt the agenda as published. Without discussion, the School Board Clerk called for a verbal vote from each School Board member, and then announced the motion passed unanimously.

7. Action:

- A. Personnel Report / Administrative Appointment(s)**: Chairwoman Rye affirmed the Personnel Report dated April 28, 2020 was posted with meeting materials on the School Board's SharePoint site for review. Absent discussion, this item was approved as part and parcel of the collective motion taken up after Item 7I. There were no Administrative Appointments recommended by the Superintendent.
- B. Special Education Local Annual Plan 2020-21**: Roni Myers-Daub, Ed.D., Executive Director of Programs for Exceptional Children, presented an overview of the 2020-21 Special Education Annual Plan/Part B Flow through Application as required to establish eligibility for funding under the Individuals with Disabilities Education Improvement Act (IDEA). It was noted that the Plan contains no substantive changes to policies or procedures, and only those changes required in an application for new funding were made. A review of the statement of assurances was provided and additional components were outlined along with the proposed 2020-21 Part B Section 611 and 619 budgets at \$14.8 million and \$513 thousand, respectively. Sandy Hermann, member of the Special Education Advisory Committee's (SEAC), reported the SEAC policy review subcommittee's comprehensive review and recommendation for approval. Absent discussion, the Special Education Local Annual Plan 2020-21 was approved as presented as part and parcel of the collective motion taken up after Item 7I.
- C. Technology and Career Education Carl Perkins SY21 Grant**: Sara L. Lockett, Ed.D., Director of Technical and Career Education, presented highlights of the 2020-21 Carl D. Perkins V Local Plan and proposed budget for the estimated \$938,703.74 grant fund to be used for programs providing 32,481 student seats in 1,678 technical and career course sections. An overview of budget categories was provided along with a summation of performance measures. The Local Plan and budget for the Carl Perkins grant funding for Career and Technical Education 2020-2021 was approved as presented as part and parcel of the collective motion taken up after Item 7I.
- D. Amended FY20-21 Operating Budget Resolution: Vice Chair Melnyk made the motion by reading the proposed amended FY2020-21 Operating Budget Resolution with Ms. Holtz providing a second. Farrell E. Hanzaker, Chief Financial Officer, explained amendments responding to the impacts of COVID-19. An outline of budget balancing considerations was provided and major changes were summarized in the area of compensation, removal of added full-time employee positions, 2 percent reductions in non-personnel/benefits expenditures, and reductions in baseline budgeted items. Additionally, an overview of the revenue impact was provided along with budget balancing strategies. Also reported was the elimination of salary increases and the Benefits Executive Committee's (BEC) decision to not move forward with the proposed increase in healthcare premiums as originally planned. At the conclusion of School Board members speaking to the proposal, the School Board Clerk called for a verbal vote



from each School Board member, and then announced the motion passed unanimously.
The resolution was approved as follows:

Amended Budget Resolution – FY 2020/21

WHEREAS, the mission of the 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 approved the FY 2020/21 School Board Proposed Operating Budget on March 3, 2020; and

WHEREAS, the School Board Proposed Operating Budget addressed several priorities such as compensation; special education needs; increased support for English learners; and Pay-As-You-Go (PAYGO) funding for the Capital Improvement Program (CIP); and

WHEREAS, the economic impact of the Novel Coronavirus (COVID-19) pandemic can be felt in the community, the state and throughout the nation; and

WHEREAS, the federal Coronavirus Aid, Relief and Economic Security (CARES) Act funding has not been allocated at this time and details regarding the funds available, restrictions, requirements and flexibility are uncertain; and

WHEREAS, due to projected revenue shortfalls at both the city and state levels, the School Board Proposed Operating Budget must be revised; 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 Manager's Revised Operating Budget for FY 2020/21 recognizes a decrease in local tax revenues used to calculate the Revenue Sharing Formula for the city's contribution to the schools; and

WHEREAS, the city's FY 2020/21 contribution to the schools is projected to decrease a net of \$20,372,434 from the School Board Proposed Operating Budget to the Amended Budget; and

WHEREAS, the fiscal impact of final budget actions by the Governor and the Virginia General Assembly is not known at this time but is estimated to reflect a reduction in state funding for FY 2020/21 in the amount of \$6,926,614; and

WHEREAS, the total projected city and state revenue shortfall for FY 2020/21 is \$ 27,299,048.

NOW, THEREFORE, BE IT

RESOLVED: that an allocation of \$500,000 to the Schools' PAYGO has been removed from the CIP to be returned to the Operating Budget, reducing the shortfall to \$26,799,048 and

FURTHER RESOLVED: that the 0.5% experience step increase and 3.0% cost of living adjustment (COLA) for employees be removed in the School Board Amended Budget for a savings of \$19,532,825; and

FURTHER RESOLVED: that 69.55 full-time equivalent (FTE) positions (newly proposed) be eliminated in the Amended Budget for a savings of \$4,492,077; and



FURTHER RESOLVED: that a wide range of non-FTE expenditures be reduced in the Amended Budget for a savings of \$2,360,049; and

FURTHER RESOLVED: that additional baseline adjustments be made in the Amended Budget for a savings of \$414,097; and

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.

- E. Amended Capital Improvement Program (CIP) FY2020/21 through FY2025/26 Resolution: Ms. Felton made a motion by reading the proposed amended Capital Improvement Program (CIP) resolution with Vice Chair Melnyk providing a second. Farrell E. Hanzaker, Chief Financial Officer, provided an overview of funding sources and project summary prior to the School Board Clerk calling for a verbal vote from each School Board member, and then announced the motion passed unanimously. The resolution was approved as follows:

**FY 2020/21 - FY 2025/26 Capital Improvement Program (CIP)
AMENDED BUDGET 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 approved the FY 2020/21 – FY 2025/26 CIP Budget on March 3, 2020; 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 economic impact of the Novel Coronavirus (COVID-19) pandemic can be felt in the community, the state and throughout the nation; 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 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 Manager's Revised Operating Budget for FY 2020/21 recognizes a decrease in local tax revenues used to calculate the Revenue Sharing Formula for the city's contribution to the schools; and

WHEREAS, the city's FY 2020/21 contribution to the schools is projected to decrease a net of \$20,372,434 from the School Board Proposed Operating Budget to the Amended Budget; and

WHEREAS, an allocation of \$500,000 to the Schools' PAYGO has been removed as a funding source from FY 2020/21 of the CIP to be returned to the Operating Budget; and

WHEREAS, Sandbridge TIF funds will no longer be allocated as a revenue source for the Schools' CIP after FY 2020/21; 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 an Amended CIP program of \$454,043,623 (as shown on the attached Revised School Board Funding Summary and Project Summary dated April 28, 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.

School Board Funding Summary
Virginia Beach City Public Schools
FY 2020/21 - FY 2025/26 Capital Improvement Program (CIP)
Revised April 28, 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	95,559,000	4,218,000	31,891,000	13,050,000	11,850,000	12,150,000	11,850,000	11,150,000
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	454,043,623	221,152,623	63,391,000	37,300,000	32,300,000	32,800,000	33,300,000	33,800,000
TARGETS					63,391,000	37,300,000	32,300,000	32,800,000	33,300,000	33,800,000
DIFFERENCE					0	0	0	0	0	0



Virginia Beach City Public Schools
FY 2020/21 - FY 2025/26 Capital Improvement Program (CIP)
Revised April 28, 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	\$0	\$0	\$0	\$0	\$0
Public Facility Revenue Bonds	\$15,000,000	\$0	\$0	\$0	\$0	\$0
PayGo	\$0	\$0	\$0	\$500,000	\$1,000,000	\$1,500,000
Interest/Sale of Property ¹	\$7,500,000	\$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	\$63,391,000	\$37,300,000	\$32,300,000	\$32,800,000	\$33,300,000	\$33,800,000

¹Projected proceeds from sale of Laskin Road Annex

- F. General Fees Schedule FY2020/21**: Farrell E. Hanzaker, Chief Financial Officer, presented the General Fees Schedule FY2020/21 noting the only changes made from the prior fiscal year were in non-resident student tuition rates. The General Fees Schedule for FY2020/21 was approved as presented as part and parcel of the collective motion taken up after Item 7I as follows:

Fee/Assessment	Proposed 2020-21 Rate(s)
Student Meal Prices	
Paid Lunch - Elementary/Secondary	\$2.85
Reduced Lunch - Elementary/Secondary	\$0.40
Paid Breakfast - Elementary/Secondary	\$1.40
Reduced Breakfast - Elem./Secondary	\$0.30
A la Carte Items – Student	As needed—will not exceed 4% on any items
Summer School Tuition/Programs	
Level I - Summer School (full cost lunch)	Middle School = \$140.00 High School, semester = \$200.00 High School, year = \$300.00
Level II - Summer School (reduced cost lunch)	Middle School = \$70.00 High School, semester = \$100.00 High School, year = \$150.00
Level III - Summer School (free lunch)	Middle School = No charge High School, semester = \$40.00 High School, year = \$75.00



Fee/Assessment	Proposed 2020-21 Rate(s)
Online Courses (Summer School)	\$300.00 (full cost meals) \$150.00 (reduced cost meals) \$75.00 (free meals)
Driver Education, Behind the Wheel (Summer School)	\$210.00
Band Summer Enrichment Program	\$110.00
Strings Summer Enrichment Program	\$110.00
Summer Vocal Music Camp Program	\$110.00
Algebra Prep Program (Summer School)	\$140.00
Getting to Know Pre-Algebra (Summer School)	No Fee
Evening Credit Program Tuition (Renaissance Academy)	
Evening Credit Program Tuition	\$300.00 per session (up to 3 one-credit courses) \$200.00 per session (up to 6 one-half credit courses) \$150.00 per credit recovery course
Evening Credit Program Tuition - Reduced Lunch	\$150.00 per session (up to 3 one-credit courses) \$100.00 per session (up to 6 one-half credit courses) \$75.00 per credit recovery course
Evening Credit Program Tuition - Free Lunch	\$75.00 per session (up to 3 one-credit courses) \$40.00 per session (up to 6 one-half credit courses) \$37.50 per credit recovery course
Driver Education Program Fees	
Behind the Wheel (School Year)	\$210.00
Behind the Wheel (Summer School)	\$210.00
Student Transcript Fees	
Current Students - Transcript Requests	\$2.00 (only if mailed)
Former Students - Transcript Requests	\$5.00
Student Parking Fees	
General Parking Fees	\$45.00
ATC and Vo-Tech Parking Fee (\$10.00 discount at home school)	\$10.00
Parking Fines	\$25.00
Course Fees (Materials and Other Fees)	
Adult Learning Center – Adult Basic Education Courses	
Registration Fee - VB Residents	\$30.00
Tuition – Nonresidents	Day Class - \$40 per month Evening Class - \$30 per month
Placement Evaluation Fee	\$5.00 per person
Adult Learning Center - Community Education Courses	
Tuition, texts, and materials	\$23.00 - \$2,899.00
Nonresident surcharge	\$12.00 per course
Processing fee (for transfers/withdrawals)	\$15.00
Adult Student Licensed Practical Nursing (LPN) Program	\$6,188
Adult Learning Center - English Language Acquisition Program (ELA)	
Registration Fee - VB Residents	\$50.00
Tuition - Nonresidents	\$100.00
ELA Textbooks	\$22.00 - \$64.00
Advanced Technology Center Courses	



Fee/Assessment	Proposed 2020-21 Rate(s)
Engineering Technology	\$15.00
Digital Design	\$20.00
TCE Career Pathway Summer Enrichment Camps (new for FY 2016/17)	\$125.00
<i>Business and Information Technology Courses</i>	
Computer Courses	\$4.00-\$10.00
<i>Family & Consumer Sciences</i>	
Intro to Culinary Arts (HS)	\$15.00 - \$25.00 Year Long
Intro to Hospitality & Catering (HS)	\$15.00 - \$25.00 Year Long
Independent Living (HS)	\$10.00
Parenting & Child Development (HS)	\$3.00 - \$5.00
Intro to Child Care Occupations (HS)	\$3.00 - \$5.00
Introduction to Design I (HS)	\$20.00
Introduction to Design II (HS)	\$20.00
Teen Living 6, 7, 8 (MS)	\$12.00 - \$20.00
<i>Substance Abuse Intervention Program (SAIP)</i>	
SAIP Drug Assessment Requirement	\$35.00 – \$65.00 (depends on student's individual insurance coverage)
<i>Technology Education Courses</i>	
Photo Com/Graphics	\$10.00 - \$15.00
Electronic Systems	\$10.00 - \$15.00
Construction Production	\$10.00 - \$15.00
Power & Transportation Technology	\$10.00 - \$15.00
CAD Technical Drawing	\$5.00
Technology Education 6, 7, 8 (MS)	\$5.00-\$15.00
<i>Technical and Career Education Center Courses</i>	
Practical Nursing I and II (LPN High School)	\$854.00
Cosmetology (tool kits)	\$260.00
Electronics I (lab pack fee)	\$20.00
Electronics II (lab pack fee)	\$30.00
Post-grad Program Completer Fee	\$250.00 per semester
Dental Assisting I & II Liability Insurance Fee	\$17.50
Middle and High School Summer Programs	
<i>Summer Camps/Programs</i>	
Beginning Summer Band & Orchestra (MS Guide Only)	\$110.00
Intermediate Summer Band & Orchestra (MS Guide Only)	\$110.00
Career Pathway Summer Enrichment Camps	\$125.00
Cyber Security Summer Camp (ATC)	\$125.00
Nonresident Student Tuition	
VBCPS Employees: Half Day Kindergarten	N/A
VBCPS Employees: Elementary Level (ADM eligible, no transportation)	\$3,760
VBCPS Employees: Secondary Level (ADM eligible, no transportation)	\$4,600
Other: Elementary Level (ADM eligible, no transportation)	\$5,200



Fee/Assessment	Proposed 2020-21 Rate(s)
Other: Secondary Level (ADM eligible, no transportation)	\$5,300
F-1 Student Tuition (Unsubscribed, Not ADM eligible)	\$12,400

- G. Recommendation of General Contractor: John “Jack” Freeman, Chief Operations Officer, reported the proposed HVAC-related projects scheduled for approval March 24 had been prioritized within a review of Capital Improvement Program and now being presented for School Board action. Anthony L. Arnold, P.E., Executive Director of Facilities Services, presented an overview of the proposed HVAC-related projects as follows:
1. Maintenance Services and Distribution Services Roof Top Unit Replacement**: The recommendation for the School Board to authorize the Superintendent to execute a contract with D.E. Kirby, Inc. in the amount of \$794,000 for Facilities Services Roof Top Unit–13 and Distribution Services Roof Top Unit-14 replacement was approved as proposed as part and parcel of the collective motion taken up after Item 7I.
 2. Point O’View Elementary School Music Room/Office HVAC Replacement**: The recommendation for the School Board to authorize the Superintendent to execute a contract with Colonial Webb Contractors in the amount of \$601,404 for the Point O’View music room office/HVAC replacement was approved as proposed as part and parcel of the collective motion taken up after Item 7I.
 3. Luxford, Shelton Park and Thalia Elementary Schools Make-Up Air Unit (MUAU) Replacement**: The recommendation for the School Board to authorize the Superintendent to execute a contract with Colonial Webb Contractors in the amount of \$2,523,970 for MUAU replacements at Luxford, Shelton Park and Thalia elementary schools was approved as proposed as part and parcel of the collective motion taken up after Item 7I.
 4. Glenwood Elementary School Kitchen HVAC Improvement**: The recommendation for the School Board to authorize the Superintendent to execute a contract with TST d/b/a Tidewater Development Services Corporation in the amount of \$267,630 for the Glenwood Elementary School kitchen HVAC improvement was approved as proposed as part and parcel of the collective motion taken up after Item 7I.
- H. Resolution Regarding the City Council Ordinance to Suspend Meals Tax for the Months of May and June 2020**: Farrell E. Hanzaker, Chief Financial Officer, read the proposed resolution regarding the City Council Ordinance to Suspend Meals Tax for the Months of May and June 2020. The resolution was approved as presented as part and parcel of the collective motion taken up after Item 7I as follows:

RESOLUTION REGARDING THE CITY COUNCIL ORDINANCE TO SUSPEND MEALS TAX FOR THE MONTHS OF MAY AND JUNE 2020



WHEREAS, the City Council approved an ordinance on April 7, 2020 titled "AN ORDINANCE TO SUSPEND MEALS TAX FOR THE MONTHS OF MAY AND JUNE AND TO PROVIDE OFFSETS FOR SUCH TAX SUSPENSION DURING THE COVID-19 PANDEMIC"; and

WHEREAS, the Ordinance directs the School Board to provide offsets for the amount of meals taxes that would be subject to the City and Schools Revenue Sharing Formula in the amount of \$1,217,901; and

WHEREAS, the School Board could not take action regarding this Ordinance until the School Board meeting scheduled for April 28, 2020; and

WHEREAS, the Schools Chief Financial Officer, Farrell Hanzaker, sent a memo to David Bradley, Deputy City Manager, on April 11, 2020 to advise that the offsets to cover the \$1,217,901 reduction of the local revenues to the Schools during this fiscal year will be offset in the Schools budget account code 115.50100.601530 Elementary Classroom/Elementary Teacher Unit Code; and

WHEREAS, in addition, the School Board understands that this offset amount is included in the \$23 million total projected revenue shortfall for this fiscal year.

NOW, THEREFORE, BE IT

RESOLVED: that the School Board has provided the specific budget shortfall offset information in this Resolution; and

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.

- I. Policy 5-30 Graduation Requirements/Diplomas/Certificates**: Robert B. Jamison, Ed.S., Coordinator of Guidance Services, explained proposed revisions to Policy 5-30 Graduation Requirements/Diplomas/Certificates regarding Locally Awarded Verified Credits (LAVCs) to establish for the 2019-20 school year the requirements for awarding LAVCs in English, mathematics, science and history/social science to follow emergency guidelines as established by the Virginia Board of Education. These emergency guidelines will continue to apply to any high school credit-bearing course eligible for verified credit in which a student was enrolled in spring 2020 and shall remain as part of the local school board policy for the duration of its impact on any affected student's graduation. The proposed revision was approved as presented as part and parcel of the collective motion taken up after Item 7I.

**Chairwoman Rye then called for a motion for the School Board to approve Action Items 7A, 7B, 7C, 7F, 7G1-4, 7H, and 7I as presented above. Ms. Holtz made the motion, seconded by Mr. Edwards. The School Board Clerk then called for a verbal vote from each School Board member, and announced the motion passed unanimously.

8. **Information:** Interim Financial Statements: February and March 2020: Farrell E. Hanzaker, Chief Financial Officer, presented highlights of the division's financial position as of the end of March 2020. It was noted the information presented does not reflect the division's current financial position and the impact of the COVID-19 pandemic. He reported a local revenue shortfall from the City of \$23 million is expected, and explained influences on state and federal revenue projections. Sales tax was reported as acceptable through March 2020 at



approximately \$3.6 million higher than the previous year with decreases expected in May and June 2020. Finally, expenditures and encumbrances were reported as showing an acceptable trend, with specific guidelines regarding immediate adjustments to procurements and purchasing being shared with budget managers and principals to reduce spending.

9. Conclusion of the Formal Meeting

10. Closed Meeting: None

11. Vote on Remaining Action Items: None

12. Adjournment: Prior to adjournment, Chairwoman Rye extended the School Board's appreciation in honor of Teacher Appreciation Week recognizing the challenges brought about by the COVID-19 pandemic. There being no further business before the School Board, Chairwoman Rye adjourned the meeting at 7:54 p.m.

Respectfully submitted:

Dianne P. Alexander, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair



Subject: Personnel Report **Item Number:** 7A

Section: Action **Date:** May 12, 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 May 12, 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
May 12, 2020
2019-2020

Scale	Class	Location	Effective	Employee Name	Position/Reason	College	Previous Employer
Assigned to Unified Salary Scale	Appointments - Elementary School	Brookwood	3/19/2020	Nancy A Prokopchak	Library/Media Assistant	SUNY Stony Brook, NY	Not Applicable
Assigned to Unified Salary Scale	Appointments - Elementary School	College Park	3/19/2020	April S Ellis-Eason	Special Education Assistant		Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Landstown	4/29/2020	Vanessa R Erias	Custodian I		Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Old Donation School	4/29/2020	Roshaun T Thomas	Custodian I		Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Old Donation School	4/29/2020	Calvin M Wilds	Custodian I		Not Applicable
Assigned to Unified Salary Scale	Appointments - Middle School	Virginia Beach	5/5/2020	Kenya D Wynn	School Office Associate II		Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	New Castle	6/30/2020	Melissa Cromwell	Special Education Assistant (transfer of spouse)		Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Green Run	5/1/2020	Tiffany C McDaniel	Cafeteria Assistant, 5.0 Hours (relocation)		Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Kempsville	3/16/2020	Lisa C Parker	Custodian I (job abandonment)		Not Applicable
Assigned to Unified Salary Scale	Resignations - High School	Princess Anne	4/21/2020	Ella E Turner	Custodian I (personal reasons)		Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	4/30/2020	Philip E Gardner	Bus Driver, 5.5 Hours (relocation)		Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	5/8/2020	Markee J Brown	Fleet Technician I (career enhancement opportunity)		Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Office of Transportation and Fleet Management Services	6/30/2020	Alphonso Saunders	Bus Driver, 5.5 Hours (relocation)		Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Centerville	3/31/2020	Julie D Stone	Kindergarten Assistant		Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Christopher Farms	6/30/2020	Deborah K Roxer	Cafeteria Assistant, 6.5 Hours		Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Thalia	6/30/2020	Cheryl L House	General Assistant, 500		Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Trantwood	6/30/2020	Pamela G Jacobs	Special Education Assistant		Not Applicable
Assigned to Unified Salary Scale	Retirements - Middle School	Bayside	4/30/2022	Jennifer A Bryan-Mendez	Custodian I		Not Applicable
Assigned to Unified Salary Scale	Retirements - Middle School	Independence	6/30/2020	Shella A Grix	Cafeteria Assistant, 5.0 Hours		Not Applicable
Assigned to Unified Salary Scale	Retirements - Middle School	Princess Anne	6/30/2020	Sheria L Humes	Custodian I		Not Applicable
Assigned to Unified Salary Scale	Retirements - High School	Salem	6/30/2020	Raeanne F Roemmich	Library/Media Assistant		Not Applicable
Assigned to Unified Salary Scale	Retirements - High School	Tallwood	6/30/2020	Christine J Anderson	Student Activities Coordinator		Not Applicable
Assigned to Unified Salary Scale	Retirements - High School	Technical And Career Education Center	6/30/2020	Gloria B Scott	School Administrative Associate II		Not Applicable
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Department of Teaching and Learning	6/30/2020	Janet L Jefferson	Library Cataloger		Not Applicable
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Office of Custodial Services	6/30/2020	James K Kerekesh	Custodial Supervisor		Not Applicable
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Office of School Board Services	6/30/2020	Dianne P Alexander	Secretary & Clerk to Board		Not Applicable
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Office of Student Support Services	8/31/2020	Eric D Hairston	Instructional Specialist (Employee changed retirement date from 6/30/2020 to 8/31/2020)		Not Applicable
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Office of Transportation and Fleet Management Services	6/30/2020	Jane E Griffin	Bus Driver, 5.5 Hours		Not Applicable
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Office of Transportation and Fleet Management Services	6/30/2020	Pamela L Murr	Bus Driver, 5.5 Hours		Not Applicable
Assigned to Unified Salary Scale	Retirements - Miscellaneous	Office of Transportation and Fleet Management Services	6/30/2020	Lorraine M Patterson	Bus Driver, 5.0 Hours		Not Applicable
Assigned to Unified Salary Scale	Other Employment Actions - Elementary School	Glenwood	6/30/2020	Jennifer Hernandez	Pre-Kindergarten Teacher Assistant (Employee changed resignation date from 4/30/2020 to 6/30/2020)		Not Applicable
Assigned to Instructional Salary Scale	Appointments - Elementary School	Linkhorn Park	3/19/2020	Larry D Rafferty	Special Education Teacher	Frostburg State University, MD	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Alanton	6/30/2020	JamieLouise D Stinson	First Grade Teacher (moved to public school system)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Bayside	6/30/2020	Alexis K Harvey	Special Education Teacher (relocation)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Brookwood	3/20/2020	Jeanmarie Flocchi-Marsden	Art Teacher, 200 (family)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Brookwood	6/30/2020	Jessica J Sandeen	Fourth Grade Teacher (transfer of spouse)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Christopher Farms	6/30/2020	Adriana Cubillos-Greer	Second Grade Teacher (personal reasons)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Christopher Farms	6/30/2020	Stacey E Witherow	Kindergarten Teacher (relocation)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Corporate Landing	6/30/2020	Jessica E Hofstad	First Grade Teacher (personal reasons)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Green Run	6/30/2020	Kellianne M Murtha	Third Grade Teacher (transfer of spouse)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Rosemont Forest	6/30/2020	Chelsea R Shenefield	Fifth Grade Teacher (transfer of spouse)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Shelton Park	6/30/2020	Deana J Hubbell	Instructional Technology Specialist (moved to public school system)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Trantwood	6/30/2020	Brandi M Clark	Special Education Teacher (moved to public school system)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Woodstock	6/30/2020	Sonia M Laceywell	First Grade Teacher (moved to public school system)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Independence	6/30/2020	Justin M Brandt	Health & Physical Education Teacher (relocation)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Salem	6/30/2020	Kalbie Yildiz	Eighth Grade Teacher (transfer of spouse)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Kellam	6/30/2020	Taryn Darling	Social Studies Teacher (relocation)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Miscellaneous	Office of Programs for Exceptional Children	4/28/2020	Melanie B Haga	Speech/Language Pathologist, 400 (family)		Not Applicable
Assigned to Instructional Salary Scale	Resignations - Miscellaneous	Office of Programs for Exceptional Children	6/30/2020	Tonya J MacDonald	Speech/Language Pathologist, 600 (family)		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Cooke	6/30/2020	Julie W Laidlaw	Special Education Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Glenwood	6/30/2020	Anita W Seabrook	Kindergarten Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Ocean Lakes	6/30/2020	Janice E Ricci	Music/Vocal Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Pembroke Meadows	6/30/2020	Linda S Burket	Second Grade Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Red Mill	6/30/2020	Daniel T Koach	Fourth Grade Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Rosemont Forest	4/30/2020	Veronica B Rawlings	First Grade Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Shelton Park	6/30/2020	Sandra R Burr	Art Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Shelton Park	6/30/2020	Terri L Miles	Special Education Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Tallwood	6/30/2020	Stephanie M Slate	Art Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Thalia	6/30/2020	Irene K Cashwell	Physical Education Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Trantwood	6/30/2020	Kimberly L Catt	Fourth Grade Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Middle School	Lynnhaven	6/30/2020	Grace Leighton	Eighth Grade Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Bayside	5/31/2020	Thaddeus C Harold	Health & Physical Education Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Bayside	6/30/2020	Stephen E Cassell	Special Education Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Kellam	6/30/2020	Teresa L Harrington	Family & Consumer Science Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Kempsville	6/30/2020	Celia R Golden	English Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Office of Student Support Services	6/30/2020	Sandra K Greene	School Social Worker		Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Princess Anne	6/30/2020	Rosemarie Rogers	Family & Consumer Science Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Renaissance Academy	6/30/2020	Brent A Horner	Science Teacher		Not Applicable
Assigned to Instructional Salary Scale	Retirements - High School	Technical And Career Education Center	6/30/2020	Maureen L Rogers	Nursing Instructor		Not Applicable
Assigned to Instructional Salary Scale	Retirements - Miscellaneous	Office of Programs for Exceptional Children	6/30/2020	Janice J Deur	Speech/Language Pathologist		Not Applicable
Administrative	Appointments - Miscellaneous	Department of Communications & Community Engagement	5/13/2020	Mary R Norton	Coordinator Public Relations	University of Virginia, VA	Virginia Beach Fishing Center, VA



Subject: Policy Review Committee Recommendations

Item Number: 7B1-5

Section: Action

Date: May 12, 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 approve 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 to the School Board for Information 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.

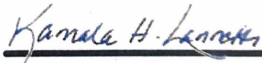
Legal Reference:

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

APPROVED AS TO
LEGAL SUFFICIENCY



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~~Investigates if Employee, Official or School Division agent, volunteer or invitee is the Harasser/Discriminator.

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

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

If the complaint involves a principal, the matter will be directed to the Department of School Leadership (DOSL) for investigation. DOSL should consult with the Department of Human Resources, Office of Employee Relations regarding investigations, findings and proposed actions. If the complaint involves the Superintendent, the matter will be directed to School Board to determine whether a third party or other individual should be assigned to investigate the matter. Complaints involving School Board Members should be directed to the 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

APPROVED AS TO
LEGAL SUFFICIENCY

Kamala H. Larentis

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.~~ 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 serious 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.

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APPROVED AS TO
LEGAL SUFFICIENCY

Kamala H. Lennett

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

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Amended by School Board: 2020

APPROVED AS TO
LEGAL SUFFICIENCY

Kamala H. Larrick

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

APPROVED AS TO
LEGAL SUFFICIENCY

Kamala H. Lennetti



Subject: Appointment of a Hearing Officer **Item Number:** 7C

Section: Action **Date:** May 12, 2020

Senior Staff: N/A

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

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

Recommendation:

That the School Board authorize the Superintendent or designee to appoint and make all necessary arrangements for a hearing officer to handle the appeal of student discrimination investigation and to authorize extension of the policy timelines during the state of emergency.

Background Summary:

School Board Policy 5-7 *Non-discrimination and non-harassment of students* subsection F Appeal of determination or action taken, allows for the alleged victim of a discrimination complaint to appeal the School Administration's determination in a discrimination complaint within fifteen days of receipt of the determination. The School Board may accept oral or written argument from the victim and the School Administration or the School Board may appoint and hearing officer to hold a hearing on the appeal. The School Board or hearing officer should render a decision on the appeal within thirty days of receipt of the appeal. Due to the current State of Emergency, the appeal of a new student discrimination complaint determination requires that Policy 5-7 timelines be extended and, it is recommended that the School Board authorize a hearing officer to conduct an appeal hearing in order to accommodate current limitations on social distancing and meetings.

Source:

Policy 5-7 (F)

Budget Impact:



Subject: Virginia School Boards Association (VSBA) Legislative Position Proposal(s) **Item Number:** 8

Section: Information **Date:** May 12, 2020

Senior Staff: N/A

Prepared by: School Board Legislative Committee

Presenter(s): School Board Member Kimberly A. Melnyk, Chair of the School Board Legislative Committee

Recommendation:

That the School Board receive for information the Legislative Committee's recommendation regarding the Virginia School Boards Association (VSBA) request for additions and/or modifications to their Legislative Positions to be considered for inclusion in the VSBA Board of Directors' recommendations to the 2020 VSBA Delegate Assembly.

Background Summary:

Each spring, the VSBA Legislative Positions Committee contacts all school boards in Virginia to request their recommendations for changes and/or additions to the VSBA Legislative Positions. Legislative Positions provide the basis for making present and future decisions about education and school board legislative positions, and they constitute the VSBA's legislative belief system.

Prior to a member school board's submission of recommendations to the VSBA Legislative Positions Committee, the recommendation(s) must be approved by a majority vote of the local school board. The VSBA Legislative Positions Committee then meets and reviews all submissions. The legislative positions that are recommended by the Legislative Positions Committee are presented to the VSBA Board of Directors, and board-approved legislative positions are distributed to each school board and to the VSBA Delegate Assembly.

The Delegate Assembly is comprised of one representative from each member school board, and it reviews all proposed legislative positions for adoption or rejection. Legislative positions that are officially adopted by the Assembly remain in effect (i.e., remains in the VSBA Legislative Positions Handbook) until they are revised or deleted by official action.

The deadline for submissions to be received by the VSBA Legislative Positions Committee is June 8, 2020.

The current VSBA Legislative Positions Handbook is available on VSBA's website at www.vsba.org.

Source:

Virginia School Boards Association (VSBA) communication of March 9, 2020

Budget Impact:

2020 Legislative Positions Proposal Form

Proposals due by June 8, 2020

The Virginia Beach City School Board is requesting the Legislative Positions Committee of the Virginia School Boards Association to consider the following Legislative Position change in preparing its report to the VSBA Board of Directors, which will present its recommendations to the 2020 VSBA Delegate Assembly.

TOPIC: Electronic Board Meetings During Declared States of Emergency

IS THIS A PROPOSED NEW POSITION? **No**

IS THIS AN AMENDMENT TO A CURRENT VSBA POSITION? **Yes**

CURRENT VSBA LEGISLATIVE POSITION NUMBER BEING AMENDED **5.3**

(If you wish to change or amend an existing Legislative Position, please attach a hard copy of the Position that has been edited to show the exact changes and/or amendments that you want the Legislative Positions Committee to consider and an electronic copy in Word.)

PROPOSED NEW LEGISLATIVE POSITION LANGUAGE (attach extra pages if necessary):

See Attached

RATIONALE for changes or additions (attach extra page if necessary):

On April 22, the General Assembly adopted Budget language that allowed local bodies to meet electronically to conduct normal business in light of the coronavirus pandemic. While this will help localities and school boards continue to conduct business in the short-term, Virginia's open records law should come into alignment with modern technology and not require additional Executive or General Assembly action to allow local governments to operate in the event that they are unable to meet during a state of emergency.

NAME AND ADDRESS OF SCHOOL BOARD CHAIR / CLERK (please print or type):

Carolyn T. Rye, School Board Chair

2512 George Mason Dr., Virginia Beach, VA 23456

I certify that this item was approved by the school board at its May 12, 2020
meeting for submission to the VSBA Legislative Positions Committee.

(Signature of school board chair or clerk)

May 12, 2020
Date

PLEASE RETURN THIS FORM BY June 8, 2020 via U.S. mail and e-mail to:

J.T. Kessler, Government Relations Specialist
Virginia School Board Association
200 Hansen Road, Ste. 2

Charlottesville, VA 22911
jason@vsba.org

A COPY OF ALL PROPOSALS MUST ALSO BE PROVIDED IN WORD.

5.3 Twenty-first Century Communication for School Boards

Where a quorum of a public body is physically assembled at one location for the purpose of conducting a meeting, additional members of such public body may participate in the meeting through telephonic or video means provided such participation may be heard by the public, as authorized under the Virginia Freedom of Information Act. A quorum may be accounted for via an electronic roll call.

The VSBA supports changes to Virginia's open records to allow local school boards to conduct public electronic meetings without the quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency and the nature of the declared emergency makes it impractical or unsafe for the board to assembly in person.

The VSBA supports revision of the records management regulations issued by the Library of Virginia, especially those regulations regarding the management and retention of school board e-mail, in order to achieve a suitable balance between access to and archiving of public records and the resources required for compliance.

SUPERINTENDENT'S SUMMATIVE PERFORMANCE EVALUATION PROCESS FY20

1. The Superintendent's Summative Performance Evaluation Instrument will be submitted to each School Board Member by May 1st.
2. Prior to preparing their evaluation of the Superintendent, School Board Members will familiarize themselves with:
 - a. VDOE Guidance of the Superintendent's Annual Evaluation January 10, 2020;
 - b. VSBA guidance documents regarding the Superintendent's annual evaluation;
 - c. The Superintendent's employment contract;
 - d. School Board Bylaw Appendix A & B; and
 - e. Applicable law, regulation, bylaw and policy.
3. The Superintendent will submit or present to the School Board Members his self-evaluation and any supporting documentation no later than May 15th.
4. At the Superintendent's discretion, the Superintendent may request to meet with the School Board in closed session to present his self-evaluation and to provide any requested clarification prior to the first School Board Meeting in June;
5. Performance ratings are made at the performance standard level, NOT at the performance indicator level. The ratings should be based on a preponderance of the evidence basis related to all indicators for each standard after reviewing the supporting evidence.
 - a. For data sources to be acceptable, they must meet the tests of logic, validity, reliability, fairness, and legality;
 - b. To the extent reasonable, the performance ratings should be based on the Superintendent's performance during the current fiscal year;
 - c. Student achievement data from the prior year will be considered when current year data is not available; and
 - d. Constructive or explanatory comments should be included.

SUPERINTENDENT'S SUMMATIVE PERFORMANCE EVALUATION PROCESS FY20 (continued)

6. School Board Members should review the summative evaluation instrument and come to the School Board Meeting prepared to substantiate assessment for each Standard.
 - a. The best practice would be for each School Board Member to prepare an individual draft of the summative evaluation instrument to use as personal reference while deliberating on the final summative evaluation;
 - b. School Board Members, who anticipate being absent from the closed session to complete the Superintendent's summative evaluation, may submit a draft summative evaluation or comments to the Chair for consideration by the remainder of the School Board; and
 - c. Final summative evaluation point values and comments will be determined by those School Board Members present at the meeting.
7. The School Board will complete the Superintendent's summative evaluation no later than the first meeting in June
 - a. For each Standard (1-7) of the Superintendent's summative evaluation instrument, the School Board must rate a point value of 1-4. The final point value for each Standard should be determined through collective discussion and consensus. If a consensus cannot be reached, the final point value for each Standard will be determined by a majority vote of the School Board Members present.
 - b. The final weighted rating score inclusive of all standards will be determined using the calculation formula set forth in the Superintendent's summative evaluation instrument. At its discretion, the School Board as a whole may provide written comments on the Superintendent's final summative evaluation.
8. The Chair and Vice Chair will meet with the Superintendent to present the written summative evaluation no later than June 15th.
9. At any time prior to June 30th, The School Board and the Superintendent may meet in closed session to discuss the summative evaluation and the School Board may amend the summative evaluation based on such meeting.
10. The School Board must vote on a final summative evaluation no later than June 30th.
11. School Board Members will respect the confidentiality of the annual evaluation process and will not disseminate confidential personnel information regarding the process without authorization of the Superintendent.