

## PERSONNEL

### **Criminal or Child Protective Services Charge Filed Against Employee: Notification of Superintendent**

#### **A. Employee Notification to Superintendent/Designee**

When any School Board employee, whether full-time or part-time, permanent, or temporary, has been charged by summons, warrant, indictment or information with the commission of any felony or misdemeanor; ~~or~~ is the subject of a Department of Social Services (Child Protective Services or equivalent organization) investigation into an allegation of child abuse or neglect ~~or a Department of Social Services (Child Protective Services or equivalent organization); or~~ receives a founded disposition of child abuse or neglect by the Department of Social Services (Child Protective Services or equivalent organization), that employee shall notify the Superintendent/Designee of the charge, investigation, or finding.

The notification to the Superintendent/Designee shall be in writing and shall be accompanied by the name and address of the complainant, date of the alleged offense and a copy of the summons, warrant, indictment, information, ~~or~~ other document served upon the employee notifying the employee of the charge, investigation, or finding. The written notification to the Superintendent/Designee from the employee shall be delivered to the Superintendent/Designee as soon as practical, and in no event later than the first working day following the service of the summons, warrant, indictment, ~~or~~ information upon the employee.

The employee is responsible for providing any updates or changes in charges, court proceedings, or appeals processes and must provide a final disposition regarding the felony, misdemeanor, or CPS matter. If the employee needs assistance in completing the required disclosures, they may seek assistance from the Department of Human Resources, Office of Employee Relations.

Failure of the employee to give the Superintendent/Designee written notice, as set forth above, may be cause for discipline up to and including dismissal.

**B. Superintendent Notification to School Board and Commonwealth's Attorney**

The Superintendent/Designee shall inform the School Board and the Commonwealth's Attorney in writing of any notification of the felony arrest of a School Board employee which is provided by the employee or which is provided to the Superintendent by a state official or agency or a local law-enforcement agency pursuant to § 19.2-83.1 of the Code of Virginia, as amended.

**C. Federal Bureau of Investigation Background Check**

The Superintendent/designee may require any employee identified pursuant to this Policy (other than those being investigated for child abuse or neglect or the subject of a founded disposition of child abuse or neglect) or pursuant to § 19.2-83.1 of the Code of Virginia, as amended to submit to a Federal Bureau of Investigation (FBI) background investigation.

The Superintendent shall develop a procedure to ensure that all employees identified pursuant to this Policy undergo an FBI background investigation as required by § 22.1-296.2(B) of the Code of Virginia.

**D. Assistance of Local Authorities**

The Superintendent shall request that the Virginia Beach Police Department, the Virginia Beach City Attorney and the Virginia Beach Commonwealth's Attorney, and the Department of Social Services notify the Chief Human Resources Officer upon the conviction of an employee for any felony or misdemeanor offense or upon an employee becoming the subject of a Department of Social Services founded disposition of child abuse or neglect.

**Editor's Note:**

*See School Board Policy 2-48 Salaries and Compensation;  
School Board Policy 4-56 background checks for licensed personnel; and  
School Board Policy 4-75 Conditions of Employment.*

### **Legal Reference**

Code of Virginia § 19.2-83.1, as amended. Report of arrest of school employees and adult students for certain offenses.

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

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

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

For access to criminal records see Code of Virginia §§ 19.2-388, 19.2-389 and 19.2-389.1, as amended.

### **Related Links**

School Board [Policy 2-48](#)

School Board [Policy 4-56](#)

School Board [Policy 4-75](#)[Policy 4-7510](#)

Adopted by School Board: October 15, 1996

Amended by School Board: March 17, 1998

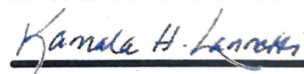
Amended by School Board: February 15, 2000

Scrivener's Amendments: March 6, 2015

Amended by School Board: October 10, 2017

Amended by School Board: April 25, 2023

APPROVED AS TO  
LEGAL SUFFICIENCY

  
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Signature

4/17/2023  
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Date