

**SCHOOL BOARD
POLICY REVIEW COMMITTEE MEETING
AGENDA**

**School Administration Building
School Board Room
March 4, 2026, 1:30 P.M.**

Public seating is available on a first-come, first-served basis. Members of the public will also be able to observe the Policy Review Committee Meeting through the link below:

<https://www.youtube.com/@VirginiaBeachSchools>

Any person seeking an accommodation to observe/listen to the Meeting should, prior to the day of the Meeting, contact the School Board Clerk at 263-1016 or by email at Regina.Toneatto@vbschools.com.

Committee Members: Carolyn Weems, Chair, Mark Bohensiel, Sharon Felton, Cheryl Woodhouse, Kamala Lannetti, Laura Beth Mattson

- I. Attendees:**
- II. Call to Order:**
- III. Adoption of the Agenda:**
- IV. Adopt Meeting Minutes January 28, 2026:**
- V. Old Business:**
- VI. New Business:**
 - A. Policy 1-36 Open Meetings and Closed Meetings
 - B. Policy 1-37 Annual Organizational Meeting
 - C. Appendix C Schools Board Standing Committee Procedures
 - D. Policy 2-59 Outside Legal Counsel
 - E. Policy 3-1 Criteria
- VII. Other Business:**
 - A. Policy 4-45 Sick Leave Bank
 - B. Policy 6-18 Instructional Time and Impact Review
 - C. Policy 6-41 Digital Literacy
- VIII. Next Meeting: March 25, 2026, 3:30 P.M.**
- IX. Adjourn:**

SCHOOL BOARD POLICY REVIEW COMMITTEE MEETING MINUTES

**School Administration Building
School Board Room
January 28, 2026, 3:30 P.M.**

This meeting was livestreamed on YouTube.
<https://www.youtube.com/@VirginiaBeachSchools>

Committee Members: Carolyn Weems, Chair, Mark Bohenstiel, Sharon Felton

I. Attendees: Cheryl Woodhouse, Kamala Lannetti, Laura Beth Mattson, Matthew Delaney, Roni Myer-Daub, Leeane Turnbull, Dan Hopkins

II. Call to Order: 3:30 p.m.

III. Election of the Committee Chair: Weems- Motion B

Mr. Bohenstiel nominated Ms. Weems for Chair of the Policy Review Committee. There were no other nominees.

Ayes: 3 Nays: 0

IV. Adoption of the Agenda:

Motion to adopt the Agenda made by Ms. Felton. Second by Mr. Bohenstiel.

Ayes: 3 Nays: 0

V. Adopt Meeting Minutes December 18, 2025:

Motion to approve the minutes from December 18, 2025, made by Ms. Felton. Second by Mr. Bohenstiel.

Ayes: 3 Nays: 0

VI. Old Business:

A. Policy 5-40 Student-led Assemblies

Ms. Weems presented a revised draft incorporating feedback from prior discussions and a colleague's suggestions. Committee discussion followed regarding the timing of distribution, transparency, and the rationale for reconsideration. A motion to forward the policy to the School Board as presented was made by Mr. Bohenstiel and seconded by Ms. Weems.

Motion to bring the policy back to the Committee to allow for further review of the version presented by Ms. Weems made by Ms. Felton.

Hearing no second, Ms. Weems asked for another motion.

Motion to send Policy 5-40, as presented by Ms. Weems, to the next School Board meeting on Information made by Mr. Bohenstiel. Second by Ms. Weems.

Ayes: 2 Nays: 1

B. Policy 5-54 Physical Restraint and Seclusion – students

Ms. Lannetti explained that the policy and regulation applies to how Virginia Beach City Public Schools runs its programs, but not to how it requires its contractors run their programs located in VBPCS facilities.

The Committee discussed distinctions between seclusion rooms, cooldown spaces, and contractor responsibilities, including SECEP programs. Consensus supported clarifying language that dedicated seclusion rooms are not authorized in VBCPS buildings, including contractor use. Motion by Mr. Bohenstiel, seconded by Ms. Felton, to forward to the School Board for information.

Motion to send Policy 5-54, as amended, to the next School Board meeting on Information made by Mr. Bohenstiel. Second by Ms. Felton

Ayes: 3 Nays: 0

Ms. Weems requested a copy of the regulation once it has been finalized.

VII. New Business:

A. Policy 3-22 Tuition Fees

Ms. Lannetti reviewed the history of the policy changes twice in 2022. There has been a request to reconsider allowing SECEP employees to enroll children tuition free.

The Committee requested information on the tuition cost for attendance out of zone. While waiting for a response from Ms. Turnbull's office, Ms. Mattson also suggested reviewing Policy 5-14, as the changes made in Policy 5-14 are made in response to the changes proposed to this policy.

The changes to Policy 5-14 were reviewed. Motion to send Policy 5-14 to the next School Board meeting on Information made by Ms. Felton.

After receiving the information on the tuition fees, a motion to send Policy 3-22 to the next School Board meeting was made by Ms. Felton. Second by Mr. Bohenstiel.

Ayes: 3 Nays: 0

B. Policy 5-14 School Attendance Zones

This policy was reviewed simultaneously with Policy 3-22.

C. Policy 3-97 Naloxone Administration in Response to a Suspected Opioid Overdose in a School Setting

Updates required by recent legislation were reviewed. Motion by Ms. Felton, seconded by Mr. Bohenstiel, to forward to the School Board for information.

Motion to send Policy 3-97 to the next School Board meeting on Information made by Ms. Felton. Second by Mr. Bohenstiel.

Ayes: 3 Nays: 0

C. Policy 5-47 School sponsored Associations, Clubs and School Organizations

This policy was reviewed at the request of Ms. Felton. After review of the policy as currently written, Ms. Felton has no recommended changes.

VIII. Other Business:

The Committee reviewed 2025 accomplishments and discussed priorities for 2026.

Ms. Weems requested additional policies to be reviewed at the next Committee Meeting. Those policies include: 1) taking leave before or after a holiday, specifically what constitutes extenuating circumstances; 2) the sick leave bank; and 3) 1 to 1 technology for kindergarten, first, and second graders

IX. Next Meeting: March 4, 2026, 1:30 pm

X. Adjourn: 4:28 p.m.

SCHOOL BOARD BYLAWS

Open Meetings, Closed Meetings, Electronic Meetings and Remote Location Participation in Meetings

A. Open Meetings

Meetings of the School Board shall be open to the public except those meetings when the School Board adjourns to a closed meeting as allowed by the Virginia Freedom of Information Act. When health, safety or emergency conditions exist that are not conducive to accommodating in person observation of School Board meetings, the Chair and the Superintendent or designees are authorized to determine other means by which the public may observe the meeting.

B. Closed Meetings

1. Authority/Attendees

The Code of Virginia permits closed meetings to discuss specific topics in private. Closed meetings must be convened by affirmative vote in open session of the majority of the School Board Members in attendance at the meeting. No vote may be taken in Closed Meetings. School Board Members may poll each other regarding the intent of the School Board to act but no action that requires a vote of the School Board may take place in closed session unless otherwise authorized by law. In open session immediately following any closed meeting, the School Board Members must certify by an affirmative vote that no matter was discussed in closed meeting that was not encompassed in the topics authorized in the motion to convene in closed meeting. Any School Board Member who believes that there was a departure from the requirements for closed session set forth in Virginia Code § 2.2-3712, as amended, shall so state prior to the vote, indicating the substance of the departure that, in the School Board Member's judgment, has taken place. The statement shall be recorded in the minutes of the School Board.

Closed meetings are attended by School Board Members. The School Board may invite persons to attend closed meetings to provide necessary information.

2. Minutes

The School Board Clerk or designee shall attend closed meetings (unless expressly excused) for the purpose of taking brief minutes. These minutes which shall be part of the School Board's official minutes shall include:

- a. Date, time and place of meeting.

- b. Record of all persons in attendance.
- c. Motion for Closed Meetings.
- d. Certification of Closed Meetings; and
- e. Any action taken.

Closed meetings shall not be recorded with the exception of student discipline hearings, employee discipline or license revocation hearings or other matters authorized by law.

3. Confidentiality of Closed Meeting items

School Board Members who access or discuss information or materials in preparation for or during closed meetings will maintain all such information in a confidential manner. School Board Members will not record or copy such confidential information. Unauthorized persons may not be provided access to confidential information. Personal notes taken while preparing for or attending closed meeting should be destroyed as soon as the closed session matters are concluded or should be turned over to the School Board Clerk or School Board Legal Counsel to maintain in a confidential manner and in accordance with applicable record keeping requirements. Failure to protect the confidentiality of closed session material or information may constitute sufficient reason to restrict that School Board Member from participating in future closed sessions or serving on School Board Committees that handle confidential items.

C. Electronic communication meetings during declared states of emergency

The School Board may meet by electronic communication means without a quorum of the School Board physically assembled at one location when the Governor or the City of Virginia Beach has declared a state of emergency and the following conditions are met:

1. the catastrophic nature of the declared state of emergency makes it impracticable or unsafe to assemble a quorum in a single location
2. the purpose of the meeting is to address the continuity of operations of the School Board and School Division or the discharge of the School Board's lawful purposes, duties, and responsibilities
3. under other conditions allowed by the Governor or the Virginia General Assembly and adopted by the School Board
4. The School Board must give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to School Board Members.
5. Agenda packets and all nonexempt materials should be available electronically or at all locations where public access will be provided and at the same time as the meeting

6. Arrangements must be made for the public to access the meeting through electronic means. When the School Board determines, or the Chair or designee determine (when there is insufficient time for the School Board to act) that in person observation is unreasonable or unsafe under the circumstances, the Superintendent or designee will arrange for electronic or, telephonic access for the public if reasonably possible or the meeting will be recorded and made available to review when such means are not available. Provide the public with the opportunity to comment at those meetings when public comment is customarily received.
7. The meeting minutes must state the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held.
8. Votes taken during any such meeting shall be recorded by the name in the roll-call fashion and included in the minutes.
9. School Board Committees may follow the same procedures for electronic meetings.
10. The Clerk of the School Board or designee will make a written report of such meeting as required by the Virginia Freedom of Information Act.

D. Remote location participation in meetings

School Board Members may participate in School Board Meetings or School Board Committee Meetings through electronic communication means from a remote location that is not open to the public under conditions set forth in this Bylaw. A vote to approve remote location participation is not required unless the conditions in Section D (1)(c) exist and are brought to the School Board or a Committee to vote to limit remote location participation.

1. Temporary or permanent disability or other medical condition that prevents physical attendance
 - a. On or before the day of a meeting, a School Board Member must notify the School Board Chair for School Board Meetings or the School Board Committee Chair for Committee Meetings that the School Board Member is unable to attend the meeting due to: i) a temporary or permanent disability or other medical condition that prevents the School Board Member's physical attendance; or ii) a medical condition of a member of the School Board Member's family requires the School Board Member to provide care that prevents the School Board Member's physical attendance.
 1. A "member of a School Board Member's family" will follow the definition of a family member set forth in Regulation 4-55.1, as amended, or the Family Medical Leave Act, as amended.

2. "Caregiver" means an adult who provides care for a person with a disability as defined in Code of Virginia § 51.5-40.1, as amended. A caregiver shall be either related by blood, marriage, or adoption to or be the legally appointed guardian of the person with a disability for whom the caregiver is caring.
- b. The Chair or designee will note during the meeting that the School Board Member is remotely participating due to a temporary or a permanent disability or other medical condition that prevents the School Board Member's physical attendance. The general location from which the School Board Member participates will be included in the meeting minutes, but the exact nature of the disability or medical condition does not need to be announced publicly or be included in the meeting minutes. For the purposes of determining whether a quorum is physically assembled, an individual member of the School Board, who is a person with a disability as defined in Code of Virginia § 51.5-40.1, as amended, and uses remote participation counts toward the quorum as if the School Board Member is physically present.
- c. A School Board Member's ability to remotely participate due to a temporary or permanent disability or other medical condition of the School Board Member or a family member will not be limited in number as long as such remote participation: i) does not create an unreasonable hardship for the School Board or the Committee to administer; ii) does not unreasonably interfere with the School Board's or the Committee's ability to conduct its business; and/or iii) the School Board Member can clearly be heard and/or seen through the method of remote participation throughout each meeting. Before limiting continued remote participation pursuant to this subsection, the School Board or the Committee members must vote to discontinue the remote participation.

2. Personal matter prevents physical attendance

- a. On or before the day of a meeting, a School Board Member must notify the School Board Chair (for School Board Meetings) or the School Board Committee Chair (for Committee meetings) that the School Board Member is unable to attend the meeting due to a personal matter and must identify with specificity the nature of the personal matter.
- b. The Chair will note during the meeting the specific nature of the personal matter and the remote location from which the School Board Member is participating.
- c. During a calendar year (January 1 – December 31), a School Board Member will be limited to remote participation for personal reasons to three meetings for School Board Meetings and three meetings each for

every School Board Committee that the School Board Member is assigned to serve on.

- d. Once a School Board Member has participated remotely three times that calendar year under this subsection, the Chair or designee will inform a School Board Member that no further remote participation will be allowed during the calendar year for personal reasons.
 - e. Committee Members should be consulted prior to rescheduling a meeting so that Committee Members have the opportunity to participate and do not have to use limited remote participation opportunities.
3. A School Board Member's remote location participation shall be counted separately for School Board Meetings and each School Board Committee meeting when considering limitations on use of remote location participation.
 4. In any meeting at which one or more School Board Members participates from a remote location: 1) a quorum of the School Board or the School Board Committee must physically assemble at the primary or central meeting location; and 2) the Chair or designee must make arrangements for the voice of the remote participant(s) to be heard by all persons at the primary or central meeting location. No more than two School Board Members can be in the same remote location during a meeting unless that remote location is open to the public to physically access it.
 5. The Chair or designee will determine the appropriate method, if reasonably available, for the School Board Member to remotely participate in a meeting.
 6. School Board Members may not participate from a remote location in any closed session meeting.
 7. Conditions regarding remote location participation may be suspended or modified in accordance with applicable School Board action or resolution, Governor's action, or Virginia General Assembly action.
 8. The electronic communications method used for a meeting will allow the public to hear all members of the public body participating in all virtual public meetings. A phone number or other live contact information is provided to alert the public if the audio or video transmission of the meeting fails, such contact number is monitored during the meeting, and the School Board or School Board Committee takes a recess until public access is restored if transmission fails for the public.

Legal Reference

Code of Virginia § 2.2-3700, *et seq.*, as amended. Virginia Freedom of Information Act.

Code of Virginia § 2.2-3708.2, as amended. Meetings held through electronic communications means during declared states of emergency.

Code of Virginia § 2.2-3708.3, as amended. Meetings held through electronic communications means; situations other than states of emergency.

Code of Virginia § 2.2-3712, as amended. Closed meeting procedures; certification of proceedings.

Related Links

School Board [Bylaw 1-28](#)

School Board [Regulation 4-55.1](#)

Adopted by School Board: July 21, 1992

Amended by School Board: September 5, 1995

Amended by School Board: August 17, 1999

Amended by School Board: February 20, 2001

Amended by School Board: May 14, 2002

Amended by School Board: December 2, 2008

Amended by School Board: September 1, 2015

Amended by School Board: August 2, 2016

Amended by School Board: August 25, 2020

Amended by School Board: January 12, 2021

Amended by School Board: February 23, 2021

Amended by School Board: September 28, 2021

Amended by School Board: December 13, 2022

Amended by School Board: November 29, 2023

Amended by School Board: August 13, 2024

Amended by School Board: August 12, 2025

SCHOOL BOARD BYLAWS

Annual Organizational Meeting

The first regular monthly meeting in January shall be the annual organizational meeting of the School Board at which time the Superintendent or designee shall act as Chair pro tem for the sole purpose of electing a School Board Chair.

The first order of business shall be the election of the School Board Chair. The new Chair shall then assume office and preside over the remainder of the meeting. The second order of business shall be the election of the Vice Chair and third order of business will be the appointment of the Clerk of the School Board and a Deputy Clerk empowered to act in all matters in case of the absence or inability to act of the Clerk.

The School Board shall then proceed to the Agenda set for the meeting.

Legal Reference

Code of Virginia § 22.1-72, as amended. Annual organizational meetings of school boards.

Code of Virginia § 22.1-76, as amended. Chairman; clerk; Vice Chairman; deputy clerk; terms; compensation and bonds of clerk and deputy clerk; officers ineligible to serve as clerk and deputy clerk; approval of division superintendent's designee.

Related Links

School Board Bylaws [Appendix B](#).

Adopted by School Board: July 21, 1992

Amended by School Board: August 17, 1999

Amended by School Board: February 20, 2001

Amended by School Board: December 2, 2008

Amended by School Board: August 18, 2015

Amended by School Board: August 2, 2016

Amended by School Board: September 28, 2021

School Board Standing Committee Procedures

A. Meetings Dates, Times, Locations and Notices

1. Meeting Dates, Times and Locations – Meetings of School Board Committees with three or more School Board Members should be compliant with the Virginia Freedom of Information Act (FOIA), as amended. When practicable for the Committee, an annual schedule of Committee Meetings should be set and published. When required by FOIA, members of the public should be able to observe the meeting and meeting locations must be open to the public with appropriate ADA access (unless the conditions for electronic or emergency meetings as set forth in Bylaw 1-36 or law exist).
2. Quorum – A quorum of the School Board Committee Members must be present in person at the meeting location for the meeting to proceed. Persons appointed to the Committee and who can vote on matters are to be counted to determine the quorum. Some Committees have non-School Board appointees who should be counted. Assigned staff and ex officio members do not have voting rights and do not count toward the quorum. School Board Members may participate remotely if Bylaw 1-36 procedures are followed and if a quorum of the Committee Members are present at the meeting location. During authorized electronic meetings, Committee Members do not need to be present in one location, but a quorum is still required to proceed with the meeting. School Board Members not appointed to a Committee who participate in meetings should not be counted toward the quorum unless they are substituting for an appointed Committee Member.
3. Public Notice of Meeting – School Board Committees with three or more School Board Members must comply with FOIA public notice requirements. Public notice of such Committee Meetings must be published publicly on the bulletin board at the School Administration Building and put on the School Division webpage where they are normally posted , or as otherwise required by FOIA. Staff should maintain evidence of the postings for one year after the meeting.
4. Posting to Committee Webpage
 - a. Staff should ensure that the School Board Committee webpage accurately and timely reflects the Meeting dates and time, public access instructions. The Department of Communications and Community Engagement requires seven days' notice to post onto the Committee webpage. Please note that ADA requirements apply to postings and staff should consult with Communications and Community Engagement Staff regarding such requirements.

- b. School Board ~~Standing c~~Committee meetings ~~may be~~ are not usually broadcast or done electronically unless circumstances exist that do not allow for this.o do so. Posting a recording of a School Board Committee Meeting requires that either a transcript be included when the posting is published, or that closed caption be done at the time of the recording. ~~VBTV can do closed captioning if meetings are done in School Board Chambers and broadcast on VBTV. Before posting a recording a Committee meeting, these conditions must be met. Student Discipline Committee Meetings will not be broadcast or done electronically for public viewing but may be otherwise recorded.~~
5. Electronic Meetings or Remote Participation – Electronic meetings and remote participation by Committee Members must be done in compliance with Bylaw 1-36. Different rules may apply during States of Emergency and staff and the Committee Chair should consult legal counsel. All Committee Members should be consulted before changing the date, time or location of a meeting so that Committee Members are not required to use limited remote participation opportunities to participate in a meeting that ~~washas been~~ changed.
6. Public Access to Meetings – Meetings of three or more School Board Members are required to be open to the public. At least one door to the Committee Meeting room must remain open during the Meeting unless the Committee recesses into closed session. Staff should ensure that ADA accessibility conditions are met as well as any applicable health or safety requirements. Meetings conducted electronically must be open to the public to observe. Public comment is not taken at Committee Meetings unless required by the School Board.
7. Closed Session and Confidential Material
 - a. Closed Session – Committees may recess into closed session in accordance with FOIA exemptions from open meetings. Staff and the Chair should ensure that the Agenda sets forth the call for Closed Session and that appropriate Certification of Closed Session is completed. Staff should ensure that the Meeting room door is open during the Call and Vote into and out of Closed Session. Electronic or remote participation should not be used in Closed Session. Meeting Minutes should reflect the Call and vote for Closed Session, the persons participating in the Closed Session and the call and vote for Certification of Closed Session but not the discussions in Closed Session. All votes must be taken in open session.
 - b. Confidential Material – Material or discussions in Closed Session should remain confidential and should not be shared with unauthorized persons.

B. Meeting Agendas and Minutes

1. Drafting Agenda – The Committee Chair and the staff member should prepare the Meeting Agenda for review by the Chair before the next scheduled Meeting date.
2. Meeting Minutes – The staff member or assigned administrative staff will draft the Meeting Minutes. Meeting Minutes are not intended to be a transcript of the Committee Meeting. Meeting Minutes reflect compliance or variance with the Agenda, formal actions and votes taken by the Committee Members, and general discussion on the Agenda topics. Minutes should be sent to Committee Members three or more business days before the next Meeting. Committee Members should review Meeting Minutes and send corrections to the Chair prior to the Meeting. Meeting Minutes may be amended at the Meeting.
 - 2-a. Student Discipline Committees are not required to maintain meeting minutes or have the Committee Members approve such minutes. However, Student Discipline Committee meeting agendas, closed session certification, and decisions of the Committee should be retained for each meeting. Notice of Student Discipline Committee Meetings will be available to the public however, agendas and agenda materials will not be made available.
3. Sending Out Agenda and Supporting Documents – Meeting Agendas should be sent to Committee Members three or more business days before the Meeting when reasonably possible. The Agenda should be made available to the public when made available to the Committee Members. At the direction of the Committee Chair, the Agenda should be posted to the Committee webpage. If not posted to the webpage, the Agenda should be made available to the public on request.

C. Annual Election of Chair

1. Annual Election of Committee Chair – at the first meeting in the new fiscal year (or at the first meeting when all Committee Members are present), when the Chair is removed from the committee, or after a new committee is created, a Committee Chair should be elected by the voting Committee Members. If the Committee Chair who was elected the prior year is still serving on the Committee, the Chair will conduct all meetings until a new Chair is elected. If the former Chair is not on the Committee in the new year, the senior most School Board Member on the Committee ~~or the School Board Chair in an ex-officio capacity~~ will conduct the meetings until a new Chair is elected. If there is no senior most School Board Member on the Committee or the senior most School Board Member is not available, then the School Board Chair or designee will conduct the meeting until a new Chair is elected.
2. Replacing Committee Members and/or Chair – If a School Board Member assigned to a Committee is no longer serving as a School Board Member, resigns from the Committee, or is otherwise not serving on the Committee, the Committee Chair or staff member should inform the School Board Chair to begin

procedures to appoint another Committee Member. If the Committee Chair is no longer on the Committee, a new chair election should be held.

3. Duties of Chair – The Committee Chair is responsible for conducting the Committee Meetings, working with staff to determine Meeting dates and times, agendas and agenda materials. The Chair and staff liaison will maintain attendance rolls throughout the year for all Committee Members and will transmit such list to the School Board Chair each year for the purpose of planning for Committee assignments for the new year by May 1.

D. Other Matters

1. Reports to School Board – the Committee Chair may inform the School Board and the public of the work of the School Board during Committee, Organization and Board Items section of the School Board Meetings. If required by the School Board, the Committee Chair will formally report to the School Board the work or findings of the Committee.
2. Termination of Ad Hoc Committees – Chairs and staff should monitor the termination of the Committees authorization and ensure all Committee work is completed by the termination date. Any request to extend the term of the Committee should be placed on the School Board Agenda at least two regular School Board Meetings before the Committee termination date.
3. School Board Committees are not required to follow the agenda format or parliamentary procedures for regular School Board meetings but must comply with all applicable law such as the Freedom of Information Act.

Adopted by the School Board: June 22, 2021

Amended by School Board: September 28, 2021

Amended by School Board: 2026

ADMINISTRATION

Outside Legal Counsel, Payment of employee's legal fees, settlement authority

A. Employment of Outside Counsel

1. Authority to Employ Outside Legal Counsel

- a. The School Board shall determine whether it is necessary and/or advisable that outside legal counsel (hereinafter "outside counsel") be employed to represent: i) the School Board; ii) an individual School Board Member; iii) the Superintendent; or iv) any School Division official, employee or agent; and only the School Board, or its duly authorized designee, shall be authorized to employ such counsel. Unless otherwise specifically directed by the School Board at the first meeting in July of each year or as otherwise specified, the School Board's duly authorized designee for legal matters shall be its in-house legal counsel. Under no circumstance shall outside counsel be employed unless the School Board or Chair~~man~~ has given prior approval of such employment. Outside counsel retained by the School Board's insurance carrier to represent the School Board or its officials, employees or agents do not require School Board approval.
- b. If an individual School Board Member or official desires to be represented by legal counsel pursuant to Virginia Code § 22.1-82, the School Board Member or official shall not directly employ such counsel, but shall request the School Board to employ such counsel on the School Board Member's ~~his or her~~ behalf. If the School Board does not authorize employment on behalf of the School Board Member or official, and legal representation is not provided under a School Board insurance policy, the School Board Member or official will be responsible for the employment and costs for retaining legal counsel.
- c. Notwithstanding the above, the Superintendent may employ outside counsel to represent the School Administration on employee grievances. Prior to employing such counsel, the Superintendent must: i) seek the advice and recommendations of the School Board's in house legal counsel concerning the specific attorney or law firm whose services should be employed; ii) consider the selection criteria set forth in subsection A(2) below; and iii) notify the School Board Chair~~man~~ of the~~his or her~~ intent to employ such counsel. Additionally, the Superintendent must obtain the

approval of the School Board prior to expending funds in excess of \$7,500 for outside legal counsel on any given employee grievance.

e.d. Retention and payment for outside legal counsel for those employees whose contracts require or allow for such retention and payment will be done in accordance with the contract terms.

~~d.e.~~ Prior to the employment of outside counsel pursuant to paragraph A(1)(a), (b) or (c) above, the School Board, its duly authorized designee, or the Superintendent, as applicable, shall contact the Department of Budget and Finance to determine whether sufficient funds are available for such employment.

2. Selection Criteria

In determining which outside counsel should be employed, the following criteria shall be considered:

a. The attorney's or law firm's ability, reputation and experience in the area of the legal services involved.;

b. The cost of legal services to be provided.;

~~c. Whether the attorney or firm has an office(s), or the attorney principally resides, in the South Hampton Roads area (i.e., the cities of Virginia Beach, Chesapeake, Norfolk, Portsmouth, and Suffolk). (It is the intent of the School Board that outside counsel will be employed from the South Hampton Roads area unless it determines, based upon the facts of a specific matter, that the employment of such counsel from out of the area would be in the best interest of the School Board and the School Division);~~

~~d.c.~~ Whether the attorney or firm currently represents, or has previously represented, a third party in legal action against the School Board, ~~or the City;~~

~~e.d.~~ Whether the attorney or firm currently has, or has previously had, any other type of involvement or connection with a third party who is, or has been, engaged in an adversarial relationship with the School Board, ~~or the City;~~

~~f.e.~~ Whether the attorney or firm is currently providing, or has previously provided, satisfactory services to the School Board, ~~or the City; and~~

~~g.f.~~ Whether the attorney is a member of the immediate family of a School Board Member, ~~a City Council Member,~~ the Superintendent, or a School

Division administrator or employee, or whether the firm or the attorney employs a School Board Member, ~~a City Council Member,~~ the Superintendent, a School Division administrator or employee, or a member of any such individual's immediate family. A "member of the immediate family" shall be deemed to include a spouse, son, daughter, stepson, stepdaughter, father, mother, stepfather, stepmother, grandfather, grandmother, sister, brother, stepsister, stepbrother, aunt, uncle, son-in-law, daughter-in-law, father-in-law, mother-in-law, sister-in-law or brother-in-law. (It is the intent of the School Board not to employ outside counsel having a relationship as described herein unless it determines, based upon the facts of a specific matter, that the employment of such counsel would be in the best interest of the School Board and the School Division.)

3. Direction and Reporting

- a. Outside counsel shall work at the direction of the School Board, or the School Board's duly authorized designee. The School Board's in house legal counsel is authorized to work with outside legal counsel regarding routine matters and will communicate with the School Board regarding the status of the legal matter. When the School Board's in house legal counsel has a conflict with the legal matter or is the subject of the legal matter, the School Board Chair will be the direct contact with the outside legal counsel.~~The School Board's duly authorized designee is authorized to agree to settlement, mediation, reconciliation or resolution terms for specific matters which do not amount to more than \$20,000 in settlement and costs for a specific matter and for which the School Board has been previously informed of the nature of the claim and authorized settlement as deemed appropriate under the circumstances.~~
- b. Outside counsel shall report directly to the School Board through its Chair~~man~~, or through the School Board's duly authorized designee; provided, however, that if outside counsel has been employed by the Superintendent pursuant to subsection A(1)(b) above, or has been employed by the School Board or its duly authorized designee to directly represent the Superintendent or an individual School Board Member, such outside counsel shall report to the Superintendent or the School Board Member, as applicable. Whenever outside counsel provides a report of its activities to the School Board or the School Board's duly authorized designee, such report shall be simultaneously made available to the Superintendent unless such counsel has been employed to represent the School Board in a matter against the Superintendent, or to represent an individual School Board Member.

B. Reimbursement of Employees' Legal Expenses

1. Employees may request that the School Board reimburse the employee the legal costs related to defending a criminal charge brought against the employee in the employee's capacity as a School Division employee as well as the legal costs to have such criminal charges expunged from the employee's criminal history record.
2. A request for reimbursement of such costs may be made after such charge is dismissed, "nolle prossed" or final verdict of "not guilty" is rendered. The employee may wait to submit a request for reimbursement until an expungement order has been issued.
3. A request for reimbursement of legal costs and/or the cost to expunge the employee's criminal record should be submitted to the Superintendent or designee. Included with the request for reimbursement should be the following:
 - a. Documentation to support that the employee was named as the defendant in a criminal case and that such criminal charges were brought against the employee in the employee's capacity as a School Division employee.;
 - b. The warrant, summons, indictment or other prosecution document with the charges.;
 - c. Documentation that: the employee was found not guilty; the charges or indictment was dismissed; the statute of limitations has expired on the charges; the charges were nolle prossed; or other evidence that the employee does not have criminal charges related to the warrant, summons or indictment.;
 - d. A court order expunging the employee's criminal history record of such charge(s) or indictment(s).
 - e. Evidence that the employee paid the legal fees, related costs, and/or expungement costs.
 - f. The Superintendent or designee or the School Board may request further documentation or evidence from the employee to support the request for reimbursement.
- 4.1. The Superintendent or designee will review the submitted documentation and make a written determination as to: a1) whether the charges arose out of the employee's position as a School Division employee; b2) whether the Superintendent or designee recommends that the School Board reimburse the employee as requested.

~~5.2.~~ The Superintendent or designee will prepare the employee's request for reimbursement with supporting documentation for inclusion on a School Board Agenda.

~~6.3.~~ It is in the sole discretion of the School Board whether to reimburse the legal fees, related expenses and expungement costs incurred by an employee. The School Board will not reimburse any such fees or expenses unless it deems them reasonable and determines that such reimbursement is in the best interest of the School Division. The School Board may consult with School Board legal counsel or the Superintendent or staff regarding the reasonableness of any such requests for reimbursement or as to other matters related to the criminal charge(s) or indictment(s) or expunge process.

~~7.4.~~ The School Board may waive any portion of the procedures set forth in this Section of the Policy.

C. Settlement authority

The School Division's Risk Manager or the Chief Finance Officer are authorized to settle negligence, personal injury, workers compensation claims, contract, intellectual property and other legal claims against the School Board, the School Division or its employees, officers or agents under the circumstances set forth below.

1. The settlement amount does not exceed \$50,000.

2. The School Board's insurance carrier, and the School Board's in house legal, or outside legal counsel assigned to the matter, have reviewed and concurred regarding the settlement offer.

3. The School Board and the Superintendent receive notice of the settlement within a reasonable period of time after the settlement is accepted.

Legal Reference

Code of Virginia § 22.1-82, as amended. Employment of counsel to advise or defend school boards and officials; payment of costs, expenses and liabilities; consent of governing bodies required prior to institution of proceedings.

Code of Virginia § 22.1-128, as amended. Title to school board real estate.

Code of Virginia § 22-83, as amended. Payment of employees legal fees and expenses.

Code of Virginia § 2.2-4343, as amended. Exemption from operation of chapter for certain transactions.

School Board Bylaw 1-5, as amended. Legal Counsel.

Related Links

School Board [Bylaw 1-5](#)

Adopted by School Board: October 7, 1997

Amended by School Board: December 3, 2013

Amended by School Board: February 12, 2019

Amended by School Board: January 12, 2021

[Amended by School Board: 2026](#)

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

Criteria

A. Financial Management

The School Board recognizes that money and money management are essential to support the whole school program. To make that support as effective as possible, the School Board shall:

1. Encourage advance planning through the best possible budget procedures;
2. Explore all practical sources of financial support;
3. Guide the expenditure of funds so as to extract the greatest educational return for each dollar spent;
4. Expect effective accounting and reporting procedures;
5. Maintain the level of unit expenditure needed to provide high quality education within the ability of the community to pay.

B. Noninstructional Operations

The School Board directs that the business segment of the School Administration shall:

1. Operate and maintain school plants and equipment at the highest standard of safety;
2. Promote the health of students and staff;
3. Reflect the moral and cultural aspirations of the community at its best;
4. Provide the surroundings necessary to the staff so that the best educational climate can be provided.

C. System of Accounts

The Superintendent shall ensure the implementation of the approved system of accounting for all monies, exclusive of the PTAs, Booster Clubs and related organizations, collected for any purpose within the School Division.

D. Surety Bonds

In order to protect public funds, the School Board and its employees, each employee who is responsible for large sums of money and/or is required by law or regulations to be bonded shall be covered by a surety bond. The bond shall meet the requirements of applicable law and regulation or ~~l~~-be commensurate with the responsibility of the employee's position. The School Board shall pay the cost of surety bonds.

E. Petty cash funds

The Superintendent is authorized to establish one or more petty cash funds not exceeding \$2,000 and in accordance with applicable law. All expenditures from a petty cash fund shall be supported by receipts.

F. Insurance

The Superintendent or designee is authorized to procure insurance policies and/or coverage, self-insure and create risk management programs for the School Board and the School Division as allowed by law and regulation.

Legal Reference

Code of Virginia § 22.1-76, as amended. Chairman; clerk; vice-chairman; deputy clerk; terms; compensation and bonds of clerk and deputy clerk; officers ineligible to serve as clerk and deputy clerk; approval of division superintendent's designee.

Code of Virginia § 22.1-84, as amended. Insurance

Code of Virginia § 22.1-89, as amended. Management of funds.

Code of Virginia § 22.1-115, as amended. System of accounting; statements of funds available; classification of expenditures.

Code of Virginia § 22.1-116, as amended. How and by whom funds for school division kept and disbursed.

Code of Virginia § 22.1-123, as amended. Petty cash funds; payment of claims from petty cash.

VBCPS Business Services Manual

Adopted by School Board: February 16, 1993

Amended by School Board: March 9, 2021

PERSONNEL

Sick Leave Bank

The School Board authorizes the establishment of a sick leave bank for eligible employees.

The School Board reserves the right to abolish the sick leave bank at any time it considers it inappropriate. The School Board does not assume responsibility for claims by any employee against the sick leave bank from its inception or at any time in the future.

The Superintendent or designee shall promulgate regulations for the operation of the sick leave bank.

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

Amended by School Board: December 3, 2002

Amended by School Board: October 18, 2016

Amended by School Board: September 12, 2023

INSTRUCTION

Instructional Time - Importance and Impact Review

A. Generally

The School Board recognizes that in the education of children, quality teaching and high levels of student achievement are interdependent, and both require and have an impact on time. Therefore, it is imperative that time during the teachers' workday be utilized to the maximum benefit of students.

B. Definition

For the purpose of this Policy, "instructional time" is defined as the time spent in direct instruction, assessment, and evaluation of students. It also includes the time teachers spend in planning, preparing, collaborating, conferencing, and receiving training for the purpose of instructing students.

C. Time Impact Review

To minimize intrusions on instructional time, an impact review is required for division wide initiatives or programs that are of such scope that they impact and/or significantly alter the utilization of instructional time and, thus, impact teachers' delivery of services. The Superintendent or designee will ensure that initiatives proposed by or being considered by the School Board are reviewed and analyzed to determine the potential impact on instructional time. The School Board will be provided with the results of that review and analysis and should not take action in the absence of that impact review. School Administration and/or external organizations (such as city government, higher education, business partners, etc.) planning or requesting the implementation of new programs and initiatives, will also be subject to a time impact review; and if they do not require School Board approval, will be approved, or denied by the Superintendent or his designee.

Legal Reference

Code of Virginia § 22.1-291.1, as amended. Planning time for school teachers.

Virginia Board of Education Regulations 8VAC20-131-5, as amended. Definitions.

Virginia Board of Education Regulations 8VAC20-131-240, as amended. Administrative and support staff; staffing requirements.

Adopted by the School Board: April 22, 2008

Amended by School Board: July 12, 2022

INSTRUCTION

Digital Literacy and Internet Safety Policy

Safe and responsible use of internet resources is an important component of preparing students to be productive citizens. Therefore, the School Board adopts this Policy to promote safe and responsible use of the Internet within the School Division, supporting students, educators, and families. Aligned with the Virginia Department of Education's (VDOE) guidance, this Policy emphasizes digital citizenship, ensuring that individuals navigate the digital world with respect, integrity, and empathy. It also addresses digital citizenship, media literacy, computer science, artificial intelligence (AI), and internet safety through actionable guidelines, encouraging a balanced approach to technology use. Critical components of supporting school safety involve the infusion of digital access, use, and design practices as well as engagement in conversations about digital citizenship and internet safety. In addition, resources and assistance programs must be available for any student or parent who may have encountered online solicitation by sexual predators or other illegal online communications or activities. The School Board authorizes the Superintendent or designees to develop regulations and/or procedures that are consistent with Virginia Department of Education regulations and other applicable law regarding internet safety.

Legal Reference

Code of Virginia § 22.1-24.2, as amended. Internet Safety Advisory Council.

Virginia Board of Education, Model Policy on Internet Safety. (2025)

Related Links

School Board [Policy 6-62](#) Computer Systems

School Board [Policy 6-44](#) Acceptable Use

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

Amended by School Board: June 23, 2021

Amended by School Board: September 9, 2025