

CHAPTER 10
Article 1
School Community Relations Goals

Section 10-1.1. Goals and Standards— A. The School Board shall set goals and standards for school community relations and will regularly evaluate its relationship with the public and its programs for achieving good communication and good relations with parents, community organizations, the business and industrial sector and the community at large.

B. Through its school community relations programs the School Board will aim toward leading the community to:

(1) Show a high interest in the schools and participate in their activities. If schools are to obtain their goals the community must contribute time, effort and talent to engage in cooperative planning for school operations and program improvement, to review goals of education in its schools, to observe educational processing and to gather valued data so that it can make informed judgments.

(2) Place a high priority on education and make available the funds needed for superior schools. If schools are to obtain their goals the community must provide enough financial support to make it possible for the school system to offer its students safe educational services that would make up the deficits of the economically poor and the otherwise educationally disabled. The community must provide the funds needed for experimentation and discovery for creative development of promising practices and for successful program implementation to achieve full education opportunities for everyone.

(3) Make available education in the community that support what is done in the schools. If schools are to obtain their goals, the community must engage in extensive school industry, cooperative education, employ youth and provide on-the-job training and re-training after school is over and involve all its interactive agencies in offering educational opportunities that will continue throughout life. (Adopted January 12, 1995)

Legal Authority - Virginia Code §2.1-78 (1950), as amended.

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Section 10-1.2. Home involvement encouraged.—The School Board believes that school community cooperation and communication begin with the student, the parent and the teacher and extend to other community persons, to agencies and other staff members. The school must help the home know the student’s progress, the home must help the school understand the student’s strengths and problems. The school community communication is also needed at city-wide levels so that the concerns and knowledge of the community can bear upon educational decisions and further show that community support for educational programs can be secured. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253.13:6 (1950), as amended.

Section 10-1.3 School Visitors Generally; Parents; Board Members. — A. Visitors are welcome in the schools as long as their presence is not disruptive. Upon arriving at a school, all visitors must report to the administrative office and sign-in. Potential visitors, including parents, who are registered sex offenders, should consult School Board Policy Section 10-19.3 before arriving at school property or school sponsored activities. The school division expects mutual respect, civility and orderly conduct from all individuals on school property and at school events. Unauthorized persons, including suspended and expelled students, will be requested to leave school grounds by the building administrator. Unauthorized persons who fail to leave the school grounds or school activity as requested will be considered trespassers. The School Board authorizes the superintendent to take all necessary actions regarding the safety, order and preservation of the educational environment on School Board property or at school division sponsored activities. Law enforcement may be called to enforce this policy.

Anyone, including students, who enters a school at nighttime without the consent of an authorized person except to attend an approved meeting or service or who enters or remains on any school property, including school buses, in violation of (i) any direction to vacate the property by an authorized individual or (ii) any posted notice which contains such information, posted at a place where it reasonably may be seen may be prosecuted.

B. Parents are encouraged to visit the schools on scheduled days for conferences with teachers, assemblies, PTA meetings, volunteer service and other school programs. Noncustodial parents are not denied, solely on the basis of their noncustodial status, the opportunity to participate in any of the student's school or day care activities in which such participation is supported or encouraged by the policies of the School Board.

C. Periodically, Board members may visit schools within the division. The purpose of these visits is to maintain contact with building employees and increase understanding of actual educational practices. School Board members follow the same procedures applicable to all other visitors when visiting a school. (Adopted June 9, 2016; Ordinance Number 15/16-111; Effective Date: July 1, 2016)

Legal Authority – Virginia Code §§18.2-128, 18.2-415., 22.1-4.3, 22.1-79, as amended.

Article 2 Public Information Program

Section 10-2.1. Community to be kept informed; school publications— A. The community shall be kept informed regarding the educational program provided for the instruction of all students since the schools closely touch the lives of all persons in the community. The School Board shall use all available means of communication to keep themselves and the public informed regarding policies, administrations, programs, operations needs and objectives of the schools.

B. Since school publications are one means by which the public evaluates the schools, publications shall receive careful faculty supervision as well as approval of the principal to insure acceptable standards of content and journalism. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253.13:7 (1950), as amended.

Article 3 News Media Relations

Section 10-3.1. Use of news media; news releases; approval of principal required. — A. The news media have an important role in informing the people about their public schools. Whenever an opportunity arises for the school superintendent or staff members at his request to participate in radio or television programs designed to inform the public every effort shall be made to accept it. Principal shall furnish timely and accurate information about activities and developments in their schools.

B. News releases by the schools shall be encouraged as a means of informing the public of programs, activities and accomplishments.

C. Routine news and information concerning school events, personnel, students and programs shall be released to the press only with the approval of the principal. All other matters representing the official position of the School Board prepared for publication by any of its employees shall approved by the school superintendent prior to release to the public. The principal of each school with the approval of the school superintendent is authorized to arrange for announcements in the school regarding community programs scheduled activities or events he believes have educational or recreational value. (Adopted August 21, 1997)

Legal Authority - Virginia Code §22.1-253.13:6 (1950), as amended.

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Section 10-3.2. Official records open to inspection; Access to records; Identification required — A. All official records of the School Board, except where specifically exempt by law, are open to inspection and copying by any citizen of the Commonwealth during the regular office hours of the custodian of such records as provided for by the Virginia Freedom of Information Act. Access to such records shall not be denied to the citizens of the Commonwealth or any media organizations, including, but not limited to, representatives of radio and television stations broadcasting in or into the Commonwealth. The School Board shall make reasonable efforts to reach an agreement with the requester concerning the production of the records requested, including, where the School Board has the capability, the option of posting the records on a website or delivering the records through an electronic mail address provided by the requester.

B. Unless otherwise specified by the superintendent, inspection of records takes place at the central office of Suffolk Public Schools, and records are not removed from that site. Copies may be requested in lieu of or at the time of inspection, subject to the charges listed below. Nonexempt records maintained in an electronic database are produced in any tangible medium or format identified by the requester that is regularly used in the ordinary course of business by Suffolk Public Schools, including posting the records on a website or delivering the records through an electronic mail address provided by the requester.

C. One of the following forms of identification must be presented, or a photocopy thereof must be provided, before any person is allowed to inspect any records or receive copies of any records: (i) press identification identifying requester as a representative of a newspaper or magazine with circulation in the Commonwealth or of a radio or television station broadcasting in or into the Commonwealth, or (ii) driver's license or other official photo identification showing that requester is a citizen of the Commonwealth. The superintendent or superintendent's designee is present during inspection or copying of records. (Adopted November 11, 1999; Revised June 9, 2016; Ordinance Number 15/16-112; Effective Date: July 1, 2016)

Note: The 2016 revision revised Subsection A which read "All official records of the School Board, except where specifically exempt by law, shall be open to inspection" to read "All official records of the School Board, except where specifically exempt by law, are open to inspection." And further revised this Subsection which read "Access to such records shall not be denied to the citizens of the Commonwealth and any media organizations" to read "Access to such records shall not be denied to the citizens of the Commonwealth or any media organizations, including, but not limited to, representatives of radio and television stations broadcasting in or into the Commonwealth." Finally, this revision added subsections B and C.

Legal Authority-Virginia Code §2.2-3704 (1950), as amended.

Section 10-3.3. Request procedures; Responding to requests; Time for processing requests. — A. Requests for access to records shall be made with reasonable specificity. Requests shall be directed to Suffolk Public Schools central office at 100 N.

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Main Street, P.O. Box 1549, Suffolk, Virginia 23439-1549. Requesters should make their requests using Suffolk Public Schools Request for Public Records Form. Requests received at the central office via telephone are transcribed onto the Suffolk Public Schools Request for Public Records Form by central office staff. Written requests other than on required form are appended to a copy of the form by central office staff, who fill out as much of the form as possible.

Building office personnel shall provide the Request for Public Records Form and a copy of this policy upon request to any person interested in obtaining access to records, and instruct the requester to direct the request to the central office. Telephone inquiries are redirected to the central office. Any written requests received by building personnel are immediately forwarded to the central office with a notation indicating the date and time the request was received.

B. Promptly, but in all cases within five working days of receiving the request, the school division provides the requested records to the requester or makes one of the following responses in writing: (a) The requested records are being entirely withheld because their release is prohibited by law or because the Virginia Freedom of Information Act gives their custodian discretion to withhold them. The response will identify with reasonable particularity the volume and subject matter of the withheld records, and, with respect to each category of withheld records, cite the specific Virginia Code section(s) or other law that authorizes the withholding of the records. (b) The requested records are being provided in part and are being withheld in part because the release of part of the records is prohibited by law or the custodian has exercised his discretion to withhold a portion of the records. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) or other law which authorizes the withholding of the records. When a portion of a requested record is withheld, the school division deletes or excises only that portion of the record to which an exemption applies and releases the remainder of the record. (c) The requested records could not be found or do not exist. If the school division knows that another public body has the requested records, the response includes contact information for the other public body. (d) It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such response specifies the conditions which make a response impossible. If the response is made within five working days, one of the preceding responses is provided within an additional seven-day period.

The school division may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search and a response within the time outlined above will prevent the school division from meeting its operational responsibilities. Before proceeding with the petition, the school division will make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.

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C. When processing the request, the five-day period begins on the first working day following the day the request is received by the central office or by a building office, and ends at the close of business on the fifth working day following receipt of the request. Any time that elapses between the time the requester is notified of an advance cost determination pursuant to the procedures detailed below and the time that the requester responds to that notice is not counted in calculating the five working days. (Adopted June 9, 2016; Ordinance Number 15/16-113; Effective Date: July 1, 2016)

Legal Authority – Virginia Code § 2.2-3704 (1950), as amended.

Section 10-3.4 Responsibility of Superintendent; Cost determination; Custodian of Records; Central Office Responsibility. — A. The superintendent or the superintendent’s designee, after receiving a request, promptly makes an initial determination as to whether the requested records will be provided to the requester, will be withheld, either completely or in part, or if it is practically impossible to provide the requested records or to determine whether they are available within five days. If the superintendent or superintendent’s designee is unsure whether the requested documents should be provided to the requester, legal advice is promptly sought. If the superintendent or superintendent designee is uncertain whether the requested records exist or where they may be located, efforts are promptly initiated to locate the records or determine whether they exist. If the requested records will be made available either in whole or in part, the superintendent or the superintendent’s designee promptly consults with central office staff to determine the cost involved to assemble the records for inspection and copying. Where portions of individual records must be redacted prior to inspection and copying, the cost of doing this is taken into account.

B. Costs charged the requester will be based on the employee who performs the search hourly rate of pay, not including fringe benefits, along with any incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges). All costs for search time, including computer searches, computer printouts, and photocopying are set forth in the schedule of fees adopted by Suffolk Public Schools.

If the requester has asked for an advance determination of the cost, or if the cost is expected to exceed \$ 200, the requester shall be notified in advance of the cost associated with the request. If the cost of the request is determined to exceed \$200, Suffolk Public Schools may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. No further action shall be taken until the requester responds, and the requester must agree to pay the estimated amount before any further processing of the request is performed.

Before processing a request for records, the superintendent or superintendent’s designee may require the requester to pay any amounts owed to Suffolk Public Schools

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for previous requests for records that remain unpaid 30 days or more after billing.

C. If records of Suffolk Public Schools have been transferred to any entity, including any other public body, for storage, maintenance or archiving, the school division remains the custodian of the records for purposes of responding to requests and is responsible for retrieving and supplying the records to the requester.

D. Any records to be disclosed are assembled for inspection and copying by central office staff, under the direction and supervision of the superintendent or a designee. Central office staff are responsible for recording the date the request was received, verifying photo identification and signature and recording and assembling additional information about the request as indicated on Request for Public Records Form. (Adopted June 9, 2016; Ordinance Number 15/16-114; Effective Date: July 1, 2016)

Legal Authority – Virginia Code § 2.2-3704 (1950), as amended.

Section 10-3.5 Virginia Freedom of Information Act; School FOIA Officer; Training required. — A. Suffolk Public Schools and the School Board comply with the Virginia Freedom of Information Act. All requests for information are processed in accordance with School Board Policy Section 10-3.3.

B. The position and contact information for the person designated by the School Board and Suffolk Public Schools as its Freedom of Information (FOIA) Officer is the Public Information Officer for Suffolk Public Schools. The FOIA Officer serves as a point of contact for members of the public in requesting public records and coordinates the School Board’s and Suffolk Public Schools’ compliance with FOIA.

C. The FOIA officer receives training at least annually from the School Board’s legal counsel or the Virginia Freedom of Information Advisory Council. (Adopted October 13, 2016; Ordinance Number 16/17-26; Effective Date: July 1, 2017)

Legal Authority – Virginia Code §2.2-3700 et. seq.

Article 4

Community Involvement in Decision making

Section 10-4.1. Advisors and resources; public advice considered.—The School Board recognizes that the public has vast resources of training and experience useful to the schools. The strength of the school system is in large measure determined by the degree to which these resources are tapped in an advisory way and to the degree that these resources are involved in supporting and improving the local educational programs. The School Board shall involve citizens both as individuals and as groups to act as advisers and resource people.

B. Advice of the public will be given careful consideration. In the evaluation

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of such contributions, the first concern will be for the educational program as it affects the pupils. The final decision may depart from this advice when in the judgment of the staff and the School Board, such advice is not consistent with goals adopted by the School Board current educational practices, or beyond the reach of the financial resources available. (Adopted November 11, 1999)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 5

Public Participation at School Board Meetings

Section 10-5.1. Public appearances at meetings; time limits for public comments; public participation at special or call meetings.—A. Any member of the general public or group may appear in person at any regularly scheduled meeting of the School Board with any school system related question, request or item he may wish to discuss. Persons wishing to appear before the School Board are requested to contact the superintendent for placement on the meeting agenda.

B. A maximum of thirty (30) minutes shall be allowed at the beginning of each regularly scheduled meeting for citizens to present matters of concern with the time allotted each citizen or organization to be not more than five (5) minutes. The Chairman is responsible for orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented and suitability of the time for such presentation. The School Board as a whole shall have the final decision in determining the appropriateness of all such rulings.

C. Public participation of any special call meeting of the School Board shall be determined by the School Board upon recommendation of the Chairman. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 10-5.2 Speaker to address chair. — Upon recognition by the chair, the speaker shall address himself to the chair and if, at the conclusion of his remarks, any member of the School Board desires further information, the member will address the speaker only with the permission of the chair. No one will be allowed to make additional presentations until everyone who wishes to speak has an opportunity to make an initial presentation. (Adopted: October 13, 2016; Ordinance Number 16/17-25; Effective Date: July 1, 2017)

Legal Authority – Virginia Code §22.1-78 (1950), as amended

Article 6
Distribution of Outside Communications and Materials

Section 10-6.1. Employees protected from intrusion; communications to parents review required; certain distributions prohibited; strict interpretation of policy required. — A. Students and employees of the School Board are to be protected from intrusions on their time by announcements, posters, bulletins and communications of any kind from individuals and organizations not directly connected with Suffolk Public Schools.

B. Communications to parents, guardians, and other citizens not directly related to Suffolk Public Schools and (i) sent home by students; or (ii) made available to citizens electronically on a school's webpage; or (iii) mailed directly to parents electronically are provided for informational purposes only and there is no endorsement whatsoever by Suffolk Public Schools or the School Board of any activity, agency or program referred to in communication. Nevertheless all such communications shall be carefully reviewed before permission is granted for their distribution, electronic mailing, and/or posting electronically.

C. The School Board strictly prohibits distribution of material by students, the electronic mailing of material directly to parents and guardians, or the electronic posting of materials on a school's webpage, (1) advocates the election or defeat of any candidate; (2) advocates the passage or defeat of any matter pending before a local School Board, local governing body, the General Assembly or Congress, (3) publicizes or promotes a particular religious organization or religious viewpoint; (4) publicizes or promotes a particular political party, political organization, or political viewpoint; (5) are deemed potentially dangerous or deemed not suitable for children; (6) promotes the use of sale of guns, tobacco, intoxicants, drugs, or any product unsuitable for children, or services that are illegal or inconsistent with school objectives; (7) are considered lewd, obscene, libelous or slanderous; (8) are likely to incite students to commit unlawful acts, violate school rules, disrupt the orderly operation of the schools; (9) discriminate against, attack or denigrate any group on account of gender, race, age, color, religion, ancestry, national origin, disability, sexual orientation, or other unlawful consideration; and (10) are disruptive of the educational process, violate the rights of others, including but not limited to, materials that are defamatory, invade the privacy of others, infringe on a copyright, obscene, vulgar or indecent.

D. The principals and the superintendent of schools are urged to interpret this policy strictly. Each principal is to review carefully requests to distribute materials, pamphlets, notices and other communications, direct mailing of materials electronically, or the electronic posting of materials on a school's webpage and if in doubt shall seek the permission from the superintendent of schools or his designated agent. If doubt exist at the superintendent level as to whether distribution should be made, permission shall be denied until disposition of the matter is made by the School Board. (Adopted January 1,

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2001; Ordinance Number 00/01-08; Effective July 1, 2001; Revised December 11, 2015; Ordinance Number 15/16-3; Effective: December 11, 2015)

Note: The **2015** revision to Section 10-6.1, Subsection B, line 1 inserted the language “guardian” and “not directly related to Suffolk Public Schools and (i)”; line 2 and 3 insert the language “or (ii) made available to citizens electronically on a school’s webpage; or (iii) mailed directly to parents electronically”; line 4 delete the language “of mass communication carry the implication of endorsement by school personnel and the School Board.”; lines 5 through 7 insert the language “are provided for informational purposes only and there is no endorsement whatsoever by Suffolk Public Schools or the School Board of any activity, agency or program referred to in the communication. Nevertheless all” and lines 8 and 9 insert the language “electronic mailing, and/or posting electronically.” Subsection C, line 1, delete the words “the” and “by means”; and insert the words “material by”; lines 2 and 3, insert the language “the electronic mailing of material directly to parents and guardians, or the electronic posting of materials on a school’s webpage, and lines 3 through 5 delete the language “publicly endorses or supports groups or organizations involved in a commercial endeavor for profit or political campaigns, including but not limited to material”; line 8, delete the language “is actively prohibited.” And lines 8-19 insert the language “(3) publicizes or promotes a particular religious organization or religious viewpoint; (4) publicizes or promotes a particular political party, political organization, or political viewpoint; (5) are deemed potentially dangerous or deemed not suitable for children; (6) promotes the use of sale of guns, tobacco, intoxicants, drugs, or any product unsuitable for children, or services that are illegal or inconsistent with school objectives; (7) are considered lewd, obscene, libelous or slanderous; (8) are likely to incite students to commit unlawful acts, violate school rules, disrupt the orderly operation of the schools; (9) discriminate against, attack or denigrate any group on account of gender, race, age, color, religion, ancestry, national origin, disability, sexual orientation, or other unlawful consideration; and (10) are disruptive of the educational process, violate the rights of others, including but not limited to, materials that are defamatory, invade the privacy of others, infringe on a copyright, obscene, vulgar or indecent. 3) publicizes or promotes a particular religious organization or religious viewpoint; (4) publicizes or promotes a particular political party, political organization, or political viewpoint; (5) are deemed potentially dangerous or deemed not suitable for children; (6) promotes the use of sale of guns, tobacco, intoxicants, drugs, or any product unsuitable for children, or services that are illegal or inconsistent with school objectives; (7) are considered lewd, obscene, libelous or slanderous; (8) are likely to incite students to commit unlawful acts, violate school rules, disrupt the orderly operation of the schools; (9) discriminate against, attack or denigrate any group on account of gender, race, age, color, religion, ancestry, national origin, disability, sexual orientation, or other unlawful consideration; and (10) are disruptive of the educational process, violate the rights of others, including but not limited to, materials that are defamatory, invade the privacy of others, infringe on a copyright, obscene, vulgar or indecent’ line 20, delete the language “No sectarian literature of any description shall be distributed or made available in the schools.” In Subsection D, lines 4 and 5, insert the language “direct mailing of materials electronically, or the electronic posting of materials on a school’s webpage” and line 6 delete the word “this” and insert the words “the superintendent”

Legal Authority - Virginia Code §2.1-78 (1950), as amended.

Article 7

Special Interest Materials

Section 10-7.1. No endorsement of materials by School Board or Suffolk Public Schools; Review of special interest materials required; approval by superintendent required.— A. There is no endorsement by the School Board or Suffolk Public Schools of any communication made available to the public, unless the

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communication is directly related to Suffolk Public Schools. Since communications from school to parents and the community may be viewed by some as an endorsement by school officials, the principal shall review carefully all requests for teachers and students to distribute pamphlets, notices, or other communications or for electronic distribution of materials directly to parents or guardians or for posting of materials electronically on a school's webpage. The principal shall confer with the school superintendent if he has a question about the propriety of complying with a request for such distribution or about any distribution from his own office.

B. When outside requests are made for circulation of materials in the schools or for direct distribution to parents and guardians electronically, or for the electronic posting of materials on a school's webpage it shall be directed to the superintendent or superintendent's designee for approval. Principals shall make certain that literature of a partisan or sectarian nature is not distributed in the schools, or mailed directly to parents electronically, or posted electronically on a school's webpage. (Adopted January 12, 1995; Revised December 11, 2015; Ordinance Number 15/16-4; Effective December 11, 2015)

Note: The 2015 revision to Section 10-7.1, Subsection A, lines 1 through 3, insert the language "There is no endorsement by the School Board or Suffolk Public Schools of any communication made available to the public, unless the communication is directly related to Suffolk Public Schools; line 3 insert the word "all" line 4, insert the language "may be viewed by some as"; line 5, delete the word "imply" and insert the words "an" and "all"; line 7 insert the language " or for electronic distribution of materials directly to parents or guardians or for posting of materials electronically on a school's webpage." Subsection B, line 2, insert the language "or for direct distribution to parents and guardians electronically, or for the electronic posting of materials on a school's webpage"; line 4 insert the language "or superintendent's designee" and line 6, insert the language "or mailed directly to parents electronically, or posted electronically on a school's webpage."

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 10-7.2. Requests to circulate materials on schools etc.; superintendent to regulate; prohibited conduct; distribution during class time etc.; strictly prohibited. — A. All requests to circulate materials in the schools or on school property or electronic mailing or electronic posting of materials on a school's webpage, shall be directed to the superintendent or the superintendent's designee for approval. The superintendent or the superintendent's designee shall regulate the time, place, and manner of such distribution.

B. Any expression that is libelous, slanderous, or defamatory under State law is prohibited. The distribution of political campaign information is prohibited in accordance with School Board Policy Section 10-6.1. Furthermore, the superintendent or the superintendent's designee shall regulate the distribution of material where there is a reasonable basis for the belief that such publication or expressive activity would (i) create a clear and present danger; or (ii) violate school policies, regulation, or Code of Student Conduct; or (iii) materially disrupt classes, class work or the orderly operation of the

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school; or (iv) violate the privacy rights of others.

C. Materials shall not be distributed during class time, in classrooms, the media center or other instructional spaces, except when the distribution is related to an instructional program. However this prohibition shall not apply to materials approved for electronic posting of materials on the school's webpage, or electronic mailing to parents and guardians, which can be posted or mailed electronically at any time. (Adopted January 1, 2001; Ordinance Number 00/01-07; Effective July 1, 2001; Revised December 11, 2015; Ordinance Number 15/16-4; Effective December 11, 2015)

Note: The 2015 revision to Section 10-7.2, Subsection A, line 2, inserted the language "or electronic mailing or electronic posting of materials on a school's webpage," Subsection C, lines 3 through 6 inserted the language "However this prohibition shall not apply to materials approved for electronic posting of materials on the school's webpage, or electronic mailing to parent and guardians, which can be posted or mailed electronically at any time."

Legal Authority – Virginia Code §§22.1-70, 22.1-78, 22.1-278.3 (1950), as amended.

Section 10-7.3 Statement of Purpose; Organizations Approved for Distribution of Materials; Authority of Principal; Withdrawal of Approval; Superintendent to Develop Regulations.—A. The Suffolk City School Board wants to inform the public and all school employees of the criteria for distributing informational materials and announcements in the schools, direct mailing to parent or guardians electronically, or electronic posting of materials on a school's webpage through a vendor approved by Suffolk Public Schools. In this regard, the Suffolk City School Board adopts the following policy.

B. It is the responsibility of Suffolk Public Schools to provide a learning environment free from disruption and only information which has been approved for distribution may be sent home and/or made available to students and parents. Informational materials or announcements from the following organizations may be approved for direct distribution to students; direct mailing to parent or guardians electronically, or by electronic posting on a school's webpage through a vendor approved by Suffolk Public Schools; (i) Suffolk City School Public Schools; (ii) Agencies or departments of the City of Suffolk, Commonwealth of Virginia, or federal government; (iii) Parent Teacher Associations; and (iv) Licensed day care providers operating on school campuses of Suffolk Public Schools; and (v) organizations that promote an educational experience for students or parents, a healthy use of leisure time, and/or a special enrichment activity consistent with the education mission of Suffolk Public Schools. Only information concerning activities sponsored by the above listed organizations may be approved for distribution by students, direct mailing to parent or guardians electronically, and/or by electronic posting on a school's webpage through a vendor approved by Suffolk Public Schools.

C. Principals shall have the authority to approve the distribution of materials received from Parent Teacher Associations.

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D. Suffolk Public Schools retains the right to withdraw approval of any material previously approved for distribution if it is determined that the distribution would not be consistent with School Board Policy, regulations promulgated by Suffolk Public Schools, or could reasonably be predicted to cause substantial disruption of, or material interference with, school activities.

E. The superintendent of schools may adopt regulations to ensure that this policy is implemented throughout Suffolk Public Schools and for the display, posting and/or stacking of materials not otherwise covered by this policy, direct mailing to parent or guardians electronically, or electronic posting of materials on a school's webpage through a vendor approved by Suffolk Public Schools. Adopted: October 12, 2006; Ordinance Number 06/07-5; Effective October 12, 2006; Revised December 11, 2015; Ordinance Number 15/16-4; Effective December 11, 2015)

Note: The 2015 revision to Section 10-7.3, Subsection A, lines 3 through 5 inserted the language "direct mailing to parent or guardians electronically, or electronic posting of materials on a school's webpage through a vendor approved by Suffolk Public Schools." Subsection B, lines 5 through 7 inserted the language "direct mailing to parent or guardians electronically, by electronic posting on a school's webpage through a vendor; approved by Suffolk Public Schools; lines 10 through 13 inserted the language "(v) organizations that promote an educational experience for students or parents, a healthy use of leisure time, and/or a special enrichment activity consistent with the education mission of Suffolk Public Schools"; lines 15 through 17 inserted the language "for distribution by students, direct mailing to parent or guardians electronically, and/or electronic posting on a school's webpage through a vendor approved by Suffolk Public Schools." Subsection E, lines 3 through 5 inserted the language "direct mailing to parent or guardians electronically, or electronic posting of materials on a school's webpage through a vendor approved by Suffolk Public Schools."

Legal Authority – Virginia Code §22.1-79 (1950), as amended.

Section 10-7.4 Inspection of Instructional Materials; Participation in Surveys and Evaluations; Surveys Requesting Sexual Information; Youth Health Risk Behavior Survey; Right to Inspection; Physical Examinations and Screening. — A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be available for inspection by the parents or guardians of the student in accordance with School Board policies.

B. In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § 32.1-73.8, other information on controlled substance use, or any other information that the School Board deems to be sensitive in nature is to be administered, the School Board shall notify the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice will inform the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness

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of the questionnaire or survey, how information collected by the questionnaire or survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. In any case in which a questionnaire or survey is required by state law or is requested by a state agency, the relevant state agency shall provide the School Board with all information required to be included in the notice to parents. The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent's child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall not disclose personally identifiable information. No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.

C. No student shall be required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning (1) political affiliations or beliefs of the student or the student's parent; (2) mental or psychological problems of the student or the student's family; (3) sex behavior or attitudes; (4) illegal, anti-social, self-incriminating, or demeaning behavior; (5) critical appraisals of other individuals with whom respondents have close family relationships; (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; (7) religious practices, affiliations, or beliefs of the student or student's parent; or (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

D. A parent or emancipated student may, upon request, inspect any instructional material used as part of the educational curriculum of the student and any survey created by a third party before the survey is administered or distributed to a student.

E. Should Suffolk Public Schools administer any physical examinations or screenings other than those required by Virginia law or surveys administered to a student in accordance with the Individuals with Disabilities Education Act, guidelines regarding those examinations or screenings will be developed and adopted in consultation with parents. (Adopted: November 9, 2006; Ordinance Number 06/07-7; Effective Date: July 1, 2007; Revised June 13, 2013; Ordinance Number 12/13-138; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-115; Effective Date: July 1, 2016)

Note: The 2016 revision revised Subsection B which read "In any case in which a questionnaire or survey requesting sexual information of students is to be administered, the School Board shall notify the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration" to read "In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § 32.1-73.8, other information on controlled substance use, or any other information that the School Board deems to be sensitive in nature is to be administered, the School Board

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shall notify the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration.” Further revised Subsection A which read “The notice will inform the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the survey, and whether and how any findings or results will be disclosed” to read “The notice will inform the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the questionnaire or survey, how information collected by the questionnaire or survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed.” And then further revised this Subsection which read “The parent has the right to review the questionnaire or survey and to exempt their child from participating in the survey. No questionnaire or survey requesting sexual information of a student shall be administered to any student in kindergarten through grade six and, unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall not disclose personally identifiable information” to read “The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent’s child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall not disclose personally identifiable information. No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.” This revision also deleted the former Subsection D which read “The School Board will notify parents of each student enrolled in a middle or high school selected for participation in the survey of student health risk behaviors pursuant to Va. Code § 32.1-73.8, in writing and at least 30 days prior to administration of the survey, that their child may be randomly selected to participate in the survey unless the parent denies consent for the student's participation in writing prior to administration of the survey. The notice will inform the parent regarding the nature and types of questions included in the survey, the purposes and age-appropriateness of the survey, how information collected by the survey will be used, who will have access to such information, whether and how any findings or results will be disclosed, and the steps that will be taken to protect students' privacy. Parents have the right to review the survey prior to its administration” and inserted in its stead the new Subsection D.

Legal Authority: Virginia Code § 22.1-79.3 (1950), as amended.

Section 10-7.5 Questionnaires and surveys not to be administered during school day etc.; noted exceptions.— A. Questionnaires and surveys shall not be administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaire or survey may subsequently result in the sale for commercial purposes of personal information regarding the individual student.

B. This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following: (1) college or other postsecondary education recruitment, or military recruitment; (2) book clubs, magazines, and programs providing access to low-cost literary products; (3) curriculum and instructional materials used by elementary schools and secondary schools; (4) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the

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subsequent analysis and public release of the aggregate data from such tests and assessments; (5) the sale by students of products or services to raise funds for school-related or education-related activities; and (6) student recognition programs. (Adopted: November 6, 2006; Ordinance Number 06/07-8; Effective Date: July 1, 2007)

Legal Authority: Virginia Code § 22.1-254 (1950), as amended.

Section 10-7.6 Notification of Policies; Notification of Specific Events; Definitions. — A. The School Board shall provide notice of Sections 10-7.4 and 10-7.5 of the policies of the School Board to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in these policies. The School Board will also offer an opportunity for the parent (or emancipated student) to opt the student out of participation in activities involving (1) the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose); (2) the administration of any survey containing one or more items listed in Section 10-7.4, subpart C; or (3) any nonemergency, invasive physical examination or screening that is (a) required as a condition of attendance; (b) administered by the school and scheduled by the school in advance; and (c) not necessary to protect the immediate health and safety of the student, or of other students.

B. The School Board will directly notify the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled, or expected to be scheduled: (1) activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose); (2) the administration of any survey containing one or more items listed in Section 10-7.4, subpart C; (3) any nonemergency, invasive physical examination or screening that is (i) required as a condition of attendance; (ii) administered by the school and scheduled by the school in advance; and (iii) not necessary to protect the immediate health and safety of the student, or of other students.

C. As used in Sections 10-7.4 thru 10.7.6, the following terms shall have the following meaning.

1. The term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

2. The term "invasive physical examination" means any medical examination

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that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

3. The term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

4. The term "personal information" means individually identifiable information including (1) a student or parent's first and last name; (2) a home or other physical address (including street name and the name of the city or town); (3) a telephone number; or (4) a Social Security identification number.

5. The term "survey" includes an evaluation. (Adopted June 13, 2013; Ordinance Number 12/13-139; Effective Date: July 1, 2013)

Legal Authority —Virginia Code § 22.1-78 (1950), as amended

Article 8

Lease of School Board Owned Property for Wireless Telecommunication Antennae and Towers

Section 10-8.1. Statement of Policy.—The School Board has received requests for wireless telecommunication providers to place wireless telecommunication antennae and towers on School Board owned property. The School Board has determined that a uniformed policy for reviewing these requests is desirable. (Adopted March 12, 1998; Revised November 12, 1998)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 10-8.2. Priority of Users; minimum requirements; application process etc.— A. Priority for the use of School Board owned land for wireless telecommunication antennae and towers will be given to the following entities in descending order: (i) City of Suffolk, Virginia; (ii) Public Safety Agencies including law enforcement, fire and ambulance services which are not part of the City of Suffolk, Virginia and private entities with a Public Safety agreement with the City of Suffolk, Virginia; (iii) other governmental agencies for uses which are not related to public safety and (iv) entities providing licensed commercial wireless telecommunication services including cellular, personal communication devices (p through s) specializes mobilized radio (SMR) enhanced specialized mobilized radio (ESMR) paging and similar services

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that are marketed to the general public.

B. The placement of wireless telecommunication antennae or towers on School Board owned property must comply with the following requirements: (i) the antenna or tower will not interfere with or impair the efficiency of Suffolk Public Schools; (ii) the antenna or tower will have no adverse impact on surrounding private property; (iii) the applicant is willing to obtain adequate liability insurance and commit to a lease agreement which includes equitable compensation for the use of public land and other necessary provisions and safeguards. The fees shall be established by the School Board after considering comparable rates in other cities, potential expenses, risk to Suffolk Public Schools and the Suffolk City School Board and other appropriate factors; (iv) the applicant will submit a Letter of Credit, Performance Bond or other security acceptable to the School Board to cover the costs for antenna or tower removal; (v) the antenna or tower will not interfere with other users who have been co-located on the antenna or tower; (vi) the applicant must reimburse the School Board for any costs which the School Board incurs because of the presence of the applicant antenna or tower; (vii) the user must obtain all necessary land use approval and permits from the City of Suffolk; (viii) the applicant will comply with the City of Suffolk, Virginia Zoning Ordinance relative to communication towers in the City of Suffolk; (ix) the applicant will be required to execute a lease agreement with the School Board; and (x) a minimum of two user spaces on the tower or antenna must be dedicated for public use which will include use by Suffolk Public Schools and (xi) a public safety agency (i.e., law enforcement, fire and ambulance services).

C. All applicants who wish to locate a wireless telecommunication antenna or tower on property owned by the School Board must submit to the school superintendent a completed application and detail plan that complies with the submittal requirement of the Zoning Ordinance adopted by the City of Suffolk, Virginia relative to telecommunication towers along with such other pertinent information which may be requested by the School Board.

D. The School Board may terminate any lease if it determines that any one of the following conditions exist: (i) a user's frequency broadcast unreasonable interferes with other user of higher priority regardless of whether or not this interference was adequately predicted in the technical analysis or (ii) a user violates any of the standards in this policy or any federal, state or local law, ordinance, rule and/or regulation.

E. Before exercising its option to terminate the telecommunication lease arrangement, the School Board will provide notice to the user of the intended termination and the reasons for it and provide the user with an opportunity to address the School Board in a closed session regarding the proposed action. The requirement for notice and right to be heard shall not apply when the School Board determines that an emergency exist. In emergency situations, the School Board shall issue such notice as reasonably practicable under the circumstances.

F. Notwithstanding the above, the School Board reserves the right to deny for

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any reason the use of any or all School Board property by anyone or all applicants. (Adopted March 11, 1998; Revised November 12, 1998)

Legal Authority - Virginia Code §22.1-131 (1950), as amended.

Article 9 Public Sales on School Property

Section 10-9.1. Public Sales prohibited; limited exception.—The School Board prohibits vendors from making sales within schools but does not prohibit sales by Parent-Teacher Association. (Adoption August 10, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Article 10 Public Conduct on School Property

Section 10-10.1. Registration requirement; grounds for a trespass. —A. Principals shall establish procedures requiring all visitors to register at the school office on arrival. Any persons found to be engaged in or advocating illegal activity while on school property shall be reported by the principal to the local law enforcement authority.

B. Anyone who goes on school property after having been forbidden officially to do so either orally or in writing or by a sign posted on the property can be charged with a misdemeanor. Upon conviction he shall be punished by a fine of not more than \$1,000.00 or by confinement in jail not exceeding twelve (12) months or both. It is against the law for anyone without official consent to go upon at night any school property for any purpose other than to attend a meeting held on school property. Any person violating these provisions shall be guilty of a trespass. Upon conviction he shall be fined not less than \$5.00, no more than \$25.00. (Adopted January 12, 1995; Revised November 16, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

Section 10-10.2. Willful damage to school property; disruption of school activity; principal responsible for supervision. —A. Any person who willfully and maliciously damages, destroys or defaces any school district building, damages or removes any school property from a school building shall be guilty of a misdemeanor.

B. Any person who willfully interrupts, molest or disturbs the exercise of any school or being intoxicated, disturbs, defames whether willfully or not shall be guilty of

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a misdemeanor.

C. The principal is lawfully in charge of and responsible for the general supervision of the buildings and grounds of his school and their use and care. Any act that is disruptive to the normal operation of a school shall be considered in violation of state law and shall be dealt with accordingly. To comply with the state law, a principal may call upon the law enforcement officers for assistance. (Adopted January 1, 1995; Revised November 16, 1995)

Legal Authority - Virginia Code §22.1-79.3 (1950), as amended.

Section 10-10.3. Reimbursement required; smoking and use of alcoholic beverages prohibited.—A. Each student shall be required to reimburse the School Board for any actual damage or destruction of property done by the student.

B. Smoking and use of alcoholic beverages are prohibited at all times in classrooms, corridors, auditoriums, gymnasiums, cafeterias, libraries, offices, restrooms and buses. (Adopted January 12, 1995; Revised November 16, 1995)

Legal Authority - Virginia Code §22.1-79(3) (1950), as amended.

Article 11

Community Use of School Facilities

Section 10-11.1. Use of school buildings during non-school hours; authority of School Board. —A. To ensure the security and efficient use of school property, the superintendent shall develop regulations governing the use of all school owned property. The regulation shall address the use of school division facilities, supplies, materials and equipment by employees and outside organizations. Employees are prohibited from utilizing school property for personal use or gain.

B. The superintendent, subject to the approval of the School Board, may provide for or permit the use of school buildings and grounds during non-school hours or during the school term, or during vacations for any legal assembly. School facilities also may be used as voting places in any primary, regular or special election. The superintendent shall report actions taken under this policy to the School Board at the monthly meeting of the School Board.

C. The School Board is authorized to permit use of school property under its control when such use will not impair the efficiency of the school. (Adopted January 12, 1995; Revised November 16, 1995; Revised June 13, 2013; Ordinance Number 12/13-140; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-116; Effective Date: July 1, 2016)

Note: The 2016 revision added Subsection A which reads “To ensure the security and efficient use of school property, the superintendent shall develop regulations governing the use of all school

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owned property. The regulation shall address the use of school division facilities, supplies, materials and equipment by employees and outside organizations. Employees are prohibited from utilizing school property for personal use or gain.”

Legal Authority – Virginia Code §§ 22.1-70, 22.1-131, 22.1-132 (1950), as amended.

Section 10-11.2. Groups Permitted to Use School Facilities; Requirements for use by religious organization; Exception to 100 day limit; Superintendent to Make Report; Superintendent to develop regulations for its implementation.—A. The following groups and/or organizations are permitted to contract for use of school facilities for a total of no more than 100 days during the contractual period as provided for in regulations adopted by Suffolk Public Schools:

(1) A Group I organization is defined as any organization that sponsors programs and/or activities which benefit school age children enrolled in Suffolk Public Schools. Group I organizations include youth organizations, governmental units, and volunteer safety organizations. Specific examples include, but are not limited to P.T.A.’s, Scouts, 4-H Clubs, City of Suffolk departments, volunteer fire departments and rescue squads, police auxiliaries, school business partners, the YMCA, and the Suffolk Art League.

(2) A Group II organization is defined as any cultural, charitable, or civic organization which has been granted 501(c)(3) status by the Internal Revenue Service.

(3) A Group III organization is defined as any group, club, business, partnership, or association, which does not meet the definition of a Group I or II organization.

B. With regard to any religious organization including, but not limited to, churches, synagogues, temples and mosques, interested in using any Suffolk Public School facility for continuous religious observances, the religious organizations must (a) renew their application for use of the facility at six month intervals; and (b) provide to the School Board sufficient evidence to establish that the religious organization has taken steps to secure a permanent place of worship which may include, but shall not be limited to, (i) the purchase of land (ii) the development of architectural and/or engineering plans for the construction of a new facility or the renovation of an existing facility; or (iii) proof of project financing for the construction of a new facility or the renovation of an existing facility.

C. The 100 day limit referenced in subsection A shall not apply to government units. Used by governmental units can be granted for periods longer than 100 days.

D. The Superintendent shall report to the School Board at the end of each month any action under this section.

E. The Superintendent shall also develop regulations for the implementation of this policy. (Adopted January 12, 1995; Revised August 12, 1999; Ordinance 00/01-1; Revised May 8, 2008; Ordinance Number 07/08-11; Effective May 8, 2008)

Note: The 2008 amendment to Section 10-11.2, Subsection A limited the number of days a group can contract to use a school facility to no more than 100 days during the contractual period. The words “must comply with

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all applicable policies, rules and/or regulations of Suffolk Public Schools and whenever the anticipated use of the facility will be longer than six (6) months”, was deleted from Subsection B, line 3. A new Subsection C was added setting forth that the 100 day limit referenced in Subsection A did not apply to governmental units. The **1999** revision to Section added subsection A (1) and amended subsections (2) by deleting the word “organizations” in lines one and two, inserted the word “or” in line two, and added the words “organization which has been granted 501(c)(3) status by the Internal Revenue Code in line two. This revision also amended subsection (3) by adding the word “Any”, deleting the word “Churches” in line one, and added the words “including, but not limited to, churches, synagogues, temples and mosques, that are interested in using any Suffolk Public School facility, etc. and deleted language which provided that the church must be a recognized church employing a minister and must be located within the City of Suffolk, etc.

Legal Authority - Virginia Code §22.1-131 (1950), as amended.

Article 12

Use of Tobacco on School Premises

Section 10-12.1. Use of tobacco products on school property prohibited; sign posting requirements; designated smoking areas etc. —A. The use of all tobacco products including cigarettes, cigars, pipes, chewing tobacco and snuff is prohibited inside or within ten (10) feet of any building or vehicle owned, rented or leased by Suffolk Public Schools. Such prohibition shall apply at all times day or night. This policy shall apply to all students, employees, visitors, volunteers or other persons conducting business with Suffolk Public Schools. The Administrator in charge of each building shall post “No Smoking” signs conspicuous to ordinary public view at or near each public entrance.

B. The use of tobacco or tobacco products by school employees is prohibited when the employee is in the presence of students on school property or while participating in a school sponsored activity.

C. Smoking by employees is prohibited at all times and under all circumstances in all school areas in which smoking is prohibited by the Virginia Indoor Clean Air Act including but not limited to school buses, classrooms, libraries, hallways, and auditoriums.

D. Each principal shall post signs stating “Smoking Prohibited” or “No Smoking” as applicable within each school building. The supervisor of transportation shall post signs visible upon entering each school bus stating “No Smoking” (Adopted January 12, 1995)

Legal Authority - Virginia Code §15.2-2801 (1950), as amended.

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Article 13

Public Gifts to the School

Section 10-13.1. Acceptance of Gifts generally; title vested in School Board; donor request to be honored.—A. The School Board shall decide whether to accept or not to accept any gift from any individual, group or organization offered to Suffolk Public Schools.

B. When any real or personal property is given to and accepted by the School Board, it shall be vested in the School Board and shall be managed by the School Board according to the wishes of the donor. The School Board shall in addition to the regular settlement, it is required to make of all school funds, settle annually before the Commissioner of Accounts so far as the management of the property bequeath or devised is concerned.

C. In the case of any change in the boundaries of Suffolk Public Schools, the School Board shall make provisions for continuing the fulfillment of the purposes of the donor as far as practicable and the settlement shall be made as provided for above. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-126 (1950), as amended.

Article 14

Public Solicitations in the Schools

Section 10-14.1. Public solicitations prohibited; limited exceptions.—A. No employee of Suffolk Public Schools will sell or offer to sell within the school or school grounds any article or service to employees or pupils except for the regularly established school cafeteria and textbook programs.

B. This will not prevent solicitation for the United Way, the Suffolk Education Foundation, dues for employee organizations, contributions for the benefit of professional organizations, or for school organizations at regularly scheduled extra-curricular events after school hours. It is also permissible for schools to sell certain specialized merchandise pertaining to the individual school such as caps and sweaters bearing the school's name within the school building. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.

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Article 15

Advertising in the Schools

Section 10-15.1. Statement of policy; limited exceptions Superintendent to determine; endorsement prohibited; promotion by staff.—A. The School Board does not approve of commercialism within the schools but recognizes the value of and approves the use of materials developed by commercial organizations when, in the opinion of the superintendent, the benefit to Suffolk Public Schools outweighs the commercial or advertising value. Schools may use instructional materials developed by commercial groups provided the advertising is limited and in good taste and the commercial organization interested in advertising in Suffolk Public Schools satisfies the requirements set forth in the regulations adopted by Suffolk Public Schools.

B. Individual schools cannot endorse or imply endorsement of any product. All requests for endorsement should be directed to the superintendent.

C. In order to solicit advertisements from merchants and business establishments for school publications, school organizations must secure approval from the principal. If there is a need for policy clarification the principal will consult with the superintendent.

D. Commercial establishments when the source of revenue is the sale of intoxicants, drugs, weapons or tobacco products will not be permitted to advertise in school publications.

E. Neither the facilities nor the staff nor the students of any school may be employed in any manner for advertising or otherwise promoting the interest of any commercial or other non-school organization. The superintendent may authorize announcements for community-wide social service agencies or other community activities of significance educational value or widespread community interest. (Adopted: January 12, 1995).

Legal Authority - Virginia Code §22.1-128 (1950), as amended.

Article 16

Parental Involvement

Section 10-16.1. Parental involvement encouraged; non-custodial parents not to be denied access; relations with parent organizations.—A. Parents are encouraged to visit the school on scheduled days for conferences with teachers, assemblies, PTA meetings and other school programs.

B. When parents of a student are estranged, separated or divorce, building personnel will uphold the parental rights of both parents. Unless there is a court order to the contrary both parents have a right to:

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1. View the child's school records in accordance with School Board policy.
2. Receive school progress reports, the school calendar and notices of major school events.
3. Visit the school in accordance with School Board policy.
4. Participate in parent/teacher conferences after a timely request is made.
5. Receive all notifications in accordance with the individuals with Disabilities Education Act.
6. Receive notice of students extended absence as defined and in pursuant to School Board policy.

The custodial parent has the responsibility for (i) keeping the school office informed as to address of residence and how the custodial parent may be contacted at all times; (ii) providing on forms provided by Suffolk Public Schools the current address and phone numbers of the non-custodial parent unless the address is unknown and the parent signs a statement to that effect or unless a court order restricts the educational or contact rights of the parent; and (iii) providing a copy any legal document which restricts the educational and/or contact right of the non-custodial parent.

The non-custodial parent has the responsibility for keeping the school office apprised of any changes in his current phone number and address. Further, the non-custodial parent may make timely requests to participate in parent/teacher conferences.

C. The School Board shall cooperate with parent/teacher and parent/teacher/student associations. (Adopted January 14, 1999; Ordinance #98/99-06)

Legal Authority - Family Education Rights and Privacy Act of 1974, 20 U.S.C. §12329, 34 C.F.R. §99.1.

Article 17 Public Complaints

Section 10-17.1. Complaints about a particular school; complaints about the curriculum or instructional material.—A. A complaint involving a particular school shall be handled within the school through the chain of responsibility. If the complaint cannot be resolved at the ultimate level of the principal, it shall be referred to the superintendent. If the Central Office staff and complainant cannot reach a satisfactory solution, the matter may, at the School Board discretion, be heard at a regular School Board meeting.

B. If there are objections concerning instructional material, the procedure for filing a complaint will be as follows:

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1. A complaint should be filed in writing with the principal on the “challenge of controversial instruction material” form. This form may be obtained from the principal or the Central Office.
2. A review committee consisting of the principal, the librarian, media specialist, the classroom teacher if involved, a parent and/or student and the complainant will convene.

The responsibilities of the committee will be to: (a) read, view or listen to the challenged material; (b) read several reviews, if available; (c) check standard selection aid; (d) talk with persons who may be knowledgeable about the material in question and similar material; (e) discuss the material; (f) make a decision to retain or withdraw the material; (g) file the recommendation of the committee with the principal and the director of elementary education or the director of secondary education; (h) notify the complainant of the decision and the disposition of the challenged material.

The complainant may then appeal the decision to the Assistant Superintendent for Instruction. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253.13:7 (1950), as amended.

Section 10-17.2. Complaints about learning resource; writing required; submitted to committee.—A. The selection of learning resources is delegated to the professionally trained personnel employed by Suffolk Public Schools. Despite the care taken in selecting suitable learning resources for and despite the qualifications and expertise of persons involved in that selection process, it is recognized that objections to materials will be made by the public. It is therefore the policy of the School Board to provide channels of communication and a fair procedure for members of the community to follow in expressing and resolving the concerns about learning resources including instructional used in teaching the curriculum.

B. Complaints about learning resources shall be presented in writing in accordance with regulations of Suffolk Public Schools. The standards and procedure for review shall be consistently applied in recognition of the respective rights and responsibilities of all concerned. Materials shall be considered for their educational suitability and shall not be proscribed or removed because of partisan or doctrinal disapproval.

C. Challenges which are not resolved at the building level shall be submitted to a challenged materials committee for review and recommendation to the superintendent or superintendent’s designee. The decision of the superintendent may be appealed to the School Board or reviewed at the School Board’s request. The decision of

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the School Board will then be final. (Adopted January 12, 1995; Revised June 9, 2016; Ordinance Number 15/16-118; Effective Date: July 1, 2016)

Note: The 2016 revision revised Subsection A which read “The selection of learning resources is delegated to the professionally trained personnel employed by Suffolk Public Schools. Despite the care taken to select valuable and educationally suitable learning resources for student and teacher use and despite the qualifications and expertise of persons involved in that selection process, it is recognized that occasionally objections to materials will be made by the public. It is therefore the policy of the School Board to provide channels of communication and a fair procedure for citizens to follow in expressing and resolving the concerns about learning resources including instructional material used in teaching the curriculum” to read “The selection of learning resources is delegated to the professionally trained personnel employed by Suffolk Public Schools. Despite the care taken in selecting suitable learning resources for and despite the qualifications and expertise of persons involved in that selection process, it is recognized that objections to materials will be made by the public. It is therefore the policy of the School Board to provide channels of communication and a fair procedure for members of the community to follow in expressing and resolving the concerns about learning resources including instructional used in teaching the curriculum.” Subsection B was also revised which read “The standards and procedure for review shall be consistently applied in recognition of the respective right and responsibilities of all concerned. Materials shall be considered for their educational suitability and shall not be prescribed or removed because of partisan or doctrinal disapproval” to read “The standards and procedure for review shall be consistently applied in recognition of the respective rights and responsibilities of all concerned. Materials shall be considered for their educational suitability and shall not be proscribed or removed because of partisan or doctrinal disapproval.” Subsection C which read “Challenges which are not resolved at the building level shall be submitted to a challenged materials committee for review and recommendation to the superintendent” was revised to read “Challenges which are not resolved at the building level shall be submitted to a challenged materials committee for review and recommendation to the superintendent or superintendent’s designee.”

Legal Authority - Virginia Code §22.1-253.13:7.C.2 (1950), as amended.

Article 18

Relations with Community Organizations

Section 10-18.1. Cooperation encouraged — Suffolk Public Schools shall cooperate with all non-profit and non-partisan agencies such as social service, recreation, health, fire, civil defense, and law enforcement agencies in promoting the general public interest and the educational welfare of the student.

The School Board shall cooperate with parent-teacher and parent-teacher-student associations and similar organizations that seek to advance programs designed to improve educational opportunities for all students consistent with state statutes. (Adopted January 12, 1995)

Legal Authority - Virginia Code §22.1-253.13:7 (1950), as amended.)

Section 10-18.2. Investigations by Law Enforcement Officers at School; Service of Process at School; Development of Programs; Report to Law Enforcement Officials — A. When it becomes necessary for any law enforcement

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officer to interrogate a student on school premises, the principal is contacted immediately. The principal or principal's designee makes a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the conference. If the parent or guardian cannot be present for the conference, then the principal or his/her designee shall be present throughout the interrogation.

B. Should there be a need to serve a student or school employee with any "legal process", the School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they should be served at the principal's office of the school at which the student attends or the main office of the facility at which the employee is assigned.

In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy.

C. The superintendent seeks to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent obtains and uses Sex Offender Registry information in accordance with School Board Policy 10-19.4.

D. Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal immediately reports to local law-enforcement officials all incidents listed below that may constitute a criminal offense:

1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity; or
2. any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft of or attempted theft of student prescription medications; or
3. any threats against school personnel while on a school bus, on school property, or at school-sponsored activity; or
4. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto school property;
5. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity; or

6. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses.

The principal may also report to local law enforcement officials, at his/her discretion, any incident involving the assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity. (Adopted January 12, 1995; Revised November 16, 1995; Revised June 13, 2013; Ordinance Number 12/13-141; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-118; Effective Date: July 1, 2016)

Note: The 2016 revision revised Subsection A which read “The principal or his/her designee shall make makes a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the conference” to read “The principal or principal’s designee makes a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the conference.” Subsection B which read “however, if the documents must be served on school premises, they shall be served at the principal’s office of the school at which the student is in attendance or the main office of the facility at which the employee is assigned” was revised to read “however, if the documents must be served on school premises, they should be served at the principal’s office of the school at which the student attends or the main office of the facility at which the employee is assigned.” Subsection C which read “The superintendent shall seek to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent shall obtain and use Sex Offender Registry information in accordance with School Board Policy 10-19.4. was revised to read “The superintendent seeks to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent obtains and uses Sex Offender Registry information in accordance with School Board Policy 10-19.4. Subsection D which read “Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal shall immediately report to local law-enforcement officials all incidents listed below that may constitute a criminal offense” was revised to read “Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal immediately reports to local law-enforcement officials all incidents listed below that may constitute a criminal offense.” Finally, Subsection D.2 which read “any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in § 18.2-248.1:1, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft of or attempted theft of student prescription medications” was revised to read “any conduct involving alcohol, marijuana controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft of or attempted theft of student prescription medications.”

Legal Authority - Virginia Code §§22.1-78, 22.1-253.13:7 (1950), as amended.

Section 10-18.3 Statement of Purpose; Charter School Defined; Charter School Applications; review team; regulations to be established— A. In order to (i) encourage the development of innovative programs; (ii) provide opportunities for innovative instruction and student assessment; (iii) provide parents and students more choices; (iv) provide innovative scheduling, structure and management; (v) encourage the use of performance-based educational programs; (vi) establish high standards for teachers and administrators; and (vii) develop models for replication in other public schools, the School Board shall receive and consider applications for the establishment of charter

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schools.

B. A charter school is a public, nonreligious, or non-home-based alternative school located within Suffolk Public Schools or operated jointly by multiple school divisions. A charter school may be created as a new school or by converting all or part of an existing public school. Conversions of private schools or home-based programs shall not be permitted. A charter school for at-risk pupils may be established as a residential school.

In establishing public charter schools within the division, the School Board will give priority to public charter school applications designed to increase the educational opportunities of at-risk students, particularly those at-risk students currently served by schools that have not achieved full accreditation.

All charter schools shall be subject to federal and state law, regulations and constitutional provisions prohibiting discrimination in admissions, employment or operation on the basis of disability, race, creed, color, gender, national origin, religion, ancestry or the need for special education services. Charter schools shall also be subject to any court-ordered desegregation plan in effect in the school division. Charter schools, like all public schools, shall also be subject to the requirements of the federal No Child Left Behind Act of 2001.

C. Any person, group or organization may submit an application for the formation of a charter school. Applicants must follow state law and School Board policy regarding charter schools. Applicants must submit (i) the Applicant's Virginia Public Charter School Application package submitted to the State Board of Education, (ii) the result of the State Board of Education's review of the Applicant's state application, and (iii) the Suffolk Public Schools' Charter School Application Addendum prepared in accordance with School Board policy.

D. Any person, group or organization may submit an application for the formation of a charter school to the School Board. Prior to submitting a charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. The Board of Education will examine such applications for feasibility, curriculum, financial soundness, and other objective criteria it may establish, consistent with existing state law. The Board of Education's review and comment will be for the purpose of ensuring that the application conforms with such criteria. The school division may work with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

E. The applicant must complete the entire application in the format as required by the School Board. The School Board shall establish a "review team" consisting of appropriate school personnel, a local business representative and a resident charter school proponent to evaluate charter school applications. The School Board shall designate the chairman of the review team as the contact person for answering questions about the

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application process and receiving applications. The review team shall work cooperatively with applicants for charter schools. When an application is incomplete, the review team shall request the necessary information; an incomplete application is not grounds for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team) then the application may be denied.

The review team shall (1) recommend to the School Board appropriate criteria for reviewing charter school applications; (2) evaluate all charter school applications based on the review criteria adopted by the School Board; (3) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement; (4) monitor charter school progress; and (5) make recommendations for revocation, renewal or non-renewal of charter contracts.

F. Suffolk Public Schools shall establish regulations for receiving, reviewing and ruling on applications for the establishment of charter schools. Such regulation must include a timeline for the application and review process and the means for reviewing and evaluating each application, including the criteria on which the decision to grant or deny a charter will be based. To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist the school board in its decision to grant or deny a public charter school application, the regulation will provide for public notice and the receipt of comment on public charter school applications. The School Board shall give at least 14 days' notice of its intent to receive public comment on an application. A copy of the regulation, including the review criteria, shall be posted on the division's website and a copy shall be made available to any interested party upon request. (Adopted June 13, 2013; Ordinance Number 12/13-142; Effective Date: July 1, 2013)

Legal Authority – Virginia Code §§ 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2.

Section 10-18.4 Charter School Application Addendum Requirements — The Application Addendum required of the Applicant by the School Board shall include the following:

- (1) List the name, address, phone number and qualifications of the applicant(s) and designate an applicant contact person.
- (2) Describe the facility(ies) to be used for the charter school or the plan for the acquisition of a facility. If the facility is not property of the school division, then the following must be provided: (1) a certificate of occupancy; (2) a health inspection certificate; (3) an annual fire certificate of inspection; (4) proof of compliance with federal, state and local health and safety laws and regulations; and (5) a copy of the lease or contract under which the charter

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school will use the facility. If the facility is property of the school division, then describe plans, if any, for alteration or renovation.

- (3) List the services and their estimated costs that the applicant wishes the School Board to provide; for example, food service, payroll or conducting criminal background checks. Also, list services and their estimated costs that will be provided by others.
- (4) Provide a detailed timeline, identifying each step required to establish the charter school, including, but not limited to, staff hiring, location and purchase of materials, implementing the evaluation plan, obtaining necessary services, opening an appropriate facility and consulting with experts, if necessary.
- (5) Describe the procedures the charter school will implement to ensure the health and safety of the students and employees, including how and if the management committee will conduct a state criminal record check on all employees; how the charter school will conduct fingerprinting and federal criminal record checks, if applicable; how the charter school will comply with the requirement to report child abuse; and how the charter school will comply with Occupational Safety & Health Act requirements.
- (6) Assure that the School Board will be defended, held harmless and indemnified against any claim, action, loss, damage, injury, liability, cost or expense of any kind as a result of the operation of the charter school or actions by its agents, employees, invitees or contractors.
- (7) Assure that if the charter school wants to renew its contract, it shall apply at least six months prior to the expiration of the contract.
- (8) Describe the plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire), unable to be occupied or dissolved for any reason.
- (9) Describe the management and operation of the charter school, including the nature and extent of parental, professional educator and community involvement. List the names and addresses of the proposed management committee. This section should include (1) a detailed description of the relationship between the management committee and the local school board, including the charter school spokesperson (i.e. who is accountable to the school board); (2) how the charter school will be accountable to the

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public, including a plan for compliance with the Virginia Freedom of Information Act, the Virginia Public Records Act, and reporting requirements; (3) how the management committee is selected and its relationship to the teachers and administrators; (4) a description of the rules and procedures followed to arrive at policy and operational decisions; and (5) summaries of the job descriptions of key personnel, including the school leader/principal.

- (10) Provide a budget and any other information that illustrates the proposed charter school is economically sound for both the charter school and the school division. Include detailed sources of revenue and expenditures for the proposed term of the charter (at most five years) and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the school division, will be conducted. Anticipated gifts, grants or donations and a student fee schedule should be included.
- (11) Describe the arrangement between the charter school and the School Board regarding their respective legal liability and applicable insurance coverage. Insurance coverage should include health, property and casualty (automobile liability, general liability, property, officer and employee liability) and workers' compensation.
- (12) Describe and justify any waiver from School Board policies and state regulations that the charter school requests. The Standards of Quality, and by reference the Standards of Accreditation and Standards of Learning, may not be waived.
- (13) Assure that the charter school will follow state and federal law prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the school division.
- (14) Certify that the information and assurances contained within the *Virginia Public Charter School Application* submitted on behalf of the proposed charter school to the Virginia Board of Education and the information contained in this *Public Charter School Application Addendum* is correct. (Adopted June 13, 2013; Ordinance Number 12/13-143; Effective Date: July 1, 2013)

Legal Authority – Virginia Code §§ 22.1-212.5 et. seq.

Section 10-18.5 School Board Decision; Petition for Reconsideration; Charter Contract; Waivers of School Board Policy and State Regulation; Management and Operation—

A. If the school board denies a public charter school application, or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website.

B. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, shall be entitled to petition the school board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, revoked, or not renewed. Such reconsideration shall be decided within 60 days of the filing of the petition. The School Board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the school board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation, or non-renewal.

Upon reconsideration, the decision of the school board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement shall be final and not subject to appeal. Nothing in this section shall prohibit an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application.

C. Upon approval of a charter application, the School Board and the management committee of the charter school shall enter into a contract which contains all agreements between the School Board and the charter school; the approved application shall serve as the basis for the contract. The charter contract shall also include other provisions negotiated by the School Board or its designee. A charter may be granted for up to five years. Any material revision of the charter contract shall be made in writing and must be approved by the School Board and the charter school.

D. A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning, as agreed in the charter contract. The School Board shall designate in its regulation governing charter schools which School Board policies may not be waived. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities of at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan.

E. A charter school shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee

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shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services; services provided by the School Board must be provided at cost

The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in renovating, lending, granting, or leasing public charter school facilities. (Adopted June 13, 2013; Ordinance Number 12/13-144; Effective Date: July 1, 2013)

Legal Authority – Virginia Code §§ 22.1-212.5 et. seq.

Section 10-18.6 Charter School Personnel; Funding; Revocation and Renewal of Charter Contract; Reports — A. Charter school personnel shall be selected as agreed in the charter contract. Such personnel may, but are not required, to be employees of the School Board. However, all charter school personnel shall be subject to the provisions of §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4.

Professional, licensed employees currently employed by the School Board may volunteer for assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to noncharter schools. Professional, licensed personnel who request assignment to a noncharter school or who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a noncharter school according to School Board policy.

The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school. The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division.

B. Charter schools shall be funded as provided by law and negotiated in the charter contract.

C. The School Board may revoke a charter contract if:

1. the charter school violates the conditions, standards or procedures established in the application;
2. the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);

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3. the charter school fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
4. the charter school fails to meet generally accepted standards of fiscal management; or
5. the charter school violates any provision of law from which the public charter school was not specifically exempted

D. A charter contract may be renewed for up to five years. The management committee must apply to renew the charter by June 30th of the school year the charter expires. The application for renewal shall contain:

1. a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter;
2. a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the School Board and the public to compare such costs to the costs of other schools and comparable organizations; and
3. other information the School Board may require.

If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee shall be responsible for all financial obligations of the charter school.

E. The School Board shall report to the Board of Education the following:

1. the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract. For any such denial revocation or failure to renew the report to the Board of Education shall contain documentation as to the reason for the denial or revocation;
2. whether a public charter school is designed to increase the educational opportunities of at-risk students.

The Board of Education will report the number of public charter schools established in Virginia, and the number of charters denied, in its annual report to the Governor and the General Assembly. (Adopted June 13, 2013; Ordinance Number 12/13-145; Effective Date: July 1, 2013; Revised: October 13, 2016; Ordinance Number 16/17-24; Effective Date: July 1, 2017)

Note: The 2017 revision revised Subsection E.1, which read “the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract. For any

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such denial or revocation, renew the report to the Board of Education shall contain documentation as to the reason for the denial or revocation;” to read, “the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract. For any such denial, revocation or failure to renew the report to the Board of Education shall contain documentation as to the reason for the denial or revocation;” Subsection E.2, which read, whether a public charter school is designed to increase the educational opportunities of at-risk students or any students served by schools that have not achieved full accreditation;” to read, “whether a public charter school is designed to increase the educational opportunities of at-risk students.” It also deleted a Subsection E.3, which read, “an annual evaluation of each charter school.”

Legal Authority – Virginia Code §§ 22.1-212.5 et. seq.

Article 19

Sex Offender Registry Notification

Section 10-19.1 Statement of policy.—The School Board recognizes the danger that sex offenders pose to student safety. Therefore, to protect students while they travel to and from school, attend school or are at school-related activities, each school in the school division shall request electronic notification of the registration or re-registration of any sex offender in the same or contiguous zip codes as the school. Such requests and notifications shall be made according to the procedure established by the Virginia Department of State Police. (Adopted: September 14, 2006; Ordinance Number: 06/07-1; Effective: September 14, 2006)

Legal Authority – Virginia Code §22.1-79 (1950), as amended.

Section 10-19.2 Annual Notification; dissemination of Sex Offender Information to certain school employees; responsibility of local law enforcement to notify community; using information to intimidate or harass others prohibited.—A. At the beginning of each school year, Suffolk Public Schools shall notify parents and employees of this policy. Suffolk Public Schools will also annually notify the parent of each student enrolled in Suffolk Public Schools of the availability of information in the Sex Offender and Crimes Against Minors Registry and the location of the Internet website.

B. Sex offender registry information should be provided to employees who are most likely to observe unauthorized persons on or near school property including, but not limited to, (1) school bus drivers; (2) employees responsible for visitor registration; (3) employees responsible for bus duty; (4) security staff; (5) coaches; (6) playground supervisors; and (7) maintenance personnel.

When registry information is disseminated, it shall include a notice that such information should not be shared with others except as provided for by School Board policy. Employees who share information not in accordance with School Board policy

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may be disciplined.

C. The School Board recognizes that it is the responsibility of local law enforcement to notify the community of potential public danger. Therefore, Suffolk Public Schools will not disseminate registry information to parents.

D. Registry information shall only be used for the purposes of the administration of law enforcement, screening current or prospective school division employees or volunteers and for the protection of students enrolled in and employees employed by Suffolk Public Schools. Registry information shall not be used to intimidate or harass others. (Adopted: September 14, 2006; Ordinance Number: 06/07-1; Effective: September 14, 2006)

Legal Authority – Virginia Code §22.1-79 (1950), as amended.

Section 10-19.3 Sex Offender on School Property prohibited; limited exceptions.— No adult who has been convicted of a sexually violent offense, as defined in Virginia Code Section 9.1-902 (1950), as amended, may enter or be present, during school hours, or during school-related or school-sponsored activities, at any school, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity unless (1) he is a lawfully registered and qualified voter and is coming upon such property solely for purposes of casting his vote; (2) he is a student enrolled at the school; or (3) he has obtained a court order pursuant to Va. Code § 18.2-370.5.C allowing him to enter and be present upon such property, has obtained the permission of the school board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the school boards’ terms and conditions and those of the court order. (Adopted: August 21, 2008, Ordinance Number 08/09-1, Effective: August 21, 2008; Revised June 13, 2013; Ordinance Number 12/13-146; Effective Date: July 1, 2013)

Note: The 2013 revision added the following language “or during school-related or school-sponsored activities, at any school, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity” and deleted the following language from subpart (3), after the words court order “allowing him to enter and be present upon such property, and is in compliance with terms and conditions of the order” and inserted in its place the following pursuant to Va. Code § 18.2-370.5.C”

Legal Authority — Virginia Code Section 18.2-370.5 (1950), as amended.

Section 10-19.4 When Registered Sex Offender Sighted; School Volunteers and Student Teachers; Contractors’ Employees; School Division Employees; Applicants for Employment; Parents of Students and Other Visitors; Precautions to Protect Students; Request for Registry Information.— A. If a notified employee sees a registered sex offender on or near school property, around any school division student, or attending any school division activity, the Superintendent or his designee shall be

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notified immediately. The Superintendent or his designee may, in his or her discretion, notify local law-enforcement.

B. Each staff member shall submit to the Principal the name and address of each volunteer the staff member proposes to use as soon as the person is identified. The Principal shall screen each student teacher and volunteer's name and address against the registry information. If a match is found, the Principal shall notify the Superintendent, who shall confirm the match. If the match is confirmed, the Superintendent shall inform the individual, in writing, that he or she may not serve as a volunteer or student teacher. The notice shall provide the reason with reference to this policy. The Superintendent shall provide a copy of the notice to the Principal and staff member.

C. In addition to ensuring that the certification requirements set forth in Purchasing Procedures are met, the Superintendent shall include the following language in all contracts that may involve an employee of the contractor having any contact with a student: *The contractor shall not send any employee or agent who is a registered sex offender to any school building or school property. Monthly, the contractor shall check the registry to determine if any employee is registered.*

D. Each time sex offender registry information is received, the principal shall review it to determine if a school division employee is registered. If a match is found, the Superintendent shall confirm or disprove the match with local law enforcement. If the match is confirmed, the Superintendent shall notify the School Board. The School Board will take the appropriate action to comply with state law which may include termination of employment.

E. Before hiring any person, the Superintendent shall determine whether the prospective employee is a registered sex offender. If the prospective employee is a registered sex offender, he or she shall not be hired by the division.

F. Persons who have been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may be present at school during school hours or during school related or school sponsored activities, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity only as provided in School Board Policy 10-19.3 regarding Violent Sex Offenders on School property.

When the school division learns that a parent of an enrolled student is a registered sex offender, other than a violent sex offender, the parent will be notified in writing that he or she is barred from being present at school or at school functions without the express written approval of the student's principal. Such approval must be obtained in advance of the proposed visit and will state the conditions under which the parent may be present. When a parent who is a registered sex offender is permitted at school or at school functions he or she will be monitored to ensure that he or she does not come into contact with any children other than his or her own children. Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the superintendent.

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When the school division learns that any person other than the parent of an enrolled student who is a registered sex offender, other than a violent sex offender, seeks to be present at school or at school functions, he or she will be notified in writing that he or she is barred from being present at school or school functions without the express written approval of the principal of the school the person seeks to visit or which sponsors the event the person seeks to attend. Such approval must be obtained in advance of the proposed visit and, if obtained, will state the conditions under which the person may be present. One of the conditions will be that the person will be monitored to ensure the safety of students, staff, and others. Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the superintendent.

G. When the Superintendent determines it is necessary, because of the presence of a registered sex offender, alternative arrangements may be made for bus and walking routes to and from school, recess and physical education periods, or any other activity in order to protect division students.

H. Anyone requesting registry information from the school division shall be referred to the State Police. (Adopted June 13, 2013; Ordinance Number 12/13-147; Effective Date: July 1, 2013)

Legal Authority — Virginia Code Section 18.2-370.5 (1950), as amended