

## **CHAPTER 5 SUPPORT SERVICES**

### **Article 1 Support Services Generally**

**Section 5-1.1. Essential support services necessary.** — The School Board recognizes that certain support services are essential to the primary function of Suffolk Public Schools, which is education. To fulfil this function, it is the intention of the School Board to (i) ensure the proper operation and maintenance of school buildings, vehicles, equipment, and services; to set high standards of safety; to promote the health of pupils and staff; to reflect the aspirations of the community and to support environmentally the efforts of the staff to provide good instruction; (ii) establish efficient and business like procedures for the management of buildings and grounds, offices, vehicles, equipment, supplies and the food program; (iii) establish a thorough, effective, and economical maintenance program, including preventive maintenance, that will ensure a useful life of school property, vehicles, buildings and equipment; (iv) ensure the adherence to generally accepted management principles, applicable laws and regulations when establishing policies and regulations in these areas. (Adopted August 10, 1995)

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

**Section 5-1.2. Non-Instructional Operations; Efficient and cost-effective.** — A. The non-instructional operations of the school division are an important component of the educational process and support the instructional program.

B. The School Board provides support services necessary for the efficient and cost-effective operation of its schools. (Adopted May 12, 2016; Ordinance Number 15/16-34; Effective Date: July 1, 2016)

**Legal Authority** – Code of Virginia §§ 22.1-78, 22.1-79(3), 22.1-253.13:2 (1950), as amended.

### **Article 2 School Crisis and Emergency Management Plan**

**Section 5-2.1. Written school crisis and emergency plan required; safety audits required.** — A. Each school shall develop a written school crisis, emergency management and medical emergency plan as defined in this Article. The School Board will annually review each school's plan and will provide copies

of such plans to the chief law-enforcement officer, the fire chief, the chief emergency medical services official, and the emergency management official of the locality. The Department of Education and the Virginia Center for School and Campus Safety will provide technical assistance to the school division in the development of the plans. In developing these plans, schools may consult the model school crisis, emergency management, and medical emergency response plan developed by the Board of Education and the Virginia Center for School and Campus Safety.

B. Each school shall also conduct annual school safety audits as defined herein. The results of such school safety audits will be made public within 90 days of completion. The School Board may withhold or limit the release of any security plans, walk-through checklists and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. The completed walk-through checklist will be made available upon request to the chief law-enforcement officer of the locality or his designee. Each school shall maintain a copy of the school's safety audit, which may exclude such security plans, walk-through checklists and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon request. (Adopted October 14, 2004; Ordinance Number 04/05-8; Effective Date: July 1, 2005; Revised May 12, 2016; Ordinance Number 15/16-35; Effective Date: July 1, 2016).

**Note:** The 2016 revision revised Subsection A which read, "Each school shall develop a written school crisis, and emergency management and which adheres to Suffolk Public Schools' System Wide Crises Management Plan" to read "Each school shall develop a written school crisis, emergency management and medical emergency plan as defined in this Article. The remaining language was also added to subsection A. Subsection B which read "Each school shall maintain a copy of the school's safety audit, within the office of the school principal and shall make a copy of such report available for review by the public upon request" to read "Each school shall maintain a copy of the school's safety audit, which may exclude such security plans, walk-through checklists and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon request." The remaining language was also added in Subsections A and B.

**Legal Authority** - Virginia Code §22.1-278.1 (1950), as amended.

**Section 5-2.1:1 Development of programs to prevent violence and crime on school property.**—Suffolk Public Schools shall develop, in cooperation with the Suffolk Police Department, juvenile and domestic relations court judges and court personnel, parents, and the community at large, programs to prevent violence and crime on school property and at school-sponsored events. Activities designed to prevent the recurrence of violence and crime may include such interventions as school crime lines, peer mediation, conflict resolution, community service requirements, and any program focused on demonstrating the consequences of violence and crime. (Adopted November 11, 1999; Ordinance

Number 99/00-12)

**Legal Authority** - Virginia Code § 22.1-280.1.E. (1950), as amended.

**Section 5-2.1:2. General statement of policy; duties of teachers and administrative staff; assessment of suicide risk by qualified professionals; duties of qualified professionals.** — A. The School Board is committed to protecting its students from the risk of suicide.

B. Any person licensed as administrative or instructional personnel by the Board of Education and employed by the School Board who, in the scope of his employment, has reason to believe, as a result of direct communication from a student, that a student is at imminent risk of suicide, shall, as soon as practicable, contact at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student.

C. School Psychologists, school counselor, school nurse, or school social worker are designated as qualified professionals under this policy to assess suicide risks in students.

D. The qualified professional shall promptly meet with the student to determine whether the student is at imminent risk of suicide. (Adopted September 14, 2006, Ordinance Number 06/07-2; Effective Date: September 14, 2006; Revised May 12, 2016; Ordinance Number 15/16-36; Effective Date: July 1, 2016)

**Note:** The 2016 revision revised Subsection B which read, “Any licensed instructional or administrative staff member as administrative or instructional personnel by the Board of Education and employed by the School Board who, in the scope of his employment, has reason to believe, as a result of direct communication from a student, that a student is at imminent risk of suicide, shall promptly report this matter to a qualified professional identified below, while keeping the student safe” to read “Any person licensed as administrative or instructional personnel by the Board of Education and employed by the School Board who, in the scope of his employment, has reason to believe, as a result of direct communication from a student, that a student is at imminent risk of suicide, shall, as soon as practicable, contact at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student.”

**Legal Authority** – Virginia Code §§ 22.1-272.1 and 63.2-1509 (1950) as amended.

**Section 5-2.1:3. Abuse and neglect allegations; contacting parent/guardian; inability to reach parent/guardian; duty to keep the child safe and secure; follow up; required documentation.**— A. If a student is determined to be at imminent risk of suicide and has indicated that the reason for this risk relates to parental abuse or neglect, the qualified professional shall not contact the parent/guardian. Instead, the qualified professional shall immediately report the alleged abuse in accordance with School Board policy for reporting allegations of abuse and neglect. The qualified professional needs to emphasize

that immediate action is necessary to protect the student from harm.

B. If a student is determined to be at imminent risk of suicide, and if the above section titled “Abuse and Neglect” does not apply, then the qualified professional shall immediately call at least one of the student’s parents/guardians. When contacting a parent/guardian, the qualified professional should: (1) Provide his/her name and position in the school; (2) Tell the parent/guardian that in his/her professional judgment the student is at imminent risk of suicide; and (3) Assure the parent/guardian that the student is currently safe; (4) Ask the parent/guardian whether he or she is aware of the student’s mental state; (5) Ask the parent/guardian whether he or she wishes to obtain or has obtained mental counseling for the student; (6) Provide names of community counseling resources if appropriate and offer to facilitate the referral; and (7) Determine the parent’s intent to seek appropriate services for the student.

C. If the qualified professional is unable to make contact with the parent/guardian by the end of the school day, then the professional shall seek treatment for a student without the parent’s/guardian’s authorization in accordance with local School Board policy.

If parental/guardian contact is made and, in the course of this contact, relevant issues of abuse or neglect are discovered (e.g., a parent acknowledges the child’s suicidal intent but indicates no intent to act for the well-being of the child), the qualified professional shall report the abuse or neglect in accordance with School Board policy.

D. A student who is at imminent risk of suicide shall be monitored and supervised by a designated School Board employee, until a parent/guardian or other authorized individual accepts responsibility for the student’s safety.

E. After a student has been identified or determined to be at imminent risk of suicide, the qualified professional shall make appropriate follow-up contact to ascertain the current status of the student and facilitate any in-school support that may be required.

F. The qualified professional shall document the phone call to the parent/guardian by recording the: (a) time and date of the call; (b) parent/guardian response; (c) response plan agreed upon; and (d) anticipated follow-up. (Adopted October 12, 2006, Ordinance Number 06/07-3; Effective Date: July 1, 2007)

**Legal Authority** – Virginia Code §§ 22.1-272.1 and 63.2-1509 (1950), as amended.

**Section 5-2.2. Annual inspection of buildings and grounds required; role of superintendent and building principal.**—A. School buildings and grounds shall be inspected to ensure that they operate at maximum efficiency. A minimum of one (1) inspection of all school buildings and grounds shall be conducted each year.

B. The superintendent will have the general responsibility for the care, custody, inspection and safekeeping of all school property, and for establishing

procedures and employing such means as may be necessary to discharge this responsibility.

C. At the building level, the principal will be responsible for overseeing the school building and grounds and for the proper care of school property by staff and students. School buildings and grounds must be maintained in a safe and attractive condition. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §22.1-70, 22.1-79 (1950), as amended

**Section 5-2.2:1. Written school safety audit required; safety audits defined; certification of safety, health and fire protection.** —A. Each school shall annually conduct school safety audits as set forth in this policy. The results of such school safety audits shall be made public within 90 days of completion. The School Board may withhold or limit the release of security plans and specific vulnerability assessment components as provided for by the Virginia Freedom of Information Act. Each school shall maintain a written copy of the school safety audit which may exclude security plans and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon written request.

B. A “school safety audit” means a written assessment of the safety conditions in each Suffolk Public School to (i) identify and, if necessary, to develop solutions for physical safety concerns, including building security issues and (ii) identify and evaluate patterns of student safety concerns occurring on school property or at school sponsored events. Solutions and responses shall include recommendations for structural adjustments, changes in school safety procedures, and revisions to the School Board’s standards for student conduct.

C. Each school shall submit a copy of its school safety audit to the superintendent. The superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School and Campus Safety and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits.

D. The superintendent will establish a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards, and judicial and public safety personnel. The school safety audit committee will review the completed school safety audits and submit any plans, as needed, for improving school safety to the superintendent for submission to the School Board.

E. Each school shall maintain records of regular safety, health and fire inspections that have been conducted and certified by the Suffolk health and fire departments. The frequency of such inspections shall be determined by the Suffolk Public Schools in consultation with the Suffolk health and fire departments. In

addition, the school administration shall: (1) Equip all exit doors with panic hardware as required by the Uniform Statewide Building Code; and (2) Post Evacuation routes for students in each room. At least one simulated lockdown and crises emergency evacuation activity should be conducted within the first month of each school year, except during the periods of mandatory testing required by the Board of Education. (Adopted November 11, 1999; Ordinance Number 99/00-14; Revised December 11, 2003; Ordinance Number 03/04-6; Effective: July 1, 2005; Revised and Adopted: March 13, 2009, Ordinance Number 08/09-32; Effective Date: July 1, 2009; Revised March 14, 2013; Ordinance Number 12/13-24; Effective Date: July 1, 2013; Revised May 12, 2016; Ordinance Number 15/16-37; Effective Date: July 1, 2016)

**Note:** The 2016 revision added Subsections C and D.

**Legal Authority** - Virginia Code § 22.1- 278.1 (1950), as amended.

**Section 5-2.2:2. Written school crises and management plan and medical emergency response plan required; safety audits required; health and fire inspections required and other safety requirements enumerated—**

A. Each school shall develop a written school crises, emergency management and medical emergency response plan as defined below. The School Board will annually review each school's plan and will provide copies of such plans to the chief law-enforcement officer, the fire chief, the chief emergency medical services official, and the emergency management official of the locality. The Department of Education and the Virginia Center for School Safety will provide technical assistance to the Suffolk Public Schools in the development of the plans. In developing these plans, schools may consult the model school crisis, emergency management, and medical emergency response plan developed by the Board of Education and the Virginia Center for School Safety. The school superintendent shall designate someone to serve as an emergency manager to ensure full implementation of this policy.

B. Each school will annually conduct school safety audits as defined below. The results of such school safety audits will be made public within 90 days of completion. The School Board may withhold or limit the release of any security plans, walk-through checklists and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. The completed walk-through checklist will be made available upon request to the chief law-enforcement officer of the locality or his designee. Each school will maintain a copy of the school's safety audit, which may exclude such security plans, walk-through checklists and vulnerability assessment components, within the office of the school principal and will make a copy of such report available for review upon written request.

Each school shall submit a copy of its school safety audit to the

superintendent. The superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School Safety and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits.

The “school crises and emergency management, and medical emergency response plan” means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss of disruption of power, water, communications or shelter; bus or other accidents; medical emergencies; including cardiac arrest and other life threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapon threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan shall include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § Va. Code § 19.2-11.01, a well as current contact information for both.

C. Each school shall have contingency plans for emergencies that include staff certified in cardiopulmonary resuscitation (CPR) as required by state law, the Heimlich maneuver, and emergency first aid. In addition, the school administration shall ensure that each school bus has: (1) Written procedures to follow in emergencies such as fire, injury, illness, and violent or threatening behaviour. The plan shall be outlined in the student handbook for each school and discussed with staff and students during the first week of school each year; (2) Space for proper care of students who become ill shall be made available in each school; (3) A written procedure for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and (4) written procedures to follow for the safe evacuation of persons with special physical, medical, or language needs who may need assistance to exit a facility.

D. Each school will maintain records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections will be determined by Suffolk Public Schools in consultation with the local health and fire departments. In addition, the school administration will: (1) equip all exit doors with panic hardware as required by the Uniform Statewide Building Code; and (2) conduct fire drills at least once a week during the first month of school and at least once each month for the remainder of the school term except during periods of mandatory testing as required by the Board of Education; (3) post in each

classroom evacuation routes for students; and (4) conduct at least one simulated lockdown and crisis emergency evacuation activity in the school year. (Adopted November 11, 1999; Ordinance Number 99/00-15; Revised October 9, 2003; Ordinance Number 03/04-04; Effective: July 1, 2004; Revised February 14, 2008; Ordinance Number 07/08-4; Effective: February 14, 2008; Revised March 14, 2013; Ordinance Number 12/13-25; Effective Date: July 1, 2013; Revised May 12, 2016; Ordinance Number 15/16-38; Effective Date: July 1, 2016)

**Note:** The 2016 revision revised Subsection A, which read “The School Board will annually review each school’s plan” to read “The School Board will annually review each school’s plan and will provide copies of such plans to the chief law-enforcement officer, the fire chief, the chief emergency medical services official, and the emergency management official of the locality.” The following language was also deleted from Subsection A, “The School Board has the authority to withhold or limit the review of any security plans and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act.” Subsections B and C were also added.

**Legal Authority** - Virginia Code § 22.1-278.1 (1950), as amended.

**Section 5-2.2:3. Threat Assessment Team Required; Team Members; Principal may provide information; Report to superintendent; Report to Department of Criminal Justice Services; Responsibility of school superintendent.** — A. The superintendent will establish a threat assessment team for each school. Teams may serve one or more schools as determined by the superintendent. The teams will assess and intervene with students whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Virginia Center for School Safety including procedures for referrals to community services boards or health care providers for evaluation or treatment when appropriate.

B. Each team will include persons with expertise in counseling, instruction, school administration and law enforcement. Each team will (i) provide guidance to students, faculty and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school or self; (ii) identify members of the school community to whom threatening behavior should be reported; and (iii) implement policies adopted by the School Board.

C. A principal who has received information that a juvenile is a suspect in or has been charged with certain violations of law pursuant to Va. Code § 16.1-301 may provide such information to a threat assessment team. No member of a threat assessment team may disclose any such information or use such information for any purpose other than evaluating threats to students and school personnel.

D. Upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the superintendent or superintendent’s designee. The superintendent or superintendent’s designee shall immediately

attempt to notify the student's parent or legal guardian. Nothing in this policy precludes school division personnel from acting immediately to address an imminent threat.

E. Upon a preliminary determination by the threat assessment team that an individual poses a threat of violence to self or others or exhibits significantly disruptive behavior or need for assistance, a threat assessment team may obtain criminal history record information, as provided in Va. Code §§ 19.2-389 and 19.2-389.1, and health records, as provided in Va. Code § 32.1-127.1:03. No member of a threat assessment team shall re-disclose any criminal history record information or health information obtained pursuant to this policy or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

F. Each threat assessment team will report quantitative data on its activities according to guidance developed by the Department of Criminal Justice Services.

G. The superintendent may establish a committee to oversee the threat assessment teams or may assign the oversight of the teams to an existing committee. If such a committee is established, it will include individuals with expertise in human resources, education, school administration, mental health and law enforcement. (Ordinance Number 14/5-2; Adopted July 10, 2014; Revised May 12, 2016; Ordinance 15/16-39; Effective Date: July 1, 2016; Revised October 13, 2016; Ordinance Number 16/17-7; Effective Date; July 1, 2017)

**Note:** The 2017 revision added subsection E.

**Legal Authority** - Virginia Code § 22.1- 279.8 (1950), as amended.

**Section 5-2.3. Reporting of hazardous conditions; labelling of toxic materials.** —A. It is the duty and responsibility of each employee of Suffolk Public Schools to assure that all equipment and grounds are free from hazardous conditions. Any perceived hazard shall be reported immediately to the superintendent or designee for inspection and corrective action.

B. The superintendent will name a designee to evaluate all art materials used in Suffolk Public Schools to identify those which are toxic, in accordance with criteria established by the Department of Education. All material used in Suffolk Public Schools which meet the criteria as toxic shall be so labelled and the use of such art materials shall be prohibited in kindergarten through grade five (5). (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §22.1-70 (1950), as amended.

**Section 5-2.4. Administering of first aid; principal charged with providing immediate care.**—A. Schools are responsible for giving first aid or emergency treatment in case of sudden illness or injury to a student or member of the staff. Further medical attention to students is the responsibility of the parents or guardian, or of someone the parents or guardian designate in case of emergency.

B. Each principal is charged with providing for the immediate care of ill or injured persons within the area of the principal's control. A school nurse or other assigned staff member will administer emergency aid.

C. In each school, procedures for the handling of such emergencies will be established and made known to the staff. Each school and school vehicle will be equipped with appropriate first-aid equipment. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §§22.1-253.13:2 & 22.1-274 (1950), as amended.

**Section 5-2.5. Fire drills required; mandatory testing exception.**—A. In every public school under the control of the School Board, there shall be a fire drill at least once twice during the first twenty 20 school days of each session. Schools shall hold at least two additional fire drills during the remainder of the school year. Written results of each fire drill shall be submitted to the appropriate department. (Adopted: August 10, 1995; Revised: February 14, 2008; Ordinance Number 07/08-4; Effective February 14, 2008; Revised May 12, 2016; Ordinance Number 15/16-40; Effective Date: July 1, 2016; Revised October 13, 2016; Ordinance Number 16/17-8; Effective Date: July 1, 2017)

**Note:** The 2017 revision deleted the language in subsection A which read “at least once”

**Legal Authority** - Virginia Code §§22.1-78, 22.1-137 (1950), as amended.

**Section 5-2.6. Emergency closings; notification thereof; parental involvement.** —A. In the event that an emergency arises making it impossible to open school, announcements will be made through the mass media as soon as possible.

B. Should hazardous weather or conditions within a school building develop during the day, which would require closing school before the regular dismissal time, announcements will be made to the mass media as soon as possible. Parents will be encouraged to assure that in such emergencies arrangements have been made for their children and that their children are aware of the arrangements.

C. Unless employees are notified that their work schedule is changed because of adverse weather or emergency conditions, it is expected that all employees will work according to the terms of their contract. (Adopted August 10,

1995)

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

**Section 5-2.7. Vandalism of school property.** —A. The School Board urges staff, student and the public to cooperate in the reduction of vandalism by reporting incidents of vandalism and the name of any person(s) believed to be responsible.

B. The School Board may institute legal action and recover from the parents of any minor, damages suffered by reason of the willful or malicious destruction of, or damage to, public property by such minor. Only the amount allowed by state law may be recovered from the parents as a result of any incident or occurrence on which such action is based. In addition, the student will be subject to whatever disciplinary action is deemed necessary and advisable by the student's principal. (Adopted August 10, 1995; Revised December 9, 2004; Ordinance 04/05-10; Effective Date: July 1, 2005)

**Note:** The 2005 revision added subsection A.

**Legal Authority** - Virginia Code §§18.2-138 & 22.1-78 (1950), as amended.

**Section 5-2.8. Definitions; records to be maintained.** —A. For the purpose of this article, the term "school crisis and emergency management plan" means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, or severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, student or staff member deaths; explosions, bomb threats; gun, knife or other weapon threats; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism and other incidents posing a serious threat of harm to students, personnel, or facilities.

For the purpose of this article the term "school safety audit" means a written assessment of the safety conditions in each public school, to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses may include recommendations for structural adjustments, changes in school safety procedures, and revision to the School Board's standards for student conduct.

B. Each school shall maintain records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections shall be determined by the School Superintendent in consultation with the local health and fire departments. In

addition, the School Superintendent shall (i) ensure that all exit doors have panic hardware as required by the Uniform Statewide Building Code (13 VAC5-61-10 et. seq.); and (ii) ensure that evacuation routes for students are posted in each classroom. At least one simulated lockdown and crisis emergency evacuation activity should be conducted early in the school year.(Adopted: December 9, 2004; Ordinance Number 04/05-11; Effective Date: July 1, 2005)

**Legal Authority**—Virginia Code §22.1-279.8 (1950), as amended

**Section 5-2.9. Staff certified in cardiopulmonary resuscitation, the Heimlich and first aid required.** — A. In school buildings with an instructional and administrative staff of ten or more, there shall be at least three employees who have current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED). In school buildings with an instructional and administrative staff of fewer than ten, there shall be at least two employees who have current certification or training in emergency first aid, CPR and the use of an AED.

B. If one or more students diagnosed as having diabetes attend such school, there shall be at least ~~two~~ one employee who has been trained in the administration of insulin and glucagon.

C. When a registered nurse, nurse practitioner, physician or physician assistant is present, no employee who is not a registered nurse, nurse practitioner, physician or physician assistant shall assist with the administration of insulin or administer glucagon. Prescriber authorization and parental consent shall be obtained for any employee who is not a registered nurse, nurse practitioner, physician or physician assistant to assist with the administration of insulin and administer glucagon. (Adopted: December 9, 2004; Ordinance Number 04/05-12; Effective Date: July 1, 2005; Revised March 14, 2013; Ordinance Number 12/13-26; Effective Date: July 1, 2013; Revised May 12, 2016; Ordinance Number 15/16-41; Effective Date: July 12, 2016)

**Note:** The 2016 revision revised Subsection A which read “In school buildings with an instructional and administrative staff of ten or more, there shall be at least two employees who have current certification, cardiopulmonary resuscitation or have received training, within the last two years, in emergency first aid and cardiopulmonary resuscitation” to read “In school buildings with an instructional and administrative staff of ten or more, there shall be at least three employees who have current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED).” Also Subsection A was revised which read “In school buildings with an instructional and administrative staff of fewer than ten, there shall be at least one employee who has current certification in cardiopulmonary resuscitation or has received training, within the last two years, in emergency first aid and cardiopulmonary resuscitation” to read “In school buildings with an instructional and administrative staff of fewer than ten, there shall be at least two employees who have current certification or training in emergency first aid, CPR and the use of an AED.” Subsection B, which read “If one or more students diagnosed as having diabetes attend such school, there shall be at least two employee who has been trained in the administration of insulin and glucagon” to read “If one or more students diagnosed as having diabetes attend such school, there shall be at least one

employee who has been trained in the administration of insulin and glucagon.” Subsection C was also added.

**Legal Authority**—Virginia Code §22.1-279.8 (1950), as amended.

### **Article 3 Use of School-Owned Materials**

**Section 5-3.1. Unauthorized use prohibited; stolen or damaged equipment.**—A. Equipment assigned to schools will not be loaned, rented, or used for non-school purposes, except at the discretion of the superintendent.

B. Equipment located at the Media Center will be used only for school purposes.

C. Equipment stolen or damaged while in a teacher’s or other employee’s possession will be reported immediately. If the item is not reported, the employee will be held responsible for equipment replacement. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §§22.1-131, 22.1-78, 22.1-79 (1950), as amended.

### **Article 4 Student Transportation Services**

**Section 5-4.1. Transportation of students.**—The School Board may provide for the necessary transportation of students. The School Board requires that all conditions stipulated by the Code of Virginia and regulations of the Virginia Board of Education for transportation of students be met so that the School Board may receive state funds due for the transportation of students. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §§22.1-176, 22.1-223 (1950), as amended.

**Section 5-4.2. School bus scheduling.**—School bus scheduling and routing will be in compliance with the Regulations of the Virginia Board of Education. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §§22.1-176 & 22.1-181 (1950), as amended.

**Section 5-4.3. School bus safety program; accident reporting requirement; superintendent to develop regulations.** —A. All buses and other vehicles owned, leased and operated by Suffolk Public Schools will be inspected

for safety by the assigned driver and transportation supervisor on a regular basis. The transportation supervisor will develop and maintain a safety inspection record which will be filled out, and signed by the individuals conducting the inspection. In addition, all buses will be available for the regular state inspections. Any defects noted by local or state inspections will be remedied immediately.

B. All accidents, regardless of the damage involved, must be reported to the transportation supervisor.

C. No person shall use any wireless telecommunications device, whether handheld or otherwise, while driving a school bus, except in case of an emergency, or when the vehicle is lawfully parked and for the purposes of dispatching. Nothing in this section shall be construed to prohibit the use of two-way radio devices authorized by Suffolk Public Schools.

D. The school superintendent is hereby granted the authority to promulgate regulations to promote the safety and well being of all students and employees of Suffolk Public Schools who are being transported on public school buses or in public school vehicles. (Adopted August 10, 1995; Revised and Adopted: February 10, 2005, Ordinance Number 04/05-17; Revised September 8, 2011; Ordinance Number 11/12-9; Effective Date: September 9, 2011)

**Note:** The **2011** amendment to section 5-4.3, added a new subsection C. The **2005** amendment added what is currently subsection D.

**Legal Authority** - Virginia Code §22.1-184 (1950), as amended.

**Section 5-4.4. Student conduct on school buses; riding privileges suspended; bus driver to maintain order.** —A. The School Board requires that all students conduct themselves on the bus in a manner consistent with established standards for classroom behavior.

B. Students who become serious disciplinary problems on the bus will be reported to the principal, by the driver, and may have their riding privileges suspended. The school principal will have the authority to suspend the riding privileges of students and/or take other disciplinary actions for students who are disciplinary problems on the bus. Parents or guardians of children whose behavior or misconduct on school buses violates the Student Code of Conduct or otherwise endangers the health, safety and welfare of riders shall be notified that their child/children face the loss of school bus riding privileges and/or other disciplinary action. In such cases, the parents or guardians of the student will be responsible for arranging for the safe transportation of their children to and from school safely. In such cases, the parents or guardians of the student will be responsible for arranging for the safe transportation of their children to and from school safely.

C. The bus driver shall be responsible for maintaining the orderly

behavior of students on school buses and shall report misconduct to the student's principal by using the form provided by Suffolk Public Schools, with a copy being provided to the transportation office. (Adopted August 10, 1995; Revised October 14, 2004; Ordinance Number 04/05-7; Effective Date: July 1, 2005)

**Note:** The **2005** revision in subsection B, line 3, inserted the language "The school principal will have the authority to suspend the riding privileges of students and/or take other disciplinary actions for students who are disciplinary problems on the bus. Parents or guardians of children whose behavior or misconduct on school buses violates the Student Code of Conduct or otherwise endangers the health, safety and welfare of riders shall be notified that their child/children face the loss of school bus riding privileges and/or other disciplinary action." Also in subsection B, line 11, inserted the words "or guardians". In line 12 inserted the word "safe," and also inserted a subparagraph C.

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

**Section 5-4.5. Special use of school buses.**—The use of school buses for purposes other than transporting children to school for the regular school hours is permitted with prior approval of the superintendent and in accordance with regulations pertaining to field trips. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §§22.1-176 & 22.1-182 (1950), as amended.

## **Article 5**

### **Food Service Management**

**Section 5-5.1. Planning of school lunch menus; purchasing of foods, equipment etc.** —A. The principal of a school will be responsible for the management of the school building, including the food service program. However, the planning of menus, purchasing of foods, equipment and general administration of the food service program is the responsibility of the supervisor of food service.

B. Conflicts in administrative direction should be resolved between the supervisor for food service and the principal. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §22.1-293 (1950), as amended.

**Section 5-5.2. Free and reduced lunch prices.**—A. An adequate nutrition program is essential to a child's growth and development and influences a child's achievement in school. With this in mind, the School Board is of the opinion that every school age child should have an adequate lunch, and that the School Board should serve free and reduced price breakfasts and lunches to eligible children.

B. The School Board will enter into an annual agreement with the State

Department of Education for the operation of the school breakfast and lunch program, which obligates Suffolk Public Schools to observe the standards and minimum operating requirements established under the National School Lunch Act.

C. In accordance with federal law and the revised regulations of the National School Lunch and Child Nutrition Acts, the School Board will carry out all statutory requirements, and accepts responsibility for providing free and reduced price meals to children in the schools.

D. Any amendments or changes to this policy will be submitted to the State School Lunch Office for approval prior to its taking effect in Suffolk Public Schools. When changes occur during the school year, parents and the news media will be notified. (Revised August 10, 1995)

**Legal Authority** - Virginia Code §22.1-24 (1950), as amended.

**Section 5-5.3. Food sanitation program.**—The personnel and the facilities used for food services in Suffolk Public Schools are covered under state laws regulating restaurants and other food establishments. The Health Department will be delegated the responsibility of inspecting school facilities, food preparation, and issuing food handler’s permits. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §35.1-1 *et seq.* (1950), as amended.

**Section 5-5.4. Food service records and reports; superintendent reports.**—The superintendent will report periodically to the School Board on the financial status of Suffolk Public School’s food service operations. The superintendent will also supervise the storage and distribution of all donated foods allocated by the U.S.D.A. for the school lunch program in such a manner as will ensure compliance with the terms and conditions of the agreement. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §22.1-70 (1950), as amended.

## **Article 6 Computer Technology**

**Section 5-6.1. Unauthorized duplication of software prohibited.**—A. Suffolk Public Schools recognizes and supports the limitation imposed by copyright laws. These laws specifically prohibit unauthorized duplication of software except to provide for archival back-up copies. Therefore, the use of

“pirated” or otherwise illegally obtained software on equipment owned by Suffolk Public Schools, whether for instruction, administrative or any other purpose is prohibited. Use of equipment owned by Suffolk Public Schools to make unauthorized copies of Suffolk Public School owned, privately owned, or illegally obtained software is also prohibited. In compliance with the Copyright Act of 1976, copyrighted materials shall not be duplicated by Suffolk Public School employees or on Suffolk Public School equipment in violation of the exclusive rights of the holder of the copyright on such materials.

B. The division is committed to working with software producers and distributors to encourage appropriate pricing, previewing, and replacement policies for software purchases. Furthermore, users of software, upon request, must be able to produce proper licensing documentation.

C. Suffolk Public Schools assumes no liability for infringement of computer software copyright by individual employees, or the infringement of any copyright whatsoever by individual employees.

D. The superintendent may develop administrative procedures to implement this policy. (Adopted August 10, 1995)

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

**Section 5-6.2. Educational technology; definitions; establishment of foundation permitted; purchases of educational technology.** —A. As used in this section:

(i) “Educational technology” means any software, hardware, or other equipment or infrastructure or technical assistance or instruction in the use of software, hardware or other equipment or infrastructure which may be required to implement Suffolk Public School’s approved plan for educational technology or the Board of Education’s Six Year Plan for Educational Technology.

(ii) “Educational technology foundation” means a non-stock, non-profit corporation, established for the express purpose of implementing a public/private partnership to expand access to and improve the quality of educational technology in Suffolk Public Schools.

(iii) “Public school foundation” means a non-stock, non-profit corporation, established for the express purpose of implementing a public/private partnership to implement public school improvement projects approved by the School Board.

B. The School Board supports the establishment of educational technology and public foundations either directly, or with other organizations or persons, or through a contract with a non-profit, non-stock corporation, in order to expand access to and improve the quality of educational technology in Suffolk Public Schools.

C. The School Board may also make purchases through its public

school foundation or purchases of educational technology through its educational technology foundation, and such purchases shall be exempt from the provisions of the Virginia Public Procurement Act as provided for by law. (Adopted November 11, 1999; Ordinance Number 99/00-16)

**Legal Authority** - Virginia Code §11-35 (1950), as amended.

**Section 5-6.3. — Computer system provided; privilege not a right; superintendent to develop regulations; computer system not a public forum; execution of acceptable use agreement required; not responsible for information lost, damaged or unavailable** — A. The School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape or flash drives, servers, mainframe and personal computers, tablets, cellular phones, smart telephones, the internet and other internal or external networks.

B. All use of the Division’s computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Any communication or material generated using the computer system, including electronic mail, instant or text messages, tweets, or other files deleted from a user’s account, may be monitored, read, and/or archived by school officials.

C. The school superintendent shall establish administrative procedures, containing the appropriate uses, ethics and protocol for the computer system. The procedures shall include: (1) a prohibition against use of Suffolk Public Schools computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the internet by Suffolk Public School employees and students; (2) provisions, including the selection and operation of a technology protection measure for Suffolk Public Schools’ computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to: (a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256; (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and (c) material that Suffolk Public Schools deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors; (3) provisions establishing that the technology protection measure is enforced during any use of the computers; (4) provisions establishing that all usage of the computer system may be monitored; (5) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, in chat rooms, and cyberbullying awareness and response; (6) provisions designed to prevent unauthorized online access by minors, including “hacking”

and other unlawful online activities; (7) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and (8) a component of internet safety for students that is integrated in Suffolk Public Schools' instructional program.

D. Use of Suffolk Public Schools' computer system shall be consistent with the educational or instructional mission or administrative function of Suffolk Public Schools as well as the varied instructional needs, learning styles, abilities and developmental levels of students. Suffolk Public Schools' computer system is not a public forum.

E. Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement, before using Suffolk Public Schools' computer system. The failure of any student, teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

F. The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board will not be responsible for any unauthorized charges or fees resulting from access to the computer system. (Adopted March 10, 2005; Ordinance Number 04/05-19; Effective Date: July 1, 2005; Revised May 12, 2016; Ordinance Number 15/16-42; Effective Date; July 1, 2016)

**Note:** The 2016 revision deleted from Subsection A the following language: "The School Board recognizes the importance of the Internet site for Suffolk Public Schools as a means for communicating with interested citizens, parents and families planning a move to the area, potential employees, and the national and international education communicates. However, the School Board also recognizes the importance of maintaining Internet security as it relates to information posted on the Internet" and inserted in its place the following language: "The School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape or flash drives, servers, mainframe and personal computers, tablets, cellular phones, smart telephones, the internet and other internal or external networks." In Subsection B the following language was deleted: "With this in mind, the superintendent of schools is hereby authorized to develop regulations consistent with Suffolk Public Schools' education and communication objectives and security requirements for the management of Suffolk Public Schools' Internet presence" and in its place added the following language: "All use of the Division's computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Any communication or material generated using the computer system, including electronic mail, instant or text messages, tweets, or other files deleted from a user's account, may be monitored, read, and/or archived by school officials." Subsections B, C, D, E, and F were also added.

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

**Section 5-6.4 Disclosure of Username or Password not required; Inadvertent disclosure of information; Public Information; Relevant to formal investigation.** — A. The School Board does not require current or prospective employees to disclose the username or password to the employee's personal social media accounts or to add an employee, supervisor or administrator to the list of contacts associated with the employee's personal social media account.

B. If the School Board or a School Board employee inadvertently receives an employee's username and password to, or other login information associated with, the employee's personal social media account through the use of an electronic device provided to the employee by the School Board or a program that monitors the School Board's network, the School Board will not be liable for having the information but will not use the information to gain access to the employee's social media account.

C. This policy does not prohibit the School Board and its agents from viewing information about a current or prospective employee that is publicly available.

D. This policy does not prohibit the School Board from requesting an employee to disclose the employee's username and password for the purpose of accessing a personal social media account if the employee's social media account activity is reasonably believed to be relevant to a formal investigation or related proceeding by the Board of allegations of an employee's violation of federal, state or local laws or regulations or of the Board's written policies. If the Board exercises its rights under this paragraph, the employee's username and password will only be used for the purpose of the formal investigation or a related proceeding. (Adopted May 12, 2016; Ordinance Number 15/16-43; Effective Date: July 1, 2016)

**Legal Authority** – Virginia Code Section 40.1-28.7:5 (1950), as amended.

**Section 5-6.5. Electronic or Digital Signatures Permitted; Definitions; Applicability; Electronic Records; Electronic Signatures; Acceptance, Use and Issuance of Electronic Records and Signatures.** — A. Electronic Signatures or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in this division.

B. For the purpose of this policy, the following definitions apply:

(1) “Attribution” – An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

(2) “Electronic Signature”- An electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

(3) “Electronic Record” – Any record created, generated, sent, communicated, received or stored by electronic means.

C. This policy applies to parents, guardians, and other persons having control or charge of a child enrolled in the division; and also to individuals affiliated with the division, whether paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

D. Electronic records created or received by the division shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The division shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the division may be given full force and effect of a paper communication if the following conditions are satisfied: (1) The communication is an electronic filing or recording and the School Board agrees to accept or send such communication electronically; and (2) If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

E. An electronic signature may be used if the law requires a signature unless there is a specific statute, regulation, or policy that requires records to be signed in non- electronic form. The issuance and/or acceptance of an electronic signature by the School Board may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements: (1) The electronic signature identifies the individual signing the document by his/her name and title; (2) The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail; (3) The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed; (4) The electronic signature conforms to all other provisions of this policy.

F. The School Board shall maintain an electronic recordkeeping system

that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such system should include security procedures whereby the School Board can (a) verify the attribution of a signature to a specific individual, (b) detect changes or errors in the information contained in a record submitted electronically, (c) protect and prevent access, alteration, manipulation or use by an unauthorized person, and (d) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The School Board shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The School Board shall maintain a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature in connection with School Board business.

The School Board may receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic. (Adopted May 12, 2016; Ordinance Number 15/16-44; Effective Date: July 1, 2016)

## **Article 7 Insurance**

**Section 5-7.1. Adequate insurance coverage required.**— The School Board shall maintain adequate insurance coverage, or may provide self-insurance, to cover all insurance risks relating to the activities of School Board members, employees of the School Board and all real and personal property owned or leased by the School Board. The terms of the coverage, or self-insurance plans, will be reviewed at least annually by the superintendent. The superintendent may recommend to the School Board that there be a change in coverage when deemed necessary by the superintendent. (Adopted August 10, 1995)

**Legal Authority** - Virginia Code §22.1-84 (1950), as amended.

**Section 5-7.2. Property insurance.**—The School Board will maintain insurance coverage, or may provide self-insurance on all vehicles, buildings and their contents owned by the School Board. The purchasing agent for Suffolk Public Schools will periodically solicit bids from insurance companies and/or self-insurance service companies, to provide insurance, or self-insurance on vehicles, buildings, contents, and liability coverage. The superintendent may recommend to the School Board certain changes in insurance coverage. (Adopted August 10, 1995; Revised: October 14, 2004; Ordinance Number 04/05-6; Effective Date:

July 1, 2005)

**Note:** The **2005** revision deleted the words “director of finance” in line 3 and inserted the words “purchasing agent for Suffolk Public Schools.

**Legal Authority** - Virginia Code §§22.1-84, 22.1-190 (1950) as amended.

## **Article 8**

### **Contract with Service Provider**

**Section 5-8.1. Definitions; Required Contract Terms; Additional requirements; Policy Exceptions.** — For the purpose of this policy the following definitions apply.

"Elementary and secondary school purposes" means purposes that (i) customarily take place at the direction of an elementary or secondary school, elementary or secondary school teacher, or school division; (ii) aid in the administration of school activities, including instruction in the classroom or at home; administrative activities; and collaboration between students, school personnel or parents; or (iii) are otherwise for the use and benefit of an elementary or secondary school.

"Personal profile" does not include account information that is collected and retained by a school service provider and remains under control of a student, parent or elementary or secondary school.

"School-affiliated entity" means any private entity that provides support to the school division or a public elementary or secondary school. "School-affiliated entity" includes alumni associations, booster clubs, parent-teacher associations, parent-teacher-student associations, parent-teacher organizations, public education foundations, public education funds and scholarship organizations.

"School service" means a website, mobile application or online service that (i) is designed and marketed solely for use in elementary or secondary schools; (ii) is used (a) at the direction of teachers or other employees at elementary or secondary schools or (b) by any school-affiliated entity; and (iii) collects and maintains, uses or shares student personal information. "School service" does not include a website, mobile application or online service that is (a) used for the purposes of college and career readiness assessment or (b) designed and marketed for use by individuals or entities generally, even if it is also marketed for use in elementary or secondary schools.

"School service provider" means an entity that operates a school service pursuant to a contract with the school division.

"Student personal information" means information collected through a school service that identifies a currently or formerly enrolled individual student or is linked to information that identifies a currently or formerly enrolled individual student.

"Targeted advertising" means advertising that is presented to a student and selected on the basis of information obtained or inferred over time from such student's online behavior, use of applications, or sharing of student personal information. "Targeted advertising" does not include advertising (i) that is presented to a student at an online location (a) on the basis of such student's online behavior, use of applications or sharing of student personal information during his current visit to that online location or (b) in response to that student's request for information or feedback and (ii) for which a student's online activities or requests are not retained over time for the purpose of subsequent advertising.

B. The contract between a school service provider and the School Board shall require the school service provider to do the following:

1. provide clear and easy-to-understand information about the types of student personal information it collects through any school service and how it maintains, uses or shares such student personal information;
2. maintain a policy for the privacy of student personal information for each school service and provide prominent notice before making material changes to its policy for the privacy of student personal information for the relevant school service;
3. maintain a comprehensive information security program that is reasonably designed to protect the security, privacy, confidentiality and integrity of student personal information and makes use of appropriate administrative, technological and physical safeguards;
4. facilitate access to and correction of student personal information by each student whose student personal information has been collected, maintained, used or shared by the school service provider, or by such student's parent, either directly or through the student's school or teacher;

5. collect, maintain, use and share student personal information only with the consent of the student or, if the student is less than 18 years of age, his parent or for the purposes authorized in the contract between the School Board and the school service provider;
  6. when it collects student personal information directly from the student, to obtain the consent of the student or, if the student is less than 18 years of age, his parent before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service, and when it collects student personal information from an individual or entity other than the student, to obtain the consent of the school division before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service;
  7. require any successor entity or third party with whom it contracts to abide by its policy for the privacy of student personal information and comprehensive information security program before accessing student personal information; and
  8. require that, upon the request of the school or School Board, the school service provider will delete student personal information within a reasonable period of time after such request unless the student or, if the student is less than 18 years of age, his parent consents to the maintenance of the student personal information by the school service provider.
- C. The contract will also prohibit the school service provider from knowingly:
1. using or sharing any student personal information for the purpose of targeted advertising to students;
  2. using or sharing any student personal information to create a personal profile of a student other than for elementary and secondary school purposes authorized by the school division, with the consent of the student or, if the student is less than 18 years of age, his parent, or as otherwise authorized in the contract between the school division and the school service provider; or
  3. selling student personal information except to the extent that such student personal information is sold to or acquired by a successor

entity that purchases, merges with or otherwise acquires the school service provider.

- D. Nothing in this policy shall be construed to prohibit school service providers from the following:
1. using student personal information for purposes of adaptive learning, personalized learning or customized education;
  2. using student personal information for maintaining, developing, supporting, improving or diagnosing the school service;
  3. providing recommendations for employment, school, educational or other learning purposes within a school service when such recommendation is not determined in whole or in part by payment or other consideration from a third party;
  4. disclosing student personal information to (i) ensure legal or regulatory compliance, (ii) protect against liability or (iii) protect the security or integrity of its school service; or
  5. disclosing student personal information pursuant to a contract with a service provider, provided that the school service provider (i) contractually prohibits the service provider from using any student personal information for any purpose other than providing the contracted service to or on behalf of the school service provider, (ii) contractually prohibits the service provider from disclosing any student personal information provided by the school service provider to any third party unless such disclosure is permitted by Va. Code § 22.1-289.01(B)(7) and (iii) requires the service provider to comply with the requirements set forth Va. Code § 22.1-289.01(B) and the prohibitions set forth in Va. Code § 22.1-289.01(C).
- E. Nothing in this policy shall be construed to:
1. impose a duty upon a provider of an electronic store, gateway, marketplace, forum or means for purchasing or downloading software or applications to review or enforce compliance with this policy with regard to any school service provider whose school service is available for purchase or download on such electronic store, gateway, marketplace, forum or means;

2. impose liability on an interactive computer service, as that term is defined in 47 U.S.C. § 230(f), for content provided by another individual; or
3. prohibit any student from downloading, exporting, transferring, saving or maintaining his personal information, data or documents.  
(Adopted: October 13, 2016; Ordinance Number: 16/17-23;  
Effective Date: July 1, 2017)

**Legal Authority** – Virginia Code §22.1-289.01 (1950), as amended.