

CHAPTER 5 PERSONNEL

Article 1

UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE

Section 5-1.1. Drug-free Workplace Defined.— The Suffolk City School Board is committed to maintaining a drug-free workplace which is defined as the site for the performance of work in a school building or other premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip to athletic events, where students are under the jurisdiction of the school district. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-5.1.

Section 5-1.2. What constitutes a violation.—A. Any of the following constitutes a violation of School Board policy:

- (1) Any employee who enters upon school property or reports for duty while under the influence of illegal drugs or alcohol shall be immediately suspended until the School Board shall take such action as is advisable. The Superintendent or designee shall make an investigation of all charges, protecting the employee's rights under due process.
- (2) Conduct prohibited by the Omnibus Transportation Employee Testing Act of 1991 and U.S. Department of Transportation Regulations.
- (3) The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance (including alcohol or anabolic steroids) by any employee on school property, at any school activity, or on any school-sponsored student trip is prohibited.
- (4) Any employee convicted of any criminal drug statute for a violation occurring under the circumstances described in A(3) shall notify the superintendent

within five days after such conviction.

B. Compliance with the above provisions is a condition of employment and/or continued employment with Suffolk Public Schools. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-5.2.

Section 5-1.3. Disciplinary Action.—The appropriate disciplinary action may be taken against any employee who violates this chapter, and in no instance will disciplinary action be delayed more than thirty days. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-5.3.

Article II

EQUAL EMPLOYMENT OPPORTUNITIES

Section 5-2.1. Equal Employment Required; Employment Qualifications—A. The School Board shall be an equal opportunity employer applying non-racial, non-age, non-ethnic and non-gender discrimination criteria in employing, assigning, promoting, dismissing and paying its employees. Employment shall be based upon the qualifications of the person to perform effectively in a specific assignment.

B. To be considered for employment, whether for full time or substitute, all applicants must meet the following qualifications:

- (1) *Complete appropriate application(s)*
- (2) *Present acceptable past employment records*
- (3) *Provide acceptable reference recommendations*
- (4) *Has never been convicted of any felony and/or sex crime (felony or misdemeanor)*
- (5) *Provide tuberculosis certificate as required by state law*
- (6) *Has not been convicted of a misdemeanor or traffic offense in the last five (5) years that would be related to the applicant's ability to perform his/her job (applies to all non-licensed*

personnel and all substitute personnel). If the applicant has been convicted of a misdemeanor or traffic offense within the last five (5) years, the applicant shall provide a written explanation detailing the offense(s) and what steps the applicant has taken to prevent the reoccurrence of such offense(s) in the future.

(7) *Must present required documentation necessary to qualify for specific position(s)*

(8) *Must be available for a personal interview*
(Issued August 10, 1995)

Legal Authority - School Board Policy §7-15.1.

Section 5-2.1:1. Personal interview required; ranking of applicants; pool of applicants developed.—A. In order to be considered for employment with Suffolk Public Schools, all applicants must be available for a personal interview, except as further set forth herein.

B. Following the interview process all applicants for administrative positions shall be given a ranking of highly qualified, qualified, or not qualified. *Highly qualified* means that the applicant possess qualities that are considered above average for the position. *Qualified* means that the applicant possess qualities that are considered average for the position. *Not qualified* means that the applicant possess qualities that are considered below average for the position.

C. Any applicant not hired to fill an administrative vacancy, but receives a *highly qualified* ranking as set forth in subsection B, will have their name placed in an employment pool that will be good for one year. If an administrative vacancy occurs while in the employment pool, the applicant may be considered for the position without having to file a subsequent application for employment or having to submit to a personal interview. (Issued December 11, 2001)

Legal Authority - School Board Policy §7-15.1.

Section 5-2.2. Licensed Personnel. — In addition to the above criteria, all licensed personnel must meet the following qualifications: 1) Present acceptable recommendations from his/her most recent principal, supervisor, or superintendent concerning his/her teaching experience, provided that the applicant is not a beginning teacher; 2) Must hold or be eligible for a Virginia teacher’s license, endorsed for the area of teaching for which he/she is employed in accordance with regulations outlined by the State Board; 3) Complete an “Application for Professional Position”, provide official transcript/placement folder, and other

supportive documentation as may be required; 4) All documents for licensure and employment must be submitted within the time frame specified in the employment contract. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-14.1.

Section 5-2.3. Credit for teaching experience; credit for work experience.— A. Credit for teaching experience shall be allowed as follows:

1. *Full credit for public school teaching experience in the state and out of the state;*
2. *Full credit for teaching in accredited institutions of higher learning in and out of the state;*
3. *Full credit for teaching experience in a School operated on military installations, supported by federal tax funds, and for which academic credit is accepted for admission to the public schools of Virginia;*
4. *Full credit for teaching experience in a Public resident school, such as the Virginia Schools for the Deaf and Blind;*
5. *Full credit on the salary schedule shall be given for ninety or more days full-time service under contract during a school year;*
6. *Full credit for teaching experience in accredited private schools and in private schools for which such teachers receive credit under the provisions of the Virginia Retirement System.*

B. All classified employees at the time of hire (e.g., school nurse, secretary, journeyman, mechanics, operation supervisors, operation assistant supervisors, foreman, teacher assistant, custodial worker, bus driver, operations helper, cafeteria worker, etc.) shall be entitled to receive salary credit on the appropriate salary scale, not to exceed seven (7) years, for six months or more of continuous full-time related work experience. The previous employer must verify the previous work related experience and this must be done on an appropriate form issued by Suffolk Public Schools. (Issued August 10, 1995; Revised November 11, 1999; Revised March 9, 2000)

Note: In the 2000 revisions, paragraph B, was re-written and subparts 1 and 2 were deleted.

Legal Authority - School Board Policy §7-16.5:1

Article III

PAYROLL

Section 5-3.1. Required documentation for payroll eligibility.—Before an employee may be placed on the payroll, unless administratively approved pending School Board approval for employment, the following documentation must be on file in the central office:

1. *Signed contract (required of contractual employees only)*
2. *Form W-4: Federal Employee's Withholding Exemption Certificate (applies to all employees)*
3. *VA-4: Virginia Employee's Withholding Exemption Certificate (applies to all employees)*
4. *VRS-1: Virginia Retirement System Member's Information Report (applies to professional and certain support personnel)*
5. *Medical proof verifying absence of communicable tuberculosis in the form of a negative x-ray report or skin test given by a qualified medical authority (required of all new employees)*
6. *Copy of birth certificate (applied to all employees)*
7. *Virginia State Teacher's License or appropriate forms for license application (applies to instructional personnel)*
8. *Official transcript of all college work (applies to instructional personnel)*
9. *Verification of experience in other school divisions (applies to instructional personnel) and/or companies (applies to support staff)*

10. *Employment Eligibility Verification (Form I-9) with supporting documentation (applied to new employees)*
11. *Such other requirements as pertain to the qualifications for employment or as required by law.*
(Issued August 10, 1995)

Legal Authority - School Board Policy §§7-16.5 & 7-16.6.

Section 5-3.2. Salary adjustments; additional pay for advanced studies; required information by salary adjustments.—A. A salary adjustment shall be given on an annual basis to an employee who secures a certificate, degree, or qualifications that entitles the employee to a higher salary level than stipulated in the original contract. Salaries will be adjusted once each year on or before October 15th and February 15th of the current school year.

B. The School Board shall annually approve additional pay for advanced studies.

C. Information listed below is required to determine a licensed employee's eligibility for adjustment in pay as a result of study completed toward a Master's Degree:

1. Notice of Admission to Graduate School: This official notice should be signed by the Dean of Graduate Studies, Director of Graduate School or some comparable college official. This notice must include the time limits for completion of the program. Extension of the time limitation must be verified in writing by the appropriate college or university official.
2. Copy of Approved Program of Course of Study Leading to Master's Degree: This contains the specific courses approved by a college official and lists the title of each course, the department in which each is to be completed and the number of semester hours of each course.
3. Official Statement Specifying Hours Required for Master's Degree: A college official must submit an official statement specifying the number of semester hours required for the Master's Degree.
4. Transcript: An official transcript of that portion of the approved program of studies completed to date must be submitted to the Personnel Department.

D. Upon receipt of the above information from the college, the Personnel Department will review for an appropriate salary adjustment. All work completed toward a Master's Degree prior to the beginning of the present school session will count toward a salary adjustment. Any work taken during the current school session will be applied to the salary for the coming year. No provisions exist for adjustment of pay for study that is not specifically planned and directed toward a Master's Degree and approved by the college as specified above.

E. The above information must be received in the Personnel Department by October 15th and February 15th of each school year in order for salary adjustment to be made for that particular school year. When one-half of the work is completed, the employee will be eligible to receive one-half of the salary adjustment. When the full program is completed, the employee will then receive the remaining one-half of the salary adjustment.

F. If a Master's Degree has not been conferred within five years from entering the Master's program, the salary adjustment allowed shall be rescinded and no longer applicable to that individual.

G. Payment for Advanced Certificate or Degree: Appropriate salary scale plus the supplement for the advanced certificate or the highest advanced degree completed. Licensed employees shall not receive a salary supplement for more than one advanced certificate or degree.

H. Credit for teaching experience may be allowed as provided by the Code of Virginia, Sections 22.1-16 and 22.1-17. A teacher who renders service for one (1) semester or one-half (½) of the school year may not be given credit for a full year's service. However, half-years may be combined to whole years.

I. Any employee approved for a salary adjustment under this section prior to July 1, 2001, will remain eligible to receive one-third salary adjustment based on their completion of one-third of the course work and will be eligible to receive the remaining two-third salary adjustment following their completion of the Master's Degree program. (Issued August 10, 1995; Revised June 27, 2001; Effective July 1, 2001)

Note: The **2001** revision changed the date that salaries will be adjusted in line four, section A from October 1 to October 15th and February 15th of the current school year. It also added the first sentence in section E, which requires all supporting documentation for the Master's Degree Supplement be received in the personnel office by October 15th and February 15th. This revision also eliminated the option of awarding salary adjustments in one-third increments and instead adjustments are awarded in one-half increments as set forth in subsection E, beginning with line three. However, pursuant to subsection I, any employee approved for a salary adjustment prior to July 1, 2001, remains eligible to receive a one-third salary adjustment based on their having completed one-third of the course work and will be eligible to receive the remaining two-thirds upon their completion of the Master's Degree program.

Legal Authority - School Board Policy §7-16.6.

Article IV
PAY PLAN ADMINISTRATION

Section 5-4.1. Pay plan procedures; new teachers; classified employees.—A. Suffolk Public Schools adopts the following pay plan procedures regarding the hiring of new employees and the promotion and demotion of existing employees.

B. Teachers new to the system will be placed on the teacher scale on the same letter step as current teachers with the same experience.

C. Classified/support employees new to the system will be placed on the appropriate grade of the proper job description in the same manner as above.

Section 5-4.2. Promotions.

- ◆ *From a teacher (licensed) scale to a non-licensed scale:*

Convert the teacher to a twelve month salary (if necessary), add a 10% promotion award and place on the appropriate grade at the step nearest this amount. This may result in less than 10%. If the “A” step is above this amount, place the employee on the “A” step which may result in more than 10% increase.

- ◆ *From a classified scale to another classified scale:*

If the promotion is only one (1) grade higher, place the employee on the same step of the new grade as he/she was on the old grade, which will be approximately a 5% promotion award. If the promotion is two (2) or more grades higher, place the employee on the new grade to provide a 10% increase or on the “a” step, whichever is higher. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.6.

Section 5-4.3. Demotions.— Demotions should be treated similar to promotions, but in reverse. For example, if the demotion is to the next lowest salary grade, a 5% reduction in salary will be realized. If a demotion is at least two (2) grades lower, a 10% reduction will be realized.

The superintendent may determine that the demotion does not warrant a reduction in the employee’s daily or monthly pay rate, in which case the following will be used:

From a classified (non-licensed) scale to another classified (non-licensed) scale:

Place the employee on the lower scale at the same salary as he/she was earning. This will be a higher step on the lower grade. The employee may then continue with normal step increases. If this salary is above the top of the new scale, freeze the employee's salary until the scales catch up through cost of living allowances.

From a classified (non-licensed) scale to a teacher (licensed) scale:

Place the employee on the closest 12-month teacher step and convert the salary to the normal 10-month or 10-plus-20 salary as appropriate. If the employee's previous salary was higher than the top of the 12-month teacher scale, prorate the previous salary to the actual number of months worked in the new position and freeze the employee's salary at this amount until the teacher scale catches up through Cost of Living Allowances. (Issued: August 10, 1995)

Legal Authority - School Board Policy §7-15.1

Section 5-4.4. Cafeteria Manager.— (DELETED IN ITS ENTIRETY)

Section 5-4.5. Purpose declared; establishment of work period; pay periods.—A. The purpose of this regulation is to insure consistency in the application of the Fair Labor Standards Act (FLSA) Regulations as it relates to overtime and compensatory time for non-exempt employees. Employees who are designated as exempt are not subject to this regulation. All School Board employees have been designated either exempt or non-exempt according to the regulations of the FLSA.

B. A work week must consist of 168 consecutive hours which may be any seven (7) consecutive days. The work week will be seven (7) consecutive days beginning Monday at 12:01 a.m. and ending Sunday 12 midnight. This seven (7) day period will correspond to the reporting period on each weekly time/attendance sheet completed and submitted by employees for all hours worked. All hours over forty (40) in this seven (7) day work week will be considered overtime hours and will be paid at overtime rate or applied to compensatory time whichever is applicable. This work week will apply to all non-exempt employees.

Other work weeks may be set for a different seven (7) day cycle (168 consecutive hours), depending on program needs, however work weeks may not be changed to circumvent the payment of overtime to employees. Work weeks different from the ones stated above will require approval of the superintendent or

his or her designee.

C. Pay periods may be set at a different cycle than a work period to allow time to calculate hours and/or to perform necessary payroll functions in order to pay employees. Pay periods may be weekly, biweekly, semi-monthly or monthly. Regardless of the pay period, overtime is calculated on a set work week. Overtime will be paid or accredited to the employee as soon after the hours of work as possible. (Issued: July 13, 2012)

Legal Authority – School Board Policy Section 7-25.1

Section 5-4-6. Overtime Payment; Work Period Adjustment.—A. Payment for overtime hours should be made as soon as possible allowing for the hours to be turned and calculated for payment on the next regular schedule payment run, whether it is cash payment or compensatory time. At no time should overtime hours be paid to an employee or compensatory time taken more than thirty (30) days after the hours worked, except for unusual circumstances and then only with the approval of the superintendent or his or her designee.

B. Work hours or work schedules may be adjusted as needed to keep overtime or compensatory time to a minimum (For example: In a normal seven (7) day work week if an employee works thirty-eight (38) hours prior to the last work day schedule, that employee may be released from duty after two (2) hours of work on the last work day in order to prevent overtime). This is considered a work week adjustment and maybe used as needed. However, supervisors are encouraged to use this method only in emergency situations. (Issued: July 13, 2012)

Legal Authority - School Board Policy Section 7-25.1

Section 5-4.7. Overtime Authorization; Rate of Pay; Compensatory Time.—A. All supervisors/principals will strive to ensure that overtime hours are kept at a minimum. However, when working beyond the normal forty (40) hour work week if necessary, such work must be approved by the immediate supervisor prior to the work being performed. Overtime should be authorized only to cover emergencies and/or unusual needs which may be caused by seasonal work or inclement weather conditions. Unauthorized work beyond the normal forty (40) hours in a work week shall be counted as hours worked if the employer knows of the existence of such work, however, every effort should be made not allow unauthorized overtime hours to exist.

As a rule no employees should begin work prior to the appointed start time. No employee should work through set lunches nor should employees work pass the appointed time to stop work without authorization from the appropriate

supervisor.

If an employee eats at his or her desk during the lunch hour and continues to work the time is considered compensable. Employees must be totally relieved of work duties for such time to not be considered as work time. Work hours are defined further under definition of work hours.

B. Overtime payment, whether cash payment or compensatory time shall be calculated at one and one-half (1-1/2) times the employee's based hourly pay (employees paid on an hourly basis shall be paid overtime/compensatory time at the equivalent hourly rate). Hours to be considered for overtime payment will be paid in one quarter (1/4) increments. The general rule is if at least eight minutes are worked, such time is rounded up to fifteen (15) minutes (one quarter hour) and is considered compensable and should be reported on the weekly time sheet as fifteen (15) minutes worked. Anything less than eight (8) minutes is considered a gift to an employer.

C. If compensatory time (in lieu of cash payment) is to be utilized, it must be agreed upon by the employee and employer prior to such time being worked (this can be done prior to each time work is performed or can be in the form of an agreement at the time of hire).

If compensatory time is utilized in cash payment, such time must be calculated at the same rate of one and one half (1-1/2) times the credited hours worked over forty (40) in a work week. The FLSA includes a maximum limit for the amount of compensatory time which can be approved before a cash payment can be made. When 160 hours of overtime work (which equals 240 hours of compensatory time) is accrued and has been credited to an employee, then the employee must be paid cash payment for any future overtime hours worked until that maximum limit is reduced. (Issued: July 13, 2012)

Legal Authority - School Board Policy Section 7-25.1

Section 5-4.8. Compensatory Time Pre-Approval for Specific Groups.

— A. Compensatory time for the following groups must be approved as indicated below:

- (1) Custodians: Compensatory pre-approval is required by the School Principal.
- (2) Clerical: Pre-approval for compensatory time is required by the immediate Supervisor.
- (3) Mechanics: Pre-approval for compensatory time is required by the Coordinator of Transportation.

- (4) Bus Drivers: Pre-approval for overtime is required by the Coordinator of Transportation.
- (5) Facility Maintenance: Pre-approval for compensatory time is required by the Director of Facilities and Planning.
- (6) Technology Technicians: Pre-approval for compensatory time is required by the Director of Technology.
- (7) Food Services: Pre-approval for compensatory time is required by the Supervisor of Food and Nutrition Services. (Issued: July 13, 2012)

Legal Authority - School Board Policy Section 7-25.1

Article V

PROFESSIONAL LEAVE

Section 5-5.1. Professional leave when allowed, absence from duty without loss in pay, request submitted to superintendent.—A. Professional leave may be granted for purpose of professional improvement. Any teacher, principal, supervisor or other employee shall be granted time away from the classroom or other assignments to attend workshops, conferences and classroom visitation, subject to the following conditions:

1. The number of meetings, conferences, or workshops that any one employee shall be permitted to attend during a school year shall be limited. Attendance at more than 1 or 2 meetings a year should be thoroughly justified through the principal and/or supervisor and approved by the superintendent.
2. This regulation will cover only those conferences or workshops which appear to be of value to the operation of the school programs.
3. The number of participants for any one meeting, conference, workshop, which takes place during school time shall be limited, whenever possible, to two employees from each school.

4. Any other meeting, conference, or workshop to be attended by personnel with the School Board's paying of expenses shall be included in budget preparation and will be considered by the School Board when the budget is prepared.
5. Transportation to and from a meeting, conference, or workshop should be pooled where two or more persons are attending the same meeting. This transportation must be a standard point-to-point mileage.
6. Reimbursement, if approved, shall be in accordance with travel regulations as set forth in Section 3-1.1.

B. Absence from duty without loss of pay or benefits may be for reasons, such as those listed below, with the approval of the superintendent:

1. To serve as delegates or officers for professional organizations when the interest of the school division is involved;
2. To visit model projects of interest to the school division;
3. To assume major community responsibilities when the interest of the school division is involved;
4. To attend certain special conferences when the interest of the school division is involved;
5. To attend professional meetings outside of the city;
6. Employees called for jury duty may be absent without loss of pay subject to verification of actual days served (verification to be provided by the Clerk of Court);
7. Employees subpoenaed as court witnesses in relation to employment with Suffolk Public Schools may be absent without loss of pay provided that a copy of the subpoena shall be transmitted to the payroll office;
8. To perform other professional or civic duties as may

be approved by the superintendent.

C. Requests for professional leave are submitted to the superintendent on the appropriate form and, upon approval, are granted with no reduction in pay or other benefits. (Issued August 10, 1995)

Legal Authority - School Board Policy §§7-16.6 & 7-16.7.

Article VI

PERSONAL LEAVE AND LEAVE WITHOUT PAY

Section 5-6.1. Employees eligible for personal leave; procedure to request leave; provisions governing use.—A. Except for twelve month personnel, the following categories of employees shall receive two personal leave days; licensed personnel, non-licensed personnel including nurses, clerical personnel, custodial personnel, printing service personnel, maintenance personnel, transportation personnel, bus drivers, teacher assistants, food service personnel, and supervisory personnel.

B. Requests for personal leave shall be made in writing on the appropriate form in advance, except in emergencies. A completed form shall be submitted to principal or immediate supervisor.

C. The following provisions shall govern the use of personal leave:

1. Eligible days: Anticipated allotment of 2 days for a full year:
1 day from July 1 to December 31
1 day from January 1 to June 30
2. If an employee begins work after November 1 of the first semester or after April 1 of the second semester, personal leave shall not be allowed for that semester.
3. Personal leave may be taken in minimum increments of one-half (1/2) day (one half of hours worked per day).
4. One (1) unused personal leave day may be carried over into a subsequent fiscal year as personal leave, but in no event will an employee be allowed to have available more than three (3) personal leave days in any fiscal year. Unused personal leave days not carried over into a subsequent year as a personal leave day,

shall be transferred to sick leave at the end of each fiscal year. A new employee may not be allowed personal leave unless the employee has reported for duty in accord with the terms of the contract.

5. Personal leave days may be taken on the day prior to or the day following school calendar holidays in extreme emergencies only.
6. Personal leave days may be denied in instances where a hardship would exist for securing a substitute or for completion of essential tasks, and the date for the requested leave cannot be changed by the employee to a more convenient time.
7. Except in emergencies, the request for personal leave shall be filed in adequate time to process approval and secure substitute.
8. Personal leave may be authorized with no deductions in salary for days not covered by regular sick leave policies. If requested leave is covered by sick leave, sick leave shall be used first. Personal leave may be authorized for reasons covered by sick leave when the employee's sick leave has been exhausted.
9. In the event that the request for personal leave is not approved, the standard employee per diem rate of pay shall be deducted from the employees pay for each day that the employee is absent from work and the employee's absence from work is not considered sick leave or personal leave as set forth in the policies of the School Board.
10. Effective July 1, 2001, twelve-month employees will no longer accrue or have use of personal leave.
11. Except in extreme emergencies, personal leave days will not be allowed during the first week and last week of the year. (Issued August 10, 1995; Revised January 4, 2000; Revised May 18, 2009)

Note: The 2009 revision added subpart 11 to Section 5-6.1(C). The 2000 revision eliminated the accrual

of personal leave days for twelve month employees effective July 1, 2001.

Legal Authority - School Board Policy §§7-16.6 & 7-16.2.

Section 5-6.2. Leave without pay generally; criteria for granting; prior absences from work considered. — A. Suffolk Public Schools recognizes that employee absenteeism can significantly affect the education mission of the Suffolk Public Schools. With this in mind, any request submitted by an employee to be absent from duty without pay will only be granted in extreme emergencies.

B. Any request by an employee for leave without pay shall be reviewed by the superintendent or the superintendent's designee and the following factors shall be considered: (1) the employee must have exhausted all available personal leave, sick leave or family medical leave days, where appropriate; (2) the basis for the request is for an unforeseen emergency or some other situation that could not have been reasonably foreseen by the employee; (3) there are no other reasonable means available to the employee other than the granting of the employee's request for leave without pay; (4) children enrolled in Suffolk Public Schools will not be significantly affected if the request is granted.

C. In deciding whether to grant or deny the request for leave without pay, the superintendent will also consider the number of days being requested by the employee and the employee's overall employment record, including any prior absences from work. (Issued December 6, 1999)

Legal Authority - School Board Policy §§7-16.7 & 7-16.7.

Section 5-6.3. Annual Leave Earning Schedule. — Annual leave for vacations or other personal reasons for all twelve month full-time salaried employees of the School Board shall be earned according to the following schedule:

<i>1 - 10 years of experience</i>	...	<i>1 day per month</i>
<i>11 - 19 years of experience</i>	...	<i>1.5 days per month</i>
<i>20 and over years of experience</i>	...	<i>2 days per month</i>

(Issued August 10, 1995)

Legal Authority - School Board Policy §§7-16.6 & 7-16.7.

Section 5-6.4. Must be earned before taken; written application required; 48 day limit. — A. Annual leave must be earned before it can be taken. Annual leave cannot be taken in less than one quarter (1/4) day increments.

B. A written application will be made by an employee to his immediate supervisor and annual leave will be scheduled and approved prior to the beginning of leave for an individual.

C. Annual leave earned by an eligible employee may be accumulated

up to forty-eight (48) days. All employees terminating employment will receive a lump sum payment for earned, accumulated, unused annual leave days up to a maximum of forty-eight (48) days. Payment shall be based on the employee's prevailing daily rate of pay at the time employee terminate employment with the system. (Issued August 10, 1995; Revised May 17, 2001; Revised January 5, 2011)

Note: The 2011 revision, deleted the words one-half (1/2) and inserted one-quarter (1/4). The 2001 revision increased the number of annual days in subsection C that can be accrued from 30 to 48 days.

Legal Authority - School Board Policy §§7-16.6 & 7-6.7

Section 5-6.5. Breaks in service; superintendent's request; administered by superintendent.—A. If a break in service with the system occurs, past accumulated vacation credit cannot be reinstated unless the individual has been on an official leave of absence.

B. The superintendent's request for vacation must have prior approval from the School Board when the vacation period being requested exceeds three (3) consecutive days.

C. The superintendent will administer and interpret the provisions of the annual leave policy. (Issued August 10, 1995)

Legal Authority - School Board Policy §§7-16.6 & 7-16.7.

Section 5-6.6. Leave of absence defined; not considered for determining salary schedule. — A. This regulation shall apply to all contractual personnel. A "Leave of Absence", without pay, may be granted to employees upon the recommendation of the superintendent with approval by the School Board. Leave of absence may be granted for educational purposes, personal illness, maternity or rest and recuperation, paternity, or other activities approved by the superintendent, for a period not to exceed one (1) year.

B. Time spent on a leave of absence is not considered to be a period of service for the purpose of determining placement on the salary schedule. Sick leave and other leaves will not accumulate during a leave of absence. During the first year of leave of absence, the employee shall not be gainfully employed. (Issued August 10, 1995)

Legal Authority - School Board Policy §§7-16.6 & 7-16.7.

Section 5-6.7. Group insurance plans to be maintained. — Group insurance plans maintained by the School Board may be kept in effect for a period not to exceed one year if the employee affected assumes the responsibility for

payment of premiums by providing predated checks at the beginning of the leave.
(Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.6.

Section 5-6.8. Returning from leave, stand-by list; application required. — A. Approval of the request for leave of absence assures an employee that, at the expiration of the leave, the employee will be offered the first appropriate position that becomes available in the division. Re-employment will be with full rights and privileges to which the employee was entitled at the time the leave became effective. Should two or more employees be eligible for the same position, the one who first provides the Personnel Department with written notification of availability to return to work will receive first consideration.

B. If, at the expiration of the leave of absence, no appropriate position is available, the employee will be placed on the office **STAND-BY LIST** and may remain on this list for one year. During this time, the employee may be gainfully employed. After being placed on the **STAND-BY LIST** for one year, the School Board shall no longer be obligated to the employee. The employee may reapply through the regular application process for further consideration.

C. Application for leave of absence must be submitted on the appropriate form. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Article VII

SICKNESS AND ACCIDENT LEAVE

Section 5-7.1. Sick Leave Provisions. — The Suffolk Public Schools supports sick leave without loss of pay for employees as follows:

1. Benefits for Employees by Categories are as follows:

Personnel Covered

Licensed 10, 10+20, & month employees
Licensed administrative employees
Non-licensed employees as follows:
Operational Supervisors
Nurses
Clerical
Printing Service
Custodial

SUFFOLK PUBLIC SCHOOLS

Mechanics
 Bus Drivers
 Maintenance
 Teacher Assistants
 Food Service (6.5 hr. p/day) Personnel
 Certain Administrative Positions

Annual Sick Leave Allowance (for above employees)	--	--	<u>Maximum Accumulation</u>
10 month employees	--	1 day per month	Unlimited
11 + 20 month employees	--	1 day per month	Unlimited
12 month employees	--	1 day per month	Unlimited

2. The provisions of the State sick leave plan shall serve as an overall guide in providing minimum benefits for all employees covered by the plan.
3. Sick leave, if not used, may accumulate without limit and shall be accrued on a monthly basis.
4. Earnings for sick leave for less than a full year of employment shall be at rate of one day per month or major fraction thereof. This provision applies to those employees who do not begin work at the start of the contracted period and to those who do not complete the full contracted period.
5. An employee cannot claim any portion of earned leave unless he has actually reported for duty in accordance with the terms of his contract. However, if an employee is unable, because of accident or illness, to begin work in accordance with the terms of his contract, such employee may use accumulated leave to his credit not to exceed such balance as of June 30 of the immediately preceding school year.
6. Such leave must be taken in minimum of one-half (1/2) day increments.
7. The principal or superintendent shall have the authority to require reasonable proof of illness when deemed necessary. Sick leave may be denied to any employee who is found guilty of abuse of the sick

leave regulation.

8. Sick leave shall be allowed for personal illness, including quarantine, injury, pregnancy, temporary physical or mental incapacity, illness or death in the immediate family requiring the attendance of the employee for not more than five days in any one case. The term “immediate family” of an employee shall be regarded to include mother, father, foster parents, adoptive parents, stepmother, stepfather, grandparents, grandchildren, wife, husband, children, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and any other relative for which the employee has primary care responsibility (written documentation required).
9. Licensed employees may transfer up to ninety days unused sick leave accumulated from another Virginia Public school division participating in the State Sick Leave Plan, but the School Board will not accept out-of-state unused sick leave accumulated.
10. An employee will be presumed to have left public school employment if he accepts employment other than in the public school system of Virginia, or is unable to be employed in the public schools of Virginia for a period of three consecutive years because of illness or physical disability or family responsibility. An employee who leaves employment in the public schools to enter the armed services does not forfeit accumulated earnings unless he/she fails to return to public school employment immediately upon discharge from an original tour of duty in the armed services. However, current earnings cannot be allowed for the period while in the service.
11. An employee shall receive credit for unused accumulated sick leave days beyond a contractual period as follows:
 - a. *transfer to another agency which accepts the State Sick Leave Plan*
 - b. *retention upon return to service within three years of unemployment, with the exception of the armed services*
 - c. *terminal pay of \$35.00 per day upon regular or disability retirement under the Virginia Supplemental Retirement System.*

12. Sick leave provisions will apply to a disabling illness of a temporary nature such as injury, sickness, pregnancy, operation or death of an immediate family member.

Use of accumulated sick leave for disability of a temporary nature will be considered only upon written certification to the superintendent by the attending physician that the employee for MEDICAL REASONS is unable to work. In this instance of extended illness, including pregnancy, accumulated sick leave would be defined as the total days earned through the last working day. This would preclude the use of anticipated sick leave. Sick leave may be granted only for that portion certified by the physician to be for MEDICAL REASONS.

13. Any employee who requires hospitalization because of a disabling illness shall present a medical report to the superintendent from the attending physician, including anticipated dates of hospitalization and recommended date on which the individual is to discontinue duties due to disability.
14. An employee who has been disabled temporarily may return to duty when the attending physician certifies in writing to the superintendent or designee that the employee is physically and emotionally able to assume contractual duties.
15. After exhausting all available leave, an employee may be eligible for leave without pay for period not to exceed thirty (30) days (**“30-DAY RULE”**) provided Family Medical Leave benefits have not been utilized.
16. Upon exhausting all available leave and benefits under the 30-Day Rule or Family Medical Leave, an employee may take a leave of absence not to exceed one year for reasons covered by the sick leave policy; such leave shall be taken without pay and without accrual of additional benefits. Conditions set forth in **Leave of Absence** shall govern this leave.
17. When sick leave for an extended period of time is requested, an employee must meet with the coordinator personnel for the purpose of assessing available leave and completion of proper documentation.
18. Sick leave benefits **will not** accrue for summer school, evening part-

time, substitute or temporary employees.

19. No employee may pay for a substitute, either for personal absences or for absences necessitated by illness or injury. All payments to substitutes shall be made by the School Board.
20. Unused *Personal Leave* days shall be transferred to sick leave at the end of each fiscal year. (Issued August 10, 1995; Revised January 4, 2000; Revised June 17, 2002; Revised December 6, 2004; Revised August 1, 2007)

Note: The **2007** revision changed subpart 11(c) from \$30.00 to \$35.00 per day for terminal pay for unused accumulated sick leave resulting from regular or disability retirement under the Virginia Retirement System. The **2004** revision in subpart 8, line 4 replaced “three days” with “five days”. The **2002** revision in subpart 11(c) replaced \$20.00 with \$25.00 and added the language “regular or disability”. The **2000** revision added subpart 20, which transfers unused personal leave to sick leave at the end of the fiscal year.

Legal Authority - School Board Policy §§7-16.6 & 7-16.7.

Section 5-7.2. Sick Leave Bank to be maintained and criteria therefore.— Suffolk Public Schools will maintain a sick leave bank to be used by contracted employees already receiving sick leave benefits who are incapacitated by long-term personal illness or injury as long as a minimum one-third (1/3) of the eligible employees agree to participate in accordance with the following terms. These criteria must be maintained thereafter.

1. Membership in the sick leave bank shall be open to all eligible employees and shall be voluntary.
2. A current employee may enroll prior to October 15 of any fiscal year. Any new employee may enroll within thirty calendar days of the beginning day of employment. An employee who does not enroll when first eligible may do so during any subsequent sick leave bank enrollment period (September 15 to October 15) by completing the proper election form. An employee may enroll in the sick leave bank by donating one day of sick leave earned.
3. Unless a reassessment is required, membership in the bank will be continuous unless the employee informs the payroll office in writing of his/her withdrawal from the bank by October 15 of the school year by completing a “Notice of Withdrawal” form.

4. A member of the sick leave bank may draw days after having used all of his/her accrued sick leave or have the option of leaving up to three (3) days of sick leave on the books. The member shall also be out of work an additional thirty (30) days without pay for the same illness or disability when his/her sick leave is exhausted (For Sick Leave Bank purposes, “exhausted” is defined as “without leave or up to three (3) days of leave remaining on the books”). All other absences must be covered by the member’s own accumulated leave or leave without pay. Use of the sick leave bank during the period of childbirth is not allowed unless there are complications and the sick leave bank School Board rules in favor of the employee. This bank is to be used for the employee’s own illness and cannot be used for illness or death of an immediate family member nor any other person for which the employee has primary care responsibility.

5. Days drawn from the bank for any one period of eligibility must be consecutive or drawn for absences resulting from the same illness or disability. Otherwise, members must return to work and re-establish eligibility to draw from the bank.

6. A maximum of forty-five days each fiscal year may be drawn by any one member without regard to the number of instances of eligibility. Additional days may only be awarded through the donations process (see#14).

7. Members of the bank will be assessed additional days of sick leave at the beginning of any plan year in which administration projects that the bank will deplete to 400 days or less, unless a member chooses not to participate further and informs administration of his/her withdrawal from the sick leave bank during the enrollment period for that year via non-renewal. A current employee who was a member of the Sick Leave Bank in the prior year, it out of on leave with no sick leave days remaining during an open enrollment period in which a re-assessment is required, shall be grandfathered as a Sick Leave Bank member in full standing until such time as the employee returns to work and earns a day of leave to donate to the bank. Should that employee desire not to donate a day at that time, his/her membership in the Sick Leave Bank shall end on the first day of the month in which the day is

earned, but not donated. A new employee shall not be assessed twice in the same plan year.

8. Members using sick leave days from the bank will not have to replace these days except as a regular contributing member to the bank.

9. Upon termination of employment or withdrawal of membership from the bank, a participating member will not be permitted to withdraw his contributed days.

10. An "Application for Benefits" form and a physician's statement are required to be submitted before bank leave may be approved. The physician's statement must include the nature of the illness or disability that the employee is totally unable to work because of the illness or disability, and the approximate period of time the employee will be absent.

11. Disabilities resulting from the following are not eligible for Sick Leave Bank benefits:

- a) Any occupationally related accident or illness for which the employee has been determined eligible for Worker's Compensation benefits.
- b) Intentionally self-inflicted injuries
- c) Injuries occurring in the course of committing a felony or assault
- d) Service in the Armed forces
- e) Elective surgery, such as cosmetic surgery, or other surgery or treatment not deemed necessary by a physician

12. If the sick leave bank becomes inoperative for any reason, the sick leave days remaining in the bank at that time will be distributed first to those members receiving benefits. From the remaining bank balance, sick leave will be credited to the nearest one-half days to each participating member if a sufficient number of days exists. If an insufficient balance exists to do this, the bank shall terminate and no further distribution will be made and Suffolk Public Schools, its employees, agents and/or assigns, shall not be held responsible in any manner whatsoever, whether in contract, tort or otherwise, to anyone then participating or who may become eligible to participate in the sick leave bank.

13. The provisions of the sick leave bank will be administered by the Sick Leave Bank Board. The Sick Leave Bank Board will be appointed by the Superintendent and shall consist of one administrator, two teachers, one classified employee and the Director of Human Resources. Their term of office shall not exceed more than four (4) consecutive years. (Issued August 10, 1995; Revised October 25, 2005)

14. An employee who needs more than forty-five (45) days in any fiscal year may request donations of additional days. An employee who is requesting donated leave must submit a written request to the Human Resources Department. The request must include the reason donated leave is requested and the approximate duration of the employee's absence. A doctor's certificate verifying this information must accompany the request.

15. If the employee's request is approved by the Sick Leave Bank Board, the Human Resources Department will send sick leave donation authorization forms to all principals and department heads to coordinate the donations. Employees do not have to be a member of the Sick Leave Banks to donate days, but employees must be a member of the Sick Leave Bank to receive donated days. Employees may not solicit donated sick leave from other employees. Completed leave donation forms must be submitted to the Human Resources Department.

16. Employees may only donate in whole-day increments. No employee may donate more than 5 days of earned sick leave to any one employee/Sick Leave Bank member during a single fiscal year. Donated days will be accepted in the order the days were donated and will only be accepted up to the total number of days requested by the specific donee. (Issued August 10, 1995; Revised 2005; Revised 2008; Revised June 24, 2015).

Note: The **2015** revision deleted the word "needed" in subpart 16, after the word days and inserted in its place the word "requested." The **2008** revision to this regulation deleted from subparagraph 2, last line at the end the words "during the then current year. Subparagraph 3 added at the beginning of this subparagraph the words "Unless a reassessment is required". In subparagraph 4, line 2, after the word "leave" the following language was deleted "and after the member has been out an additional thirty days without pay for the same illness or disability when his/her sick leave is

exhausted” and inserted in its place the following language “or have the option of leaving up to three (3) days of sick leave on the books. The member shall also be out of work an additional thirty (30) days without pay for the same illness or disability when his/her sick leave is exhausted (For Sick Leave Bank purposes, “exhausted” is defined as “without leave or up to three (3) days of leave remaining on the books.” In subparagraph 6, the following language was added at the end of this subparagraph “Additional days may only be awarded through the donation process (see #14).” In subparagraph 7, beginning at line 6, the following language was added “via non-renewal. A current employee who was a member of the Sick Leave Bank in the prior year, is out on leave with no sick leave days remaining during an open enrollment period in which a re-assessment is required, shall be grandfathered as a Sick Leave Bank member in full standing until such time as the employee returns to work and earns a day of leave to donate to the bank. Should that employee desire not to donate a day at that time, his/her membership in the Sick Leave bank shall end on the first day of the month in which the day is earned, but no donated ” In subparagraph 10, lines 2 and 3, the following was added “may be approved”. Subparagraph 11 was deleted in its entirety which read “Benefits from the bank may not be used for disabilities which qualify the member for Worker’s Compensation” and a new subparagraph 11 was inserted. Subparagraphs 14 thru 16 were also added. The 2005 revision in subpart 13, line 3, replace “Director of Finance” with “Superintendent” and line 5, replace “Coordinator of Personnel” with “Director of Human Resources.”

Legal Authority - School Board Policy §7-16.6.

Article VIII

FAMILY AND MEDICAL LEAVE

Section 5-8.1. Purpose of regulation stated; eligible persons; qualifying occurrences.—A. The purpose of this regulation is to establish the terms for leave and re-employment of eligible school division employees who must interrupt their work for family and medical reasons. This policy applies to employees who have been employed by Suffolk Public Schools for at least twelve months and have worked at least 1,250 hours during the twelve month period immediately preceding the commencement of the leave.

B. Family and medical leave is leave with or without pay and shall be provided to eligible employees for a maximum of twelve weeks of leave (60 workdays; 480 work hours) during a twelve month period from the starting date the family and medical leave is requested.

C. Family medical leave shall be provided to eligible employees for one or more of the following qualifying occurrences.

1. Serious Health Condition of the Employee
Family medical leave is provided for a serious health condition that requires inpatient care or continuing treatment by a health care provider.
2. The Birth of a Child
Family medical leave is provided for the birth of a

child. If the husband and wife are both employees of the school system, and if both are otherwise eligible, the two employees may take a total of twelve weeks of leave.

3. The Adoption, or Foster Care of a Child

Family medical leave is provided for the placement and care of an adopted child or a foster child. If the husband and wife are both employees of the school system, and if both are otherwise eligible, the two employees may take a total of twelve weeks of leave.

4. Care of a Sick Child, Spouse, Parent as defined in this regulation

Family medical leave may be used for care of a child, spouse, or parent with a serious health condition. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Section 5-8.2. Use of accrued sick leave required; use of annual leave permitted; use of accrued sick leave at conclusion of Family and Medical Leave—

A. An employee approved for Family and Medical Leave shall be required to use accrued sick leave days, not to exceed sixty (60) days, while on Family and Medical Leave. All leave taken while on Family and Medical Leave, whether paid or unpaid, shall be included in the employee's 12-week entitlement of Family and Medical Leave. In general, family medical leave shall be taken as continuous periods of leave. Leave based upon the serious health condition of the employee or of the employee's spouse, child, or parent may be taken on an intermittent or reduced leave schedule when medically necessary.

B. An employee on leave due to his or her own serious health condition may use accrued annual leave upon expiration of all sick leave and/or sick leave bank benefits. An employee on leave due to serious health condition of a spouse, child, or parent may use accrued annual leave.

C. At the end of the employee's eligibility under Family and Medical Leave, if the employee should have any sick leave days remaining, the employee may request use of any remaining sick leave days. (Issued August 10, 1995; Revised January 30, 2002)

Note: The 2002 revision added in subparagraph A line two, "not to exceed 60 days, while on Family and Medical Leave". It also added "be included in" in lines three and four. And inserted a new subparagraph C.

Legal Authority - School Board Policy §7-16.7.

Section 5-8.3. Request must be in writing; personal disability requires written confirmation from attending physician; periodic reporting requirement; request for early return.—A. Except in case of an emergency, the employee must request leave under this regulation in writing, a minimum of thirty days prior to the requested date of the leave. The request for leave must state (1) the nature of the leave; (2) the date leave begins; (3) the date leave without pay begins, if applicable; (4) the expected ending date; and (5) how the leave shall be taken. Instructional employees who begin leave more than five weeks before the end of a term, can be required to continue taking leave until the end of the term if the leave will last at least three weeks and the employee would return to work during the three-week period before the end of the term.

B. In the case of personal disability, the request must be accompanied by written confirmation from the attending physician stating the nature of the temporary personal disability and of the medical advisability of the requested beginning and ending dates. An individual requesting leave due to alcoholism or drug addiction must be enrolled in a suitable rehabilitation program, and the request must be accompanied by written confirmation of enrollment. In the case of adoption, the request must be accompanied from the adoption agency of the desirability of the requested beginning date. In the case of attendance to illness in the immediate family of the employee, the request must be accompanied by confirmation from the attending physician of such illness and the medical advisability of the beginning and ending date. If a change in the requested ending date should be requested, the attending physician again must provide written confirmation.

C. Employees may be requested to report periodically on their status and intent to return to work, and shall be required to provide certification from health care providers that they are able to return to work.

D. Instructional personnel who are physically able and desirous of returning to instructional duties prior to the established ending date may subsequently request an earlier return. Approval of the request is at the discretion of the superintendent and will be based upon the best interests of the instructional program. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Section 5-8.4. Intermittent or reduced leave in certain situations.—A. When medically necessary because of an eligible employee's own serious illness or the serious illness of a child, spouse or parent, an employee may take family or medical leave on an intermittent basis or a reduced leave schedule as follows:

- (i) Leave for the birth or placement of a child shall not be taken by an employee intermittently or on a reduced leave schedule without the written

authorization of the superintendent.

- (ii) Leave for the serious health condition of an employee or an employee's spouse, parent or child may be taken intermittently or on a reduced leave schedule when medically necessary. If such leave is foreseeable based on planned medical treatment, the superintendent may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and that has equivalent pay and benefits and, in the superintendent's opinion, better accommodates recurring periods of leave than the regular employment position of the employee.

B. Employees may not take leave in less than one-half (½) day increments. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Section 5-8.5. Portion of health insurance paid by employee; employee restored to same position.—A. Suffolk Public Schools will continue to contribute to the health insurance premium of the employee who is on family and medical leave. An employee who is on family and medical leave without pay must pay the same portion of his or her health insurance premium as they would if not on leave.

B. An employee who takes leave under this regulation shall, upon return from said leave, be restored to the position he or she left or to an equivalent position.

C. An employee taking leave under this regulation shall not lose any benefits accrued prior to taking leave, but no such employee shall accrue seniority or benefits while on unpaid leave. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Section 5-8.6. Employee certification required; superintendent may require periodic reports.—A. An employee who takes leave for his serious health condition shall provide the superintendent with a certification from the health care provider, on the prescribed form, that the employee is able to resume work.

B. The superintendent may require employees on leave under this regulation to report periodically on the status and intention of the employee to

return to work. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Section 5-8.7. School Board may recover premiums paid; School Board to pay life insurance; annual leave hours not accrued.—A. Employees participating in the Virginia Retirement System (VRS) shall not earn retirement service credit for any periods of unpaid leave in which the leave period represents the entire monthly pay period.

B. Employees may be eligible to purchase service credit in the VRS for the period of family medical leave if they satisfy the purchase of service credit requirements of that system. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Section 5-8.8. Method for determining 12 month period.— The method used for determining the twelve month period in which the twelve weeks of leave entitlement occurs will be from the starting date the family and medical leave is requested. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Section 5-8.9. Act shall control.— Any variation between this regulation and the Family and Medical Leave Act will be determined in favor of the Act. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Article IX

EFFECT OF CRIMINAL CONVICTION

Section 5-9.1. Criminal Investigation Check Required as Condition for Employment. — A. The following paragraph shall be added to all applications for employment with the Suffolk Public Schools:

“I hereby authorized the Office of Personnel to conduct work history, personal reference or police record inquiries, and waive the right to hold liable those persons for providing any requested information. It is understood that such information is to be absolutely privileged, confidential, and used only in determining my qualifications for employment and assignment.”

B. If an applicant for employment with Suffolk Public Schools should

refuse to permit a criminal history record search, that applicant shall be removed from further employment consideration. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-20.1.

Article X

PAYMENT OF SUBSTITUTE EMPLOYEES

Section 5-10.1. Salary of Substitute Employee.—The salary of substitute employees shall be paid in the following manner:

1. Substitutes are to be paid by the School Board. In no case shall individual employees pay a substitute.
2. Substitute employees' pay will be based on a per diem rate set annually by the School Board.
3. Substitutes will be paid following the regular monthly School Board meeting. Receipt of the "Report of the Employee Absence and Substitute" is received from the principal and/or immediately supervisor. The principal and/or immediate supervisor shall file this form with the School Board office.

10 - 11 + Month Personnel

Substitutes employed 3.5 hours or fewer	...	paid for ½ day
Substitutes employed 3.5 hours or more	...	paid for 1 day

12 Month Personnel

Substitute employed 4 hours or fewer	...	paid for ½ day
Substitute employed 4 hours or more	...	paid for 1 day

(Issued August 10, 1995)

Legal Authority - School Board Policy §7-21.1.

Article XI

TRANSFER REQUEST ADMINISTRATIVE GUIDELINES

Section 5-11.1. Voluntary transfer limited. All school personnel may request voluntary transfer. (Revised: August 8, 2017; Issued August 10, 1995)

Legal Authority - School Board Policy §7-24.1.

Section 5-11.2. Conditions for Voluntary Transfers. — The following conditions will apply to voluntary teacher transfer requests:

1. Transfer requests can be submitted by all personnel but with regard to teachers only those with continuing status can submit a request for transfer.
2. Transfers within an individual school are the responsibility of the principal and are not affected by the transfer policy. (Revised: August 8, 2017; Issued August 10, 1995; Revised August 8, 2017)

Legal Authority - School Board Policy §7-24.1.

Section 5-11.3. Transfer Procedures.—The procedure for applying for a voluntary transfer is:

1. Once an employee has been voluntarily transferred to the individual school of his/her choice, such assignment shall remain in effect for a period of not less than two years unless earlier transfer is directed by the Administration. (Revised: August 8, 2017; Issued August 10, 1995)

Legal Authority - School Board Policy §7-24.1.

Article XII

PROFESSIONAL AND SUPPORT STAFF TIME SCHEDULES

Section 5-12.1. Teacher workday generally; School Board administrative office personnel workday.— A. Personnel assigned to teach any part of the school day in a school shall be on duty for the hours established for teachers in that school or, if assigned to teach in more than one school, the

maximum time schedule of the schools served (See Teachers Regular Workday).

B. Non-teaching personnel employed in the School Board Administrative Office shall be on duty as specified by the superintendent. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-25.4.

Section 5-12.2. Principals and assistant principals regular workday— Principals and Assistant Principals shall be in their building and/or pursuing their duties each official work day and shall remain as long after the teachers leave as their duties require. It shall also be understood that additional time may be required of administration and department heads to insure the orderly and efficient operation of their schools/departments. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-25.4.

Section 5-12.3. Start of teachers' regular workday; attendance at faculty meetings, etc. — A. Teachers shall report for duty each morning at least thirty (30) minutes before their assigned duties begin or earlier if requested by the principal. Each teacher shall be on duty at least thirty (30) minutes after school is dismissed unless assigned duties, scheduled meetings, or extenuating circumstances require an earlier or later departure.

B. Teachers and support personnel shall attend faculty meetings called or approved by the principal and/or superintendent. All staff members have a responsibility to attend and participate in meetings by the school or division. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-25.4.

Section 5-12.4. Hours for beginning the non-teaching workday.— Professional non-teaching workdays begin at 8:30 a.m. and end at 3:30 p.m. Exceptions to these hours of work may be granted for just cause by the superintendent. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-25.4.

Article XIII

PROFESSIONAL GROWTH

Section 5-13.1. In service Education Purpose for Budget to Include.—
A. An organized program of in-service education for all employees shall be directed toward increasing knowledge, improving performance and services

provided within the schools. Employees shall be encouraged to attend professional meetings, conferences, workshops and other such activities.

B. Suffolk Public Schools shall budget for the expenses of the staff incurred in travel and attendance to such conventions, conferences and meetings as are recommended by the superintendent in accordance with the following:

- (1) Superintendent: The superintendent, with the approval of the School Board, may attend conventions which may prove beneficial to him and the school system. A detailed record of all expenses incurred by the superintendent shall be kept in his office.
- (2) All Other Employees: Personnel may attend conventions or meetings which may prove beneficial after first receiving approval of the superintendent.
- (3) Reimbursement: Personnel shall be reimbursed for actual and reasonable expenses incurred when travel is done in performance of assigned duties and in attendance to approved conventions, conferences and meetings. Mileage shall be based on a rate set by the School Board. Supporting bills, receipts, and other documentation shall be furnished as required by the Superintendent and/or "Travel" regulations Section 3-1.1. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-26.1.

Article XIV

REDUCTION IN FORCE, LAYOFF, AND RECALL—EDUCATIONAL ADMINISTRATORS, TEACHERS, INSTRUCTIONAL ASSISTANTS, AND ALL OTHER EMPLOYEES

Section 5-14.1. Purpose of regulation; definitions.—A. The purpose of this regulation is to establish a procedure for reduction in force (RIF), layoff, and recall for educational administrators, teachers, instructional assistants, and all other employees of the school division when there has been a decrease in enrollment, a budget reduction or adjustment, a consolidation of schools, the phasing out of programs, departments or grade levels and other conditions. Such actions result from the abolishment or change of positions because of a lack of funds, insufficient student enrollment, deletion of a program, or organizational restructuring.

B. The definitions in this section shall apply for purposes of this regulation.

1. *Reduction in Force (RIF)* means the action taken to reduce the number of allocated positions in the school system. The division superintendent is authorized by the School Board to implement the required reduction-in-force action when a reduction in force is necessary because of budget or program changes.

2. *Displacement* means the reassignment of an employee from a position by application of procedures described in this regulation.

3. *Layoff* means termination that results from displacement or reduction in force and that creates recall rights.

4. *Organizational Restructuring* means significant changes in duties and responsibilities associated with the positions in a department or office. In such a reorganization, incumbents shall be displaced by applying reduction in force procedures.

5. *Teacher* means an employee who holds a postgraduate professional, collegiate professional or provisional teacher license issued by the Virginia Department of Education.

6. *Educational Administrator* means an employee who holds a postgraduate professional license with an endorsement in administration supervision PreK-12 issued by the Virginia Department of Education.

7. *Highly Qualified Teacher* means a teacher who maintains either a valid postgraduate professional teaching license, collegiate professional or a valid provisional or special education conditional license and has passed Praxis II examination, if applicable to his or her teaching assignment or highly qualified special education status. In addition, all highly qualified teachers must be teaching in their endorsed subject areas.

8. *Highly Qualified Instructional Assistant* means an instructional assistant who possesses any one of the following: two years of accredited college or university credit equal to 48 semester hours, an associate's degree or higher, or passing scores on the ParaPro Assessment.

9. *Instructional Assistant* means an employee who is paid on the support employee salary scale.

10. *Full-Time Employee* means a person employed for an established number of contract days or workdays for a full day.

11. *Part-Time Employee* means a person employed for an established number of contract days or workdays for less than a full day.

12. *Teacher Service* means the period of service from the effective date of employment as a teacher, beginning with the most recent term of continuing employment in a teaching position in Suffolk Public Schools, including authorized leave(s) of absence. Part-time service shall be determined by adding percentages of contract per year until a full year can be credited. If two or more teachers have the same length of service, they are ranked by date of contract offer that resulted in

the most recent period of continuous teacher service and, if necessary and available, by date of receipt of the application that resulted in the most recent continuous period of teaching employment and, finally, by lot. For layoff designation, the service in a non-classroom, teacher-scale position, such as librarian, counselor, or reading specialist shall be the period of service during which the employee has worked continuously in that position. An employee designated for layoff from one of these positions may exercise displacement rights as provided in this section.

13. *Educational Administrator Service* means the period of service in an educational administrator position, beginning with the most recent term of continuing work on a permanent basis in that position in Suffolk Public Schools, including authorized leave(s) of absence. Part-time service shall be determined by adding percentages of contract per year until a full year can be credited. Successive periods of service in different educational administrator assignments, or in teaching assignment(s) followed by educational administrator assignment(s), are not cumulative unless an employee is exercising displacement rights following a RIF from his or her educational administrator position. At that time, the employee shall be credited with the amount of service in the position in which displacement is exercised plus all increments of service accrued thereafter in educational administrator positions. If two or more employees have the same length of service in an educational administrator position, they are ranked by employment date of the most recent period of continuous service in the school system. If these dates are the same, they shall be ranked by lot.

14. *Instructional Assistant Service* means the period of service from the beginning of the most recent term of continuing employment as an instructional assistant or teacher in Suffolk Public Schools, including authorized leave(s) of absence. If two or more instructional assistants have the same length of service, they are ranked by date of the offer that resulted in the most recent period of continuous service as an instructional assistant and, if necessary and available, by date of receipt of the application resulting in the most recent continuous period of employment, and finally, by lot.

15. *Subject or Program Area, Grade Area, Teacher Non-classroom Subject Area, and Curriculum Resource, School-Based Resource or Specialty Area* all mean the teaching endorsement or educational administrator endorsement on the employee's Virginia teacher's license.

16. *Active Teacher Assignment* means the assignment in which the teacher is actively teaching, or if not actively involved in a classroom teaching or resource teacher assignment, the most recent permanent teaching assignment of a teacher on an authorized leave or in a temporary assignment.

17. *Active Educational Administrator Assignment* means the assignment in which the educational administrator is working on a permanent basis or, if not actively working in that position, the most recent permanent educational administrator assignment of an employee on an authorized leave or the most recent

permanent educational administrator assignment of an employee in a temporary assignment, such as acting or staff development in a different assignment. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.2. Reduction in Force Generally—A. Unless otherwise provided for herein, the procedures relating to reduction in force within an active assignment shall be applied separately and independently for employees on continuing contract and for employees on annual contract. Full-time and part-time employees shall be considered by cumulative service credit and by length of contract.

B. Whenever it is determined that it is necessary to lay off employees in an active assignment, all employees on annual contract shall be laid off before any employees on continuing contract are laid off. Employees on shorter contracts shall be laid off before employees on longer contracts. Length of day shall not be a factor in the designation of length of service.

C. A part-time employee shall not be eligible under this procedure to exercise employment rights involving longer contracts or full-time positions regardless of endorsement status or length of service. Full-time employees shall not be eligible to exercise employment rights involving longer contracts regardless of endorsement or length of service. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.3. Employee notice of reduction in force—An employee shall be given thirty (30) calendar days notice, when possible, prior to the effective date of layoff. The notice of layoff shall be in writing and hand-delivered or sent by certified mail to the employee's work location or home address. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.4. Reduction in force for teachers. —Whenever the School Board, on recommendation of the division superintendent, determines there is an excess of employees in an active teacher assignment in the school system, the following procedure shall apply to teachers, who have either annual or continuing contract status.

1. A system wide employee list based on service and endorsement(s) shall be prepared. This list shall include all persons currently employed by Suffolk Public Schools in the active teacher assignment, including persons on authorized leaves of absence, persons in the active assignment immediately prior to being assigned to a temporary acting or staff development position, and any employees who have been subject to RIF procedures and are entitled to displacement rights in

that active assignment. Endorsements obtained subsequent to the date the service lists are prepared shall not affect the reduction-in-force action.

2. Unendorsed employees, teachers with a provisional license, or teachers with a special education conditional license on the service list of active teacher assignments shall be designated for layoff first, beginning with those having the least years of service. If all employees in an active assignment are properly endorsed, or if an endorsement is not required, or if the employee has a collegiate professional license the following criteria shall be used to determine which employees are to be designated for layoff: (a) performance factors that include job knowledge, skill and ability to perform the job as documented in the employee's three most recent performance evaluations; (b) the employee's work history in terms of documented disciplinary actions or performance deficiencies as contained in the Human Resources personnel file; and (c) employee's participation in relevant conferences, workshops, trainings, to improve the employees overall job performance. In the event of a tie, employees with the least years of service will be first designated for layoff.

3. The procedure described above shall also be used when there is an excess of employees in an active assignment affected by reduction in force in another active assignment.

4. Based on program considerations and the need to place other employees designated for layoff, the school superintendent, or his or her designee, may determine the active assignment for displacement by any employee endorsed in more than one area. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.5. Elimination of programs and/or services.—The school superintendent has the authority to eliminate programs and/or services offered by Suffolk Public Schools when (1) the program and/or service is not funded, in whole or part, by federal and/or state funds; (2) the program and/or service is not mandated by the Standards of Quality; and (3) the elimination of the program and/or service will result in a substantial cost savings for Suffolk Public Schools. A substantial cost savings means a savings of \$50,000.00 or more in Suffolk Public Schools overall operating budget. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.6. Reduction in force for administrators. — The school superintendent may implement a reduction in force by category for all educational administrators with an active assignment (i.e. all assistant superintendents, principals, assistant principals, directors, coordinators). Should the school superintendent implement a reduction in force by category, the requirements of Section 5-14.2 are not applicable. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.7. Reduction in force for instructional assistants; all other school employees.—A. The procedures relating to RIF for instructional assistants shall be applied separately and independently for full-time and part-time instructional assistants. System wide lists based on instructional assistant service shall be prepared. Where there is a reduction in force, all part-time teacher assistants shall be laid off before full-time assistants, and, within those two groups, the teacher assistants with the least teacher assistant service will be designated first for layoff.

B. Instructional assistants who have not met the highly qualified standard shall be designated for reduction in force first, beginning with those employees who are not highly qualified and have the least service. If all instructional assistants in active assignment are highly qualified, or if a highly qualified designation is not required, employees having the least service shall be designated for layoff.

C. Any employee of Suffolk Public Schools in active assignment not requiring licensure from the State Board of Education shall be subject to layoff based on years of service, with those having the least years of service designated first for layoff. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.8. Salary; unused accumulated sick pay. — A. Employees who have been subject to RIF procedures and reassigned to other full-time positions will be paid a salary commensurate with the reassignment as set forth in Suffolk Public Schools' Compensation Plan, and the employee shall work the length of day and number of days required by the reassignment.

B. Employees subject to RIF, who have not been reassigned, will be paid for all unused accumulated sick leave at the rate provided for in regulations of Suffolk Public Schools then in effect at the time of the RIF. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.9. Limitation on hiring. — During a period of reduction in force, Suffolk Public Schools shall limit the hiring of educational administrators, teachers and instructional assistants, where applicable, to those positions that cannot be filled by qualified employees in active assignments or on layoff. This section shall not entitle an employee to a promotion, but neither shall it prevent an employee from a promotion resulting from the selection process. Employees currently employed may be transferred to vacant positions for which they are qualified in order to provide employment for employees who have been laid off.

(Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.10. Service credit for recall employees; notification requirement; written acceptance required.—A. Employees on layoff are terminated; however, upon recall to active employment, they shall receive all previously accumulated service credit.

B. In order to retain recall rights, employees who have been laid off must notify the Department of Human Resources annually, in writing, no later than July 1, of their continued availability for re-employment. It is the responsibility of the individual to notify the Department of Human Resources of any change of address.

C. When an employee is to be recalled, he or she shall be notified by certified mail (return receipt requested) at the last address on record with the Department of Human Resources. If an employee is notified of recall and does not provide written acceptance within ten calendar days of receipt of notice, all rights of recall shall be forfeited. If notice of recall cannot be delivered, the employee shall forfeit recall rights. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.11. Recall for teachers. — Teachers who are laid off shall be placed on a recall list ranked by a) performance factors that include job knowledge, skill and ability to perform the job as documented in the employee's three most recent performance evaluations; (b) the employee's work history in terms of documented disciplinary actions or performance deficiencies as contained in the Human Resources personnel file; and (c) employee's participation in relevant conferences, workshops, trainings, to improve the employees overall job performance with endorsement area(s) designated for each person. When a vacancy occurs, the teacher on layoff with the highest ranking based on the criteria set forth herein shall be entitled to the position if he or she is endorsed. In the event of a tie, employees with the most years of teacher service will be recalled first.

If the vacancy is not in his or her active assignment, the endorsed teacher with the most service may decide whether or not to take the position. If the teacher elects not to take the position, he or she shall forfeit recall rights in that active assignment but shall retain recall rights in other active assignment areas for which he or she is endorsed. If the vacancy is in the teacher's active assignment, he or she must accept the position or lose all recall rights.

After all endorsed employees have been recalled or have forfeited recall rights, a vacancy shall be offered to the unendorsed teacher who has been laid off and who has the most service, provided he or she will make a commitment to

become certified for the position within a period of one year. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.12. Recall for administrator— Educational administrators who are laid off shall be ranked by a) performance factors that include job knowledge, skill and ability to perform the job as documented in the employee’s three most recent performance evaluations; (b) the employee’s work history in terms of documented disciplinary actions or performance deficiencies as contained in the Human Resources personnel file; and (c) employee’s participation in relevant conferences, workshops, trainings, to improve the employees overall job performance. Administrators who are endorsed for active educational administrator assignments and who meet the job hiring standards are ranked ahead of other employees. Educational administrators who exercise displacement rights in a RIF action shall also be eligible for reassignment pursuant to the recall procedure as though they had been laid off from the active assignment and shall be placed on the recall list in rank order according to the criteria set forth herein.

When a vacancy occurs, the endorsed person on the recall list with the highest ranking based on the criteria set forth herein shall be entitled to the position. In the event of a tie, employees with the most years of Educational administrator service will be recalled first. If the vacancy is in a lower job group or in an active teacher assignment for which the former administrator has the most combined service as both a teacher and administrator and is endorsed, the former administrator may take the position. If the former administrator elects not to take the position, he or she shall forfeit recall rights in that active assignment but shall retain recall rights in other active assignments in which he or she has the most service and is endorsed. If the former administrator elects not to accept the position in his or her last active assignment as an educational administrator, he or she will be deemed to have forfeited entitlement to recall.

After all endorsed employees have been recalled or have forfeited recall rights, a vacancy shall be offered to the unendorsed former administrator with the most service, provided he or she will make a commitment to become certified or endorsed for the position within a period of one year. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.13. Recall for instructional assistants; all other employees.—A. Instructional assistants who are laid off shall be placed on a recall list ranked by a) performance factors that include job knowledge, skill and ability to perform the job as documented in the employee’s three most recent performance evaluations; (b) the employee’s work history in terms of documented disciplinary actions or performance deficiencies as contained in the Human

Resources personnel file; and (c) employee's participation in relevant conferences, workshops, trainings, to improve the employees overall job performance. When an instructional assistant vacancy occurs, the person on layoff with the highest ranking based on the criteria set forth herein shall be entitled to the position of instructional assistant. In the event of a tie, employees with the most years of service will be recalled first. If the instructional assistant elects not to take the position, he or she shall forfeit recall rights.

B. Any employee of Suffolk Public Schools whose employment is terminated because of layoff shall not have any recall rights unless those rights are specifically provided for in regulations promulgated by Suffolk Public Schools. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.14. Election of part-time employment. — A full-time employee on layoff may elect to accept a part-time vacancy by service order in his or her active assignment provided he or she is endorsed, if required, in the area of the vacancy. A full-time employee electing to accept a part-time position in his or her active assignment shall still retain recall rights to full-time positions. A full-time employee forgoing such alternative part-time employment shall also retain his recall rights. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.15. Election of short contracts.—A full-time employee on layoff may elect to accept a shorter contract by service order in his or her active assignment provided he or she is endorsed, if required, in the area of the vacancy. Such a full-time employee electing to accept a shorter contract in his or her active assignment shall still retain recall rights to the former longer contract. A full-time employee forgoing such alternative short contract assignment shall also retain his or her recall rights. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.16. Time limit for recall.—Employees who have not been recalled within three years from the date of layoff shall have no further recall under this procedure. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.17. Filling vacancies when no certification or endorsement required.—Vacancies that occur in assignments for which no certification endorsements are required may be filled by recall action or by transfer of actively employed personnel if the subsequent vacancy results in the recall of an employee

on layoff status. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.18. In-Service Required.—When, as a result of a reduction in force, a teacher or educational administrator is to be assigned to an endorsement area or level of an endorsement area in which he or she has not been recently active, appropriate in-service activities will be offered to the employee. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.19. Exceptions; limitation.—A. Employees who are necessary to ensure efficient delivery of school services who have a good record of classroom teaching performance may be retained irrespective of length of service, endorsement status and shall not be subject to layoff, and those employees shall include high school level certified trainers, department chairpersons for High School Mathematics, English, Science, and Social Studies, and coordinators for the International Baccalaureate and Advanced Placement diploma programs.

B. These assignments shall be limited to one individual for each activity in a school, and the individuals protected from layoff shall be reassigned the same responsibilities during the following year at the same location. If more than one employee holds any of the assignments listed below, only the employee with the most service will be protected from layoff. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Section 5-14.20. Maximum number to be retained.—A maximum number of 100 teachers or educational administrators in addition to those set forth in Section 5-14.19 may be retained by the division superintendent irrespective of length of service, endorsement status, and length of contract, and shall not be subject to displacement provided they are necessary to maintain program demands and they have good records of performance. (Issued February 5, 2009)

Legal Authority — School Board Policy 7-28.1

Article XV

NON-RENEWAL AND DISMISSAL OF LICENSED PERSONNEL

Section 5-15.1. Notice of non-renewal; notice of non-reappointment.—
A. In instances where the school principal cannot recommend a probationary

contract teacher for contract renewal, after having accumulated sufficient evidence of both continued performance and attempts to provide assistance or opportunities for improvement, the principal shall notify the teacher in writing that he cannot recommend said teacher for re-appointment. A copy of the notification to the teacher, along with a written notification including valid reasons for the teacher not being recommended for reappointment, addressed to the superintendent, shall be submitted by the principal to the superintendent no later than March 1 of the school year.

A probationary contract teacher, within five working days after receiving notification from the superintendent indicating his intention to recommend non-renewal of the contract to the School Board, may request in writing that he/she be provided with reasons for the recommendation. Within ten days after receiving such reasons, the teacher may request, by notification in writing to the superintendent, a conference before the superintendent. Upon such request, the superintendent shall set a date for the conference, which shall be within thirty days of the request and shall give the teacher at least fifteen days' notice of the time and place of the conference. The conference shall be conducted in accordance with the provisions of Section 22.1-305, Code of Virginia. Following the conference, the superintendent shall, within ten days notify the teacher in writing of his intention with respect to the recommendation. The School Board must then act on the recommendation and render the final decision.

B. The superintendent, after considering the status of the teacher, may decide to recommend to the School Board that the teacher not be reappointed. In the event that such a recommendation is deemed necessary, the superintendent shall notify the teacher in writing by March 15 of the school year that he intends to make such a recommendation to the School Board. If the teacher takes no action in response to this written notification within five working days after receipt of the notice from the superintendent, the superintendent may proceed with the recommendation, and the written notification of non-renewal of the contract must be given to the teacher by the School Board on or before April 15 of the school year. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-31.5.

Section 5-15.2. Dismissal of continuing contract teachers.— In the event that the superintendent determines to recommend dismissal of any teacher or the placing on probation of a teacher on continuing contract, written notice shall be sent to the teacher notifying him of the proposed dismissal or placing on probation and informing him/her that within fifteen days after receiving the notice the teacher may request a hearing before the School Board or before a fact-finding panel. During such fifteen day period and thereafter until a hearing is held in accordance with provisions set forth in §§22.1-310 through 22.1-314 of the Code of Virginia, if one is requested by the teacher, the merits of the recommendation of

the superintendent shall not be considered, discussed or acted upon by the School Board except as provided under the above-referenced Code sections. At the request of the teacher, the superintendent shall provide the reasons for the recommendation in writing or, if the teacher prefers, in a personal interview. In the event a teacher requests a hearing, the superintendent shall provide, within ten days of the requests, the teacher, or representative, with the opportunity to inspect and copy his/her personnel file and all other documents relied upon in reaching the decision to recommend dismissal or probation. Within ten days of the request of the superintendent, the teacher or representative shall provide the superintendent with the opportunity to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal or probation. The cost of copying such documents shall be paid by the requesting party. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-31.5.

Article XVI

WORK CALENDER

Section 5-16.1. School Holidays.—The work calendar for all Suffolk Public School employees shall include at least the following holidays:

Independence Day	...	1 day (July 4 or State holiday)
Labor Day	...	1 day (Monday)
Thanksgiving	...	2 days (Thursday & Friday)
Winter Break	...	3 days
New Year's Day	...	1 day (January 1 or State holiday)
Lee-King-Jackson Day	...	1 day (January)
Spring Break	...	3 days

(Issued August 10, 1995)

Legal Authority - School Board Policy §1-1.2.

Article XVII

REQUIRED MILITARY RESERVE DUTY

Section 5-17.1. Absence from duty allowed. — This regulation shall apply to all full-time personnel. Military leave-absence from duty is allowable for the fulfilling of military obligations in National Guard or reserve organizations of the Armed Forces.

1. Military leave without loss of pay or benefits, not to exceed fifteen calendar days in any calendar year, will be granted. Such leave is for the purpose of fulfilling obligations in the National Guard, military reserve organizations, and in response to orders issued by the Governor under Paragraph 44-75 of the 1950 Code of Virginia, as amended.
2. Military service in excess of fifteen calendar days will be authorized to comply with current Federal and State regulations.
3. Employees specifically shall request of their superior officer that military duty be fulfilled during the summer months when students are not regularly in school.
4. Leave without pay: The superintendent or designee may grant military leave without pay to any employee who is ordered to active duty in the military of the United States. Except in times of national emergency or war, the maximum period of time allowed for military leave without pay will be two years, approved one year at a time.
5. An employee who returns from military leave will have the advantage of any step increases which would have been due if the employee had remained continuously in the service of the school system. The employee will also have prior sick leave credit restored. (Issued August 10, 1995)

Legal Authority - School Board Policy §7-16.7.

Article XVIII

JOB RELATED INJURY, LEAVE AND WORKERS' COMPENSATION POLICY AND PROCEDURES

Section 5-18.1. General Statement; Coverage Provided; Injury leave defined.— A. It is the policy of Suffolk Public Schools that Suffolk Public School employees work under safe conditions. Therefore, it is the responsibility of each level of supervision to follow and enforce all provisions of the Suffolk Public Schools Safety Policy and strive to use the safest possible work procedures and provide the safest work conditions for all employees.

- B. Suffolk Public Schools furnishes workers' compensation insurance

coverage at no cost to employees. Suffolk Public School employees who sustain injuries, occupational disease or death as a result of a work-related accident are entitled to financial and medical benefits as prescribed by the Industrial Commission of Virginia.

C. Injury leave is defined as leave resulting from an on-the-job injury which prevents an employee from carrying out his/her normal duties. Suffolk Public schools will procure the services of several physicians (hereinafter referred to as “Panel of Physicians”) who will provide medical services in several areas, including the handling of workers’ compensation claims. Employees who decline to use the panel of physicians will be responsible for the expense for any medical treatment or physician bills and will be denied leave benefits. (Issued August 10, 1995)

Legal Authority – School Board Policy §2-1.3.

Section 5-18.2. Procedures When Injury Occurs.— When an employee is injured while performing job related duties for Suffolk Public Schools, he/she will normally be entitled to workers’ compensation benefits. In order to be considered eligible for workers’ compensation benefits, the following procedures must be followed:

1. The employee must immediately notify his Supervisor in writing of the injury, explaining the nature of the injury, detailing how the injury was sustained, and making his declaration of whether or not he will use the panel of physicians. Any employee who witnesses an on-the-job injury shall report such injury to the Supervisor. If the employee is unable to report the injury due to its severity, any employee at the scene shall make the report. The Supervisor will arrange for the employee’s prompt transportation to one of the Panel Physicians or, in the case of an emergency, to the hospital emergency room.

If the injury is minor, and it is not possible for the employee to immediately notify his Supervisor, the employee shall report the injury to his Supervisor prior to leaving work on the day he is injured. All accidents are to be reported even if injury does not result.

2. Should an employee require medical attention, he must select a physician from the Suffolk Public Schools’ Panel of Physicians. It is the Supervisor’s responsibility to post the approved list of Panel Physicians and make the list available to all employees.

Bills for medical service(s) provided by doctors not on the Panel of

Physicians must be paid by the employee. The employee will also be denied workers' compensation benefits for any work absence based on a disability which is not certified by a doctor on the list of Panel of Physicians, unless reversed by the Industrial Commission or a court of competent jurisdiction. In a life threatening situation, the employee should be transported to the nearest hospital emergency room.

3. Prior to sending an employee to the physician or hospital, the Supervisor shall issue the employee a properly completed Authorization for Medical Care form. The employee shall present this form to the attending physician, who shall complete the bottom portion of the form. The employee shall return this form to his Supervisor, immediately after seeing the doctor. This form shall be forwarded to the Personnel Office along with other required forms.
4. Within 48 hours, the Supervisor shall complete a Notice of Injury/Illness and Investigation form. Information on this report should include names, addresses and telephone numbers of any witnesses, and statements from any employees involved in the accident.
5. The employing department shall complete, in full, an Employer's First Report of Accident. This form, along with the previously cited forms, shall be forwarded to the Personnel Department within twenty-four (24) hours of the accident.
6. It is the responsibility of the employing department to advise the Personnel Department as to the date and time of all doctors' visits for any injured employee within three (3) work days of each visit. Any questions regarding the medical status of any employee who has suffered a work related injury shall be directed to the Personnel Department.

Legal Authority – School Board Policy §2-1.3.

Section 5-18.3. Compensation.— A. Any medical, surgical, hospital, and rehabilitation costs incurred as a result of any work related injury or disease will be sent to the Suffolk Public Schools' workers compensation administrators for consideration for payment within the guidelines of the Industrial Commission if the employee selects a physician from the Panel of Physicians. The exact amounts and eligibility shall be determined in accordance with the laws and rules of the Commonwealth of Virginia. The following benefits are provided under the

workers' compensation program:

1. Medical Expenses: Those reasonable medical, surgical, hospital and rehabilitation costs incurred as a result of a job connected injury or disease when all procedures are followed.
2. Permanent Disability Payments: A specified sum payable for a specified period for partial or total permanent disability incurred as a result of a job related injury as set by the Industrial Commission.
3. Death Benefits: A specific sum payable for a specific period to survivors of an employee who dies as the result of a job connected injury or disease.
4. Compensation for Lost Time: When an injured employee is absent from work as a result of work related injury or disease, the first seven (7) calendar days will be considered as injury leave and the employee shall be paid his/her normal salary by his/her department. Suffolk Public Schools grants the first seven (7) calendar days (including weekends) without utilizing the employee's sick or annual leave.

Legal Authority – School Board Policy §2-1.3.

Section 5-18.4. Involvement of Claims Carrier; Pay Requirements; Reason for Disqualification.— A. The Personnel Department shall be responsible for conferring with the Suffolk Public Schools' workers' compensation administrators and the designated claims carrier to determine whether the injury is compensable or not. Final determination of a compensable injury shall be based on the findings of the Suffolk Public Schools' workers' compensation administrators. If it is determined that an injury is not compensable, the employee will be notified in writing by the Suffolk Public Schools' workers' compensation administrators of this determination and his/her right and the procedure to appeal to the Industrial Commission.

B. Any employee absent from work and on approved injury leave shall receive their full regular pay for the first seven (7) calendar days immediately after their injury. Beginning with the eighth (8) day, the injured employee will be placed on workers' compensation status and compensated as follows:

1. The Supervisor shall notify the Personnel Department and the employee shall receive full salary up to three months from the date of the accident. After three months from the date of accident, the disabled employee shall have his/her salary reduced to whatever salary is dictated by the Industrial Commission for the remainder of

his/her disability from the job. During this period, an employee will have the option of supplementing his/her pay up to his/her normal salary by utilizing one fourth day sick leave for each day on injury leave. (An absence ticket must be submitted to the Finance Department by the employee's supervisor.)

2. Expiration of the three month period shall have no effect on an employee's continuing eligibility for regular workers' compensation benefits.
 3. The disabled employee may continue to be evaluated and may receive step increases and cost of living increases where applicable.
 4. Employees shall continue to accumulate annual and sick leave while out on injury leave, however, annual and sick leave earned while out on injury leave cannot be used until after the employee's return to work.
 5. Injury leave shall be reported to the Personnel Department in the same manner as annual and sick leave; however, this will be for the statistical purposes, and will not be deducted from any accumulated leave such as annual, sick or compensatory time.
 6. All authorized leaves must be recorded as job related injury and not sick leave, except sick leave utilized under number one (1) above.
 7. To preclude double recovery, except as stated in number one (1) above, annual leave or sick leave shall not be granted along with injury leave but may be granted when an accident is determined to be non-compensable, including where the employees chooses not to use the Panel of Physicians.
 8. No payments will be authorized until the Report of Attending Physician is received by the Personnel Department and the Suffolk Public Schools' workers' compensation administrators.
- C. Any employee who, without permission from his/her Supervisor, receives payment for work performed for any employer other than Suffolk Public Schools, including self-employment, while on approved injury leave, shall be subject to disqualification from injury leave and/or consideration for dismissal from employment with Suffolk Public Schools. (Issued August 10, 1995)

Legal Authority – School Board Policy §2-1.3.

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Section 5-18.5. Medical Benefits.— All authorized medical bills incurred by an employee for a job-related injury shall be referred to the Suffolk Public Schools’ workers’ compensation administrators for consideration for payment. Any employee who refuses medical examination by one of the physicians offered by Suffolk Public Schools without good and sufficient cause, shall be responsible for any and all medical bills related to treatment by the physician chosen by the employee. The Personnel Department shall retain exclusive authority for determining what constitutes “good and sufficient cause” under this section, and any such determination made by the Personnel Department is considered final. (Issued August 10, 1995)

Legal Authority – School Board Policy §2-1.3.

Section 5-18.6. Return to Work.— After seeing the doctor and upon returning to work, the employee shall immediately provide to his Supervisor a Doctor’s Release. On the day of the employee’s return, the Supervisor will forward the Doctor’s Release to the Personnel Department. (Issued August 10, 1995)

Legal Authority – School Board Policy §2-1.3.

Section 5-18.7. Medically Restrictive Work Policy; Assignment to Different Position; Review by Personnel Department.— A. Employees on approved injury leave due to a job related injury leave may be removed from injury leave and approved for medically restrictive work within the Suffolk Public School System, subject to, but not limited to, the following criteria:

1. That medically restrictive work is available; and
2. That medically restrictive work has the approval of the attending physician and the Personnel Department.

B. When an employee is approved for medically restrictive work, the employee may be assigned a different position, or the employee may be allowed to remain in the same position with a change in work responsibilities. Any change in position or work responsibilities will not result in any change to the employee’s salary or benefits while the employee is performing medically restrictive work.

C. In cases where an employee has been assigned to medically restrictive work, and within six (6) weeks thereafter has not returned to his/her regular job, then the employee’s work status shall be re-evaluated by the Personnel Department. Following a review by the Personnel Department, should the Personnel Department be of the opinion, based on the criteria set forth above, that the employee should remain on medically restrictive work, then the employee

shall remain on medically restrictive work for an additional six (6) week period. The employee's condition and ability to return to his/her regular job will be re-evaluated by the Personnel Department every six (6) weeks thereafter until the employee is able to return to his/her regular job. (Issued August 10, 1995)

Legal Authority – School Board Policy §2-1.3.

Section 5-18.8. Normal Duty.— Employees absent from work due to a job-related injury on approved leave or on medically restrictive work can return to their regular duties upon the receipt of a Doctor's Release signed by the employee's attending physician stating that the employee's physical and mental fitness is such that the employee is able to resume specified regular duties. (Issued August 10, 1995)

Legal Authority – School Board Policy §2-1.3.

Section 5-18.9. Long Term Injury; Third party benefits.— A. An employee who makes a claim against a third party for responsibility for the employee's injury must report to the Personnel Department the name of the company or party against whom the claim is made. The name of the attorney, if any, representing the employee will also be reported to the Personnel Department.

B. Third party benefits will be collected by the Suffolk Public Schools' workers' compensation administrators to avoid duplicate payments of benefits. Any employee, who willfully withholds funds rightfully due Suffolk Public Schools under Section 65.2-309 of the Worker's Compensation Act of Virginia, will be subject to consideration for dismissal. (Issued August 10, 1995)

Legal Authority – School Board Policy §2-1.3.

Article XIX

REGULATIONS GOVERNING EMPLOYEE USE OF INFORMATION TECHNOLOGY RESOURCES

Section 5-19.1 Statement of purpose; modest personal use permitted; violators subject to discipline. — A. Suffolk Public Schools' information technology resources have been assembled to facilitate the pursuit of excellence in the division's missions of teaching, research, and service. The opportunity to use computing systems and software, as well as internal and external data networks, is important to all members of the school division community. To preserve that opportunity for the full community, each individual faculty member, staff member, and student must comply with institutional and external standards for acceptable use of these shared resources.

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B. Although modest personal use of school-supplied technology resources may improve the skills of individual users and otherwise contribute indirectly to the School Board’s mission, these resources should be used primarily for school-related educational and administrative purposes. By using Suffolk Public Schools’ information technology facilities and resources, users agree to abide by all related school division policies and procedures, as well as applicable federal, state, and local law.

C. Violations may result in School Board disciplinary action or referral to appropriate external authorities. The use of Suffolk Public Schools computing resources -- like the use of any other division- provided resource and like any other division-related activity -- is subject to the normal requirements of legal and ethical behavior within the school division community. Thus, legitimate use of a computer, computer system, switching system, or network does not extend to whatever is technically possible. Although some limitations are built into computer operating systems and networks, those limitations are not the sole restrictions on what is permissible. Users must abide by all applicable restrictions, whether or not those restrictions are built into the operating system or network and whether or not they can be circumvented by technical means. (Issued June 28, 2007)

Legal Authority – School Board Policy § 5-6.3

Section 5-19.2. Scope of regulation; definitions. — A. This acceptable use regulation applies to all users of Suffolk Public Schools information technology (IT) resources. This includes the resources under the management or control of the Technology Department or other units of Suffolk Public Schools such as the Pruden Center for Industry and Technology, Southeastern Cooperative Educational Programs, and any other groups or programs using information technology resources provided by Suffolk Public Schools.

B. The following terms are defined as follows:

1. A “user” is defined as any individual who uses, logs into, or attempts to use or log into, a system; or who connects to, or attempts to connect to or traverse, a network, whether by hardware or software or both, whether on campus or from remote locations. The term “user” thus includes system sponsors and system managers, faculty, staff, students, and other customers.
2. “Information technology resources” are those facilities, technologies, and information resources required to accomplish information processing, storage, and communication, whether individually controlled or shared, stand-alone or networked. Included in this definition are all classroom technologies, electronic resources, and computing

and electronic communication devices and services, such as, but not limited to, computers, printers, modems, e-mail, fax transmissions, video, telephones, cell phones, Student Information Systems, electronic grade books, multi-media, instructional materials, and healthcare and administrative systems. Personal equipment connected to the school division network is also subject to this regulation. (Issued June 28, 2007)

Legal Authority – School Board Policy § 5-6.3

Section 5-19.3 Security and privacy encouraged; inspection upon probable cause; response to court orders; subject to public record request.—

A. Suffolk Public Schools employs various measures to protect the security of its computing resources and of its user accounts. Users should be aware, however, that the school division cannot guarantee such security. Users should therefore engage in “safe computing” practices by utilizing appropriate access restrictions for their accounts, guarding their passwords, and changing passwords regularly. Users are responsible for maintaining backup and recovery systems in accordance with disaster recovery guidelines, as well as for implementing and maintaining computer security in accordance with best practices and Suffolk Public Schools policies and procedures. Suffolk Public Schools respects encryption rights on its networks and may itself encrypt information and transactions when secure confidentiality is an obligation. Users should also be aware that their uses of Suffolk Public Schools computing resources are not completely private. While Suffolk Public Schools does not routinely monitor individual usage of its computing resources, the normal operation and maintenance of the school division’s computing resources require the backup of data and communication records, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for the rendition of service.

B. Suffolk Public Schools may also inspect files or monitor usage for a limited time when there is probable cause to believe a user has violated this regulation. Inspections or monitoring related to violations of this regulation must be authorized in advance by the Superintendent or by the Superintendent’s designee, or the Director of Technology Services. Such inspections or monitoring will be conducted without notice to the user by an authorized investigator.

C. In addition, users should be aware that their right to privacy in electronic records may be subject to Suffolk Public Schools’ obligation to respond to subpoenas or other court orders, reasonable discovery requests, and requests for documents pursuant to *Virginia Code*.

D. Suffolk Public Schools’ administrative records are subject to public record requests, unless an expressed exception recognizes the confidentiality of the material. By statute, public records include all “records, documents, tape or

other information, stored or preserved in any medium,” whether generated by school division administrators, faculty, or staff. The statute contains no expressed exception for documents generated by faculty or staff in the course of their employment. Although it is Suffolk Public Schools’ position that personal electronic files of faculty, staff and students are not ordinarily to be considered “public records,” users should be aware that a court of law, and not school division officials, may ultimately decide such issues. (Issued June 28, 2007)

Legal Authority – School Board Policy § 5-6.3

Section 5-19.4 Individual Responsibilities. — The following responsibilities apply to any employee using Suffolk Public Schools’ technology resources.

- a. Use resources appropriately. Uses that interfere with the proper functioning of Suffolk Public Schools’ information technology resources are prohibited. Such inappropriate uses would include but are not limited to insertions of viruses into computer systems, tapping a network or running a “sniffer” program, e-mail spam, chain letters, destruction of another’s files, use of software tools that attack IT resources, violation of security standards, and the like.
- b. Respect the rights of others. Interference with the ability of other users to make appropriate use of the resources is prohibited. Such inappropriate uses include, without limitation, invading the privacy of another’s files or otherwise gaining unauthorized access to the files of another. Such uses would include but are not limited to denial of service attacks, misrepresentation, forgery, use of software tools that attack IT resources, and the like.
- c. Adhere to the EDUCAUSE Code of Software and Intellectual Rights as follows: Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and right to determine the form, manner, and terms of publication and distribution. Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, may be grounds for sanctions against members of the academic community.

- d. Adhere to data access policies. Accessing restricted data without permission or need to know is prohibited. Where access to restricted data is permitted, use of such data shall be limited to the purpose for which access was authorized. Secondary use of Suffolk Public Schools' data subject to access restriction, without adhering to the restrictions, is also not permitted. Medical information retained by Suffolk Public Schools is further protected by state and federal law which prohibits any disclosure without specific written consent of the person to whom it pertains, or as otherwise required by law. A general authorization for release of medical or other information is not sufficient for this purpose.
- e. Adhere to software licenses. Persons loading software on any Suffolk Public Schools' computer must adhere to all licensing requirements for the software. Except where allowed by Suffolk Public Schools' site licenses, copying software licensed for school division use for personal use is a violation of this regulation. Users are responsible for adhering to agreements for software licensed and databases owned by the school division.
- f. Avoid excessive personal use. Personal use of computer resources should be kept to a minimum. Personal use may be excessive if it takes place during regularly scheduled work time, if it overburdens a network, if it results in substantial use of system capacity, or if it otherwise subjects the school division to increased operating costs. Some uses will be plainly excessive in all environments, but the extent to which other uses become excessive may vary. In those instances, supervisors will provide more specific guidance to individual users by providing advice on a case-by-case basis.
- g. Refrain from prohibited personal uses. Information technology resources, including Suffolk Public Schools' electronic address (e-mail, web), shall not be used for personal commercial gain, for charitable solicitations unless these are authorized by the Superintendent, for personal political activities such as campaigning for candidates for public office, or for lobbying of public officials. For purposes of this regulation, "lobbying" does not include individual faculty or staff sharing information or opinions with public officials on matters of policy within their areas of expertise. Faculty and staff consulting that is in conformity with Suffolk Public Schools' guidelines is permissible.
- h. Use Suffolk Public Schools name as authorized. Unless

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authorized to speak for the school division, users should avoid creating the impression they are doing so. Electronic exchange of ideas is encouraged. However, users shall take appropriate steps to avoid the possible inference that communication of a message via the school division e-mail system or posting to an electronic forum connotes official Suffolk Public Schools authorization or endorsement of the message.

- i. Adhere to other Suffolk Public Schools policies. Inappropriate use of electronic technology resources may violate a number of generally applicable school division policies. In addition, specific policies created by Suffolk Public Schools IT community, under the oversight of the Superintendent are also included.
- j. Obey external laws. Information technology resources shall not be used in a manner that violates federal, state, or local law, including without limitation the federal requirement that Suffolk Public Schools provide employment and educational environments free from race-based or gender-based hostility (see Titles VI and VII, Civil Rights Act of 1964, and Title IX, Educational Amendments of 1972); and state criminal laws forbidding harassment, exhibition of obscene materials to minors, rental or sale of pornography, official misconduct, computer crime, and federal and state copyright and fair use laws. Nothing in this regulation prohibits the use of appropriate material for educational purposes in any school, or library, or in any educational program in which a minor is participating.
- k. Staff members should avoid open social networking websites offering an interactive, user-submitted network of Mends, personal profiles, blogs, groups, photos, music and videos (My Space, Face Book, etc.) where students can send messages and pictures. Participation in sites of this nature may compromise the ethical integrity of an employee's position and jeopardize one's employment.
- l. Staff members may not post or submit student pictures and other identifying information for print media, such as local newspapers without approval by the Superintendent, the Superintendent's designee, or the Public Information Officer. Many local newspapers are now available as both print and Web-based media. While schools may grant permission for local newspapers to use student pictures with articles about student activities, schools should be aware that the newspaper

may extend this use to electronic versions of the newspapers. Ample evidence suggests that posting student pictures and identifying information on Web sites is an Internet safety issue and could pose a serious threat to student safety. In some instances, student pictures and personal information—including height, weight, and athletic statistics have been posted to sites owned and managed by division staff to support activities such as sharing athletic rosters. These types of sites could also pose serious threats to student safety and are subject to the same approval process as stated above.

m. All users must abide by the rules of network, email and Internet etiquette, which include:

1. Be polite. Use appropriate language in your electronic communications.
2. Be safe. In using the computer network and Internet, do not reveal personal information such as your home address or telephone number. Do not arrange a face-to-face meeting with someone you ‘meet’ on the computer network or Internet, in a secluded place or in a private setting.
3. Be careful. Do not jeopardize the security of user access and of the computer network or other networks on the Internet. For example, don’t disclose or share your password with others or impersonate another user. It is recommended to include numbers in passwords as this further improves security.
4. Be mindful of viruses. All data files received as attachments should only be opened if they are from a reputable source.
5. Users should not use the services of the school division’s Internet and/or e-mail to obtain or send such material which contravenes the law or published School Board policies (articles which are sexist, racist, violent, obscene or pornographic, or promote illegal behavior).
6. Users are advised that the use of email to send personal data (e.g. about staff or students) to a third party is expressly forbidden unless prior approval by the Superintendent or his designee is obtained.
7. Users are advised that all e-mail sent from an account is the responsibility of the individual account holder. To maintain consistency and clarity of contact information, users must only supply

relevant contact information as part of e-mail signatures. The use of wallpaper, pictures, graphics or animations is discouraged.

8. Users are advised that the contents of a network account home directory are the responsibility of the individual account holder.
9. Users must not use chat sessions unless they relate to instruction or technology support.
10. Users must not tamper with the settings of the network or workstations.
11. Users are advised that web-based audio streaming services are provided for work-related purposes only.
12. Suffolk Public Schools does not allow users to install or use unauthorized software or copy or remove software from the school division's PCs and/or network.
13. Users are required to exit or lock the system when not in close proximity to the computer workstation.

(Issued June 28, 2007)

Legal Authority – School Board Policy § 5-6.3

Section 5-19.5 Administration and Enforcement; report of violations;

— A. Principals are charged with communicating this regulation to the user community through partnering with the Director of Technology Services and for providing staff with access to educational programs to achieve technical proficiency and appropriate use of the resources. Requests for interpretation of the regulation as applied to particular situations may be directed to the Assistant Superintendent of Administrative Services.

B. Reports of apparent violations of the regulation may be made to the Superintendent or his designee, the Director of Technology Services or the employee's supervisor. Where violations of law are alleged, the Principal, Department Head, School Resource Officer, Suffolk Police Department, and the Assistant Superintendent of Administrative Services should be contacted. Where sanctions are appropriate, they may include a formal reprimand, loss of user privileges for a definite or an indefinite period, or termination of employment. Serious or repeated violation of this regulation by staff members will be governed by the general Grievance Procedures. Violations of this regulation by staff members will be addressed by the staff member's supervisor, principal, Assistant Superintendent of Administrative Services, or Superintendent. Appeals from any formal disciplinary action taken against a staff member are governed by Grievance Procedures for Staff Members. (Issued June 28, 2007)

Legal Authority – School Board Policy § 5-6.3

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Section 5-19.6 No expressed or implied warranties; not responsible for damages; not responsible for accuracy of information.— A. Suffolk Public Schools makes no warranties of any kind, whether expressed or implied, with respect to the information technology services it provides.

B. The school division will not be responsible for damages resulting from the use of communication facilities and services, including, but not limited to, loss of data resulting from delays, non-deliveries, missed deliveries, service interruptions caused by the negligence of a school division employee, or by the user's error or omissions.

C. Use of any information obtained via the Internet is at the user's risk. Suffolk Public Schools specifically denies any responsibility for the accuracy or quality of information obtained through its electronic communication facilities and services, except material represented as an official Suffolk Public Schools' record or document. Suffolk Public Schools also does not accept responsibility for removing material that some users may consider defamatory or otherwise offensive. Users should be advised, however, that dissemination of such material may subject them to liability in other forums. (Issued June 28, 2007)

Legal Authority – School Board Policy § 5-6.3

Section 5-19.7. Respect for privacy to be maintained.— Employees shall not re-post a message that was sent privately to them without expressed permission in writing from the person who originally sent the message. Employees shall not, at anytime whatsoever, post private information about another person, with or without that person's permission. (Issued February 2, 1998)

Legal Authority - School Board Policy §§2-1.3 & 5-6.1.

Section 5-19.8. Respect resource limits; chain letter limits; e-mail checked.— A. Employees shall not download large files unless absolutely necessary, having first secured permission in advance from the school administrator or designee. Employees are precluded from (i) wastefully using resources, such as file space; or (ii) sending, receiving, viewing or downloading illegal material via computer.

B. Employees shall not, under any circumstances, whatsoever, post chain letters or send messages to large numbers of people (e.g., more than fifty people at a time).

C. Employees shall frequently check their electronic mail messages and delete unwanted messages promptly. (Issued February 2, 1998; Revised December 12, 2001)

Note: In 2001 revision, the language “Employees are precluded from (i) wastefully using resources, such as file space; or (ii) sending, receiving, viewing or downloading illegal material via the computer” was added to paragraph A.

Legal Authority - School Board Policy §§2-1.3 & 5-6.1.

Section 5-19.9. Plagiarism and copyright infringement; unauthorized downloading; financial or commercial gain and advertising prohibited.— A. Employees shall not plagiarize works found on the Internet. Plagiarism is defined as taking the ideas or writings of others and presenting them as if they were one’s own. Employees shall respect the rights of copyright owners. If an employee is unsure whether a work is copyrighted or whether it can be reproduced, that staff member should seek clarification from a Network administrator.

B. The unauthorized downloading of software and downloading of copyrighted material for unauthorized use is prohibited.

C. Employees may not use the computer for private financial or commercial gain or for commercial or private advertisement. (Issued February 2, 1998; Revised December 12, 2001)

Note: In 2001 revisions, paragraph B was added.

Legal Authority - School Board Policy §§2-1.3 & 5-6.1.

Section 5-19.10. Inappropriate access to material prohibited; posting of certain material prohibited.— A. Employees shall not use the system or allow the system to be used by anyone else for any activity that is considered profane or obscene (pornographic) that advocates illegal acts, or that advocates violence or discrimination toward other people (hate literature).

B. Employees shall not submit, post, publish or display any obscene, profane, threatening, illegal or other inappropriate material on Suffolk Public Schools’ computer system and shall not vandalize the computer system, including destroying data by creating or spreading viruses or by other means. (Issued February 2, 1998; Revised December 12, 2001)

Note: In 2001 revision, paragraph B was added.

Legal Authority - School Board Policy §§2-1.3 & 5-6.1.

Section 5-19.11. Discipline for improper use.— Should any employee violate the above rules and/or regulations disciplinary action and, where appropriate, legal action will be taken against the violator by Suffolk Public Schools or the Suffolk City School Board. (Issued February 2, 1998)

Legal Authority - School Board Policy §§2-1.3 & 5-6.1.

Section 5-19-12. Network Etiquette.— Any user of Suffolk Public Schools' computer equipment is expected to abide by general accepted rules of etiquette, including the following:

- (1) Be polite.
- (2) User shall not forge, intercept or interfere with electronic mail messages.
- (3) Use appropriate language. The use of obscene, lewd, profane, threatening or disrespectful language is prohibited.
- (4) Users shall not post personal contact information, including names, home, school or work addresses, telephone numbers, or photographs, about themselves or others.
- (5) Users shall respect the computer system's resource limits.
- (6) Users shall not post chain letters or download large files.
- (7) Users shall not use the computer system to disrupt others.
- (8) Users shall not read, modify or delete data owned by others.

(Issued December 12, 2001)

Legal Authority - School Board Policy §5-6.1:1

Section 5-19.13. Liability; indemnification by user required.— Suffolk Public Schools makes no warranties for the computer system it provides. Suffolk Public Schools is not responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery information, or service interruptions. Suffolk Public Schools denies any responsibility for the accuracy or quality of information obtained through the computer system.

B. The user shall indemnify Suffolk Public Schools for any losses, costs or damages incurred by Suffolk Public Schools relating to or arising out of any violation of these regulations. (Issued December 12, 2001)

Legal Authority - School Board Policy §5-6.1:1

Section 5-19.14. System security; acts of vandalism; modifying security settings.— A. Computer system security is a high priority for Suffolk Public Schools. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

B. Intentional destruction of any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.

C. Suffolk Public School Employees are not permitted to modify security settings that change the intended use of computers, servers or other devices owned by Suffolk Public Schools, unless given permission to do so by authorized school personnel. (Issued December 12, 2001; Revised November 13, 2006)

Legal Authority - School Board Policy §5-6.3

Section 5-19.15. Charges. Suffolk Public Schools assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone or long-distance charges. (Issued December 12, 2001)

Legal Authority - School Board Policy §5-6.1:1

Section 5-19.16. Electronic Mail. Suffolk Public Schools' electronic mail system is owned and controlled by Suffolk Public Schools. Suffolk Public Schools may provide electronic mail to aid students and staff in fulfilling their duties and as an educational tool. Electronic mail is not private. The electronic mail of employees may be monitored and accessed by the school division. Unauthorized access to an electronic mail account by any employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain that message's authenticity and the nature of the file. (Issued December 12, 2001)

Legal Authority - School Board Policy §5-6.1:1

Section 5-19.17. Internet access restricted; discipline for violations.—
A. Software will be installed on Suffolk Public Schools' computer equipment to filter or block Internet access to child pornography and obscenity. The online activities of minors may also be monitored manually.
B. Any violation of these regulations shall result in appropriate disciplinary action as determined by the school administration. (Issued December 12, 2001)

Legal Authority - School Board Policy §5-6.1:1

Article XX

EMPLOYEE DRESS REGULATIONS

Section 5-20.1. Employees serve as roll models; appropriate dress required of cafeteria workers, etc.; disruptive attire prohibited; exceptions; identification badge required. — A. It is the intent of the Suffolk City School Board that all employees shall dress in a manner that reflects favorably on Suffolk Public Schools and the profession they represent. Suffolk Public Schools' employees serve as role models for the students and representatives of the school system. Consistent with these roles, all employees and volunteers shall dress

professionally and appropriately relative to their specific job duties and responsibilities. Job assignments may be considered when making decisions regarding professional attire. Administrators, teachers, volunteers and teacher support personnel are expected to project a professional image that sets positive dress and grooming examples for students and shall adhere to standards of dress and appearance grooming examples for students and shall adhere to standards of dress and appearance that are compatible with and effective learning environment. Career Technical teachers that wear OSHA approved clothing when teaching Career Technical Education classes when required.

B. Appropriate dress is also required of cafeteria, custodial, maintenance, and transportation personnel and may include the wearing of uniforms or other apparel approved by their principal/supervisor. These employees shall project an image that emphasizes the professional services provided to students, staff and the community. Food Service employees shall comply with all Department of Health regulations. All employees in the Custodial & Maintenance Departments shall be required to wear a uniform shirt with the Suffolk Public Schools' logo that is provided by Suffolk Public Schools.

C. The School Board believes that no mode of attire will be considered proper for school that distracts from or disrupts the learning/working environment. Presenting a bodily appearance or wearing clothing which is disruptive, provocative, revealing, profane, vulgar, offensive, obscene, or which endangers the health or safety of the students or others is prohibited. Examples of attire considered inappropriate to be worn by Suffolk Public Schools employees while performing their job duties include:

1. Revealing necklines, bare midriffs and excessively tight clothing;
2. Clothing which promotes alcohol beverages, tobacco, or the use of controlled substances by words or symbols;
3. Clothing which contains profanity, nudity, depicts violence, or is sexual in nature by words or symbols;
4. Spaghetti straps;
5. Sleeveless dress or tops with straps less than 2 inches in width, unless covered by a jacket;
6. Flip flops

D. Nothing in this regulation is intended to prohibit special attire for special events such as school celebrations, thematic instructional days, school spirit days, etc. Exceptions may also be made by the School Superintendent or his designee for medical or religious requirements.

E. All School Board Employees are required to wear their Suffolk

Public Schools identification badge while performing their job duties. (Issued Date: March 8, 2012; Effective Date: July 1, 2012)

Legal Authority - School Board Policy §7-2.3