

BATH COUNTY SCHOOL BOARD

AGENDA ITEM: INFORMATION { } ACTION { X } CLOSED MEETING { }

SUBJECT: SUPERINTENDENT’S REPORT - ACTION

VSBA Policy Updates – First Reading

BACKGROUND: Explanation of Revisions:

BDD **Electronic Participation in Meetings from Remote Locations**
Text revised to reflect Legal References.

DI **Financial Accounting and Reporting**
Policy revised to avoid duplication with policies CBA Qualifications and Duties for the Superintendent and EF Food Service Management and to reflect that some of the BOE regulations on which it was based have been repealed.
Legal References updated.

DJF **Purchasing Procedures**
Policy updated.

GBE **Staff Health**
Footnote added to reflect local practices.

GBL **Personnel Records**
Policy and Legal References updated.

IKFA **Locally Awarded Verified Credits**
Legal References updated.

IL **Testing Programs**
Policy and Legal References updated.

JHH **Suicide Prevention**
Policy and Legal References updated.

KLB **Public Complaints about Learning Resources**
(Option 2) Legal References updated.

RECOMMENDATION: Second reading and approval of policy updates will be scheduled for November, unless the Board wishes to approve policies after first reading.

ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

Except as provided hereafter, the School Board shall does not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic or other communication means where the members are not physically assembled.

I. Quorum Physically Assembled

A School Board member may participate in a meeting through electronic communication means from a remote location that is not open to the public:

1. if, on or before the day of a meeting, the School Board member notifies the chair of the School Board that he or she is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the School Board
 - a. approves the member's participation by a majority vote of the members present at a meeting and
 - b. records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated.

In deciding whether or not to approve a Board member's request to participate from a remote location, the Board shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting.

If a Board member's participation from a remote location is disapproved, such disapproval will be recorded in the minutes with specificity.

Such participation by a School Board member shall be limited each calendar year to two meetings or 25 percent of the meetings of the School Board, whichever is fewer; or

2. if a School Board member notifies the School Board chair that he or she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the School Board records this fact and the remote location from which the member participated in its minutes.

A School Board member may participate in a meeting by electronic means pursuant to this section only when:

- a quorum of the School Board is physically assembled at the primary or central meeting location; and

- the School Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

II. Quorum Not Physically Assembled

The School Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, provided

- the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, and
- the purpose of the meeting is to address the emergency.

If it holds a meeting pursuant to this section, the School Board shall

- give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board;
- make arrangements for public access to the meeting;
- make available to the public, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the School Board and that have been made available to the School Board's staff in sufficient time for duplication and forwarding to all locations at which public access will be provided;
- record minutes of the meeting in accordance with Policy BDDG Minutes; and
- record in the minutes votes taken by name in roll-call fashion.

The For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the meeting. In addition, at such meetings the School Board will make available to the public a public comment form prepared by the Virginia Freedom of Information Advisory Council.

III. Reporting

4. If the School Board meets by electronic means, it shall make a written report of the following to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science by December 15 of each year:

- the total number of electronic communication meetings held that year
- the dates and purposes of the meetings
- a copy of the agenda for each meeting
- the number of sites for each meeting
- the types of electronic communication means by which the meetings were held
- the number of participants, including members of the public, at each meeting location

- the identity of the members of the School Board recorded as absent and those recorded as present at each meeting location
- a summary of any public comment received about the electronic communication meetings
- a summary of the School Board's experience using electronic communication meetings, including its logistical and technical experience

~~2. At any meeting at which any member of the School Board participates electronically, the School Board will make copies of the public comment form prepared by the Virginia Freedom of Information Advisory Council available to the public.~~

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3708, 2.2-3708.1, 2.2-3710.

Cross Ref.: BDDG Minutes

FINANCIAL ACCOUNTING AND REPORTING

~~The superintendent or his/her designee shall establish and be responsible for a division's accounting system that will satisfy the Virginia Department of Education's regulations regarding accounting practices and applicable federal, state and local laws.~~

The superintendent or superintendent's designee is responsible for implementing a modern system of accounting for all school funds as established by the Board of Education and the Auditor of Public Accounts.

~~Financial Accounting and Reporting~~

~~The School Board will receive monthly financial statements, including statements of revenues and expenditures, showing the financial condition of the division as of the last day of the preceding month. School food service funds and textbook funds will be held in separate, interest bearing, bank accounts.~~

The BLANK School Board receives monthly statements of the funds available for school purposes.

At least once each year the School Board ~~will submit~~ submits a report of all its expenditures to the appropriating body. Such report ~~shall also be~~ is also made available to the public either on the school division website or in hard copy at the central school division office on a template prescribed by the Board of Education.

~~Inventories~~

~~The superintendent or his/her designee will be responsible for the inventory of all fixed assets of the school division.~~

~~School Level Accounting System~~

~~Each school is required to maintain an accurate, up-to-date accounting system of all money collected and disbursed by the school. These funds will be deposited in accounts in the name of the school.~~

~~A record of all receipts and disbursements will be maintained in accordance with the (INSERT NAME OF DIVISION ACTIVITY ACCOUNTS MANUAL) as promulgated by the superintendent and in accordance with regulations issued by the State Board of Education.~~

~~The principal will prepare and forward to the superintendent or his/her designee monthly financial statements, including statement of revenues and expenditures, showing the financial condition of the school as of the last day of the preceding month.~~

~~Audits~~

~~In accordance with State statutes and regulations, all financial records of the division will be audited following the close of each fiscal year.~~

Adopted:

Legal Refs.: Code of Virginia, 1950, as amended, §§ ~~15.2-2511, 22.1-68, 22.1-90, 22.1-115, 22.1-124.~~

~~8 VAC 20-270-10 et seq.~~

~~8 VAC 20-290-10.~~

Cross Refs.:	<u>CBA</u>	<u>Qualifications and Duties of the Superintendent</u>
	DA	Management of Funds
	DB	Annual Budget
	DG	Custody and Disbursement of School Funds
	DGC	School Activity Funds
	DGD	Funds for Instructional Materials and Office Supplies
	DJB	Petty Cash Funds
	<u>ECA</u>	<u>Inventory and Reporting of Loss or Damage</u>
	<u>EF</u>	<u>Food Service Program</u>

PURCHASING PROCEDURES

All procurements made by the school division ~~will be~~ are in accordance with the Virginia Public Procurement Act.

Certification Regarding Sex Offenses

As a condition of awarding a contract for the provision of services that require the contractor or his employees to have direct contact with students on school property during regular school hours or during school-sponsored activities, the school board ~~will require~~ requires the contractor to provide certification that all persons who will provide such services have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child.

This requirement does not apply to a contractor or his employees providing services to a the school division in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed on an urgent basis to ensure that school facilities are safe and habitable, when it is reasonably anticipated that the contractor or his employees will have no direct contact with students.

Unauthorized Aliens

The School Board ~~shall provide~~ provides in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in Virginia, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

Discrimination by Contractor Prohibited

The School Board ~~shall include~~ includes the following provisions in every contract of more than \$10,000:

1. During the performance of this contract, the contractor agrees as follows:
 - a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
 - b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

- c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
2. The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-4300 et seq., 2.2-4311, 2.2-4311.1, 22.1-296.1.

Cross Refs.:	GCDA	Effect of Criminal Conviction
	IGBGA	Online Courses and Virtual School Programs
	KN	Sex Offender Registry Notification

STAFF HEALTH

As a condition of employment every new employee of the School Board including teachers, cafeteria workers, janitors and bus drivers, shall submit a certificate signed by a licensed physician, physician assistant, nurse practitioner or registered nurse stating the employee appears free of communicable tuberculosis. Volunteers may be required to provide such a certificate.¹

After consulting with the local health director, the School Board may require the submission of such certificates annually, or at such intervals as it deems appropriate, as a condition to continued employment.

Physical Exams for School Bus Drivers

No person shall be employed as a bus driver unless he or she has a physical exam of the scope required by the Board of Education and provides the School Board the results of the exam on the form prescribed by the Board of Education. Such exam and report may be provided by a licensed nurse practitioner or physician assistant.

The School Board may also require alcohol and drug testing in accordance with Policy GDQ School Bus Drivers.

Adopted:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-178, 22.1-300, 22.1-301, 54.1-2952.2, 54.1-2957.02.

Cross Ref.: EBAB Possible Exposure to Viral Infections
EBBB Personnel Training—Viral Infections
GDQ School Bus Drivers
JHCC Communicable Diseases
JHCCA Blood-Borne Contagious or Infectious Diseases

FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.

¹ School boards which do not require volunteers to provide such a certificate should remove this sentence from their policy.

PERSONNEL RECORDS

Present and past employees shall have access to their personnel files and records which are maintained by the BLANK School Division. No separate employee files shall be maintained which are not available for that employee's inspection.

If information relative to employment is requested by banks or other establishments or individuals, written permission from the employee to release such information is required, except to comply with a judicial order, a lawfully issued subpoena, the Virginia Freedom of Information Act (Va. Code § 2.2-3700 et seq.), or other law or court order. The employee will be notified of the request for records.

The superintendent or superintendent's designee is responsible for maintaining a system of personnel records for all employees of the School Board. Personnel files of all School Board employees may be produced and maintained in digital or paper format.

Teacher performance indicators, or other data used to judge the performance or quality of a teacher, maintained in a teacher's personnel file or otherwise is confidential but may be disclosed (i) pursuant to court order, (ii) for the purposes of a grievance proceeding involving the teacher, or (iii) as otherwise required by state or federal law. Nothing in this policy prohibits the release of or limits the availability of nonidentifying, aggregate teacher performance indicators or other data.

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, §§ ~~2.2-3700 et seq.~~, 2.2-3705.1, 2.2-3800 et seq., 22.1-295.1 and ~~40.1-28.7:4~~.

Cross Ref.: CBA Qualifications and Duties for the Superintendent
 GBLA Third Party Complaints Against Employees

LOCALLY AWARDED VERIFIED CREDITS

Generally

The BLANK School Board awards verified credits toward a standard diploma in science and history/social sciences in accordance with this policy.

No student may earn more than four locally awarded verified credits except as noted below.

To be eligible to earn locally awarded verified credits, a student must

- pass the high school course and not pass the related Standards of Learning test
- take the Standards of Learning test at least twice
- score within a 375-399 scale score range on any administration of the Standards of Learning test
- demonstrate achievement in the academic content through the appeal process described below

Locally Awarded Verified Credits as Credit Accommodations

In addition to verified credits in science and history/social sciences, the School Board may also award verified credits toward a standard diploma in reading, writing and mathematics to students with disabilities as credit accommodations for the standard diploma. To be eligible for such credit accommodations, students with disabilities must meet all criteria established by Virginia law or regulation and eligibility for such credit accommodations must be established in the student's Individualized Education Program (IEP) or Section 504 plan. There is no maximum number of locally awarded verified credits that a student with a disability may earn toward a standard diploma.

Appeal Process

The BLANK School Board shall appoint a review panel comprised of at least three educators. Different panels may be appointed for individual schools or groups of schools.

The review panel will review information which provides evidence of the student's achievement of adequate knowledge of the Standards of Learning content. The panel will have discretion in determining the information it will consider. That information may include, but is not limited to, results of classroom assignments, divisionwide exams, course grades and additional academic assignments (e.g. papers, projects, essays or written questions) as the panel deems appropriate.

Based on the evidence it reviews, the review panel may:

- award the verified credit;

- deny the verified credit;
- suggest participation in a remedial program and retesting; or
- make additional academic assignments prior to determining whether to award the verified credit.

The School Board must choose one of the following statements:

The decision of the review panel will be final.

OR

The decision of the review panel may be appealed to the School Board in accordance with regulations developed by the Board.

Adopted:

Legal Refs.: ~~8 VAC 20-131-110.B.3.~~

~~8 VAC 20-131-5 (Virginia Register of Regulations May 6, 2013)~~

~~8 VAC 20-131-50 (Virginia Register of Regulations May 6, 2013)~~

8 VAC 20-131-5.

8 VAC 20-131-50.

8 VAC 20-131-110.

Guidelines for Standard Diploma Credit Accommodations for Students with Disabilities (Virginia Department of Education March 28, 2013) (attachment to Virginia Department of Education Superintendent's Memo No. 105-13 (Apr. 19, 2013)).

Additional Guidance on Credit Accommodations for Students with Disabilities July 2013 (Attachment A to Superintendent's Memo No. 191-13 issued July 26, 2013)

~~Guidelines for Local School Boards to Award Verified Credits for the Standard Diploma to Transition Students (attachment to Virginia Department of Education Superintendent's Memo No. 52 (Aug. 9, 2002)), as amended by the Board of Education October 25, 2006.~~

Guidance Document Governing Certain Provisions of the Regulations
Establishing Standards for Accrediting Public Schools in Virginia 8 VAC
20-131 (as amended by the Board of Education January 13, 2011).

TESTING PROGRAMS

A program of standardized testing prescribed by the Virginia Department of Education is administered annually. Standardized tests ~~will be~~ are administered according to state and local directives. ~~However, in~~ In administering tests or other assessment instruments, School Board employees shall do not require any public elementary school students being tested to disclose their race or ethnicity on such tests. ~~A school division~~ School division personnel, however, may obtain such information from a student's permanent record and place the information on the test or assessment.

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-4.2, 22.1-253.13:3-G.

SUICIDE PREVENTION

Duties of Teachers and Administrative Staff

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

Contacting the Parent/Guardian

If the section below titled "Abuse or Neglect" does not apply, then the staff member shall call at least one of the student's parents/guardians. When contacting a parent/guardian, the staff member should:

1. Provide his/her name and position in the school;
2. Tell the parent/guardian that he has reason to believe, as a result of direct communication from the student, that the student is at imminent risk of suicide;
3. Assure the parent/guardian that the student is currently safe;
4. State the legal requirement for the call, citing Va. Code § 22.1-272.1;
5. Ask the parent/guardian whether he or she is aware of the student's mental state;
6. Ask the parent/guardian whether he or she wishes to obtain or has obtained mental counseling for the student;
7. Provide names of community counseling resources if appropriate and offer to facilitate the referral; and
8. Determine the parent's intent to seek appropriate services for the student.

Abuse or Neglect

If the student has indicated that the reason for being at imminent risk of suicide relates to parental abuse or neglect, this contact shall not be made with the parent. Instead, the staff person shall, as soon as practicable, notify the local department of social services of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or the state Department of Social Services' toll-free child abuse and neglect hotline as required by Policy JHG JHG/GAE Child Abuse and

Neglect Reporting and Va. Code § 63.2-1509. When giving this notice to the local or state department, the person shall stress the need to take immediate action to protect the child from harm.

Inability to Reach Parent/Guardian

If the staff member is unable to make contact with the parent/guardian by the end of the school day, then he shall follow the school's crisis management plan.

Required Documentation

The staff member shall document the phone call to the parent/guardian by recording: (a) the time and date of the call; (b) the individual contacted; (c) the parent/guardian's response; and (d) anticipated follow-up.

Additional Concerns

If parental/guardian contact is made and, in the course of this contact, relevant issues of abuse or neglect are discovered (e.g., a parent acknowledges the child's suicidal intent but indicates no intent to act for the well-being of the child), the staff member shall report the abuse or neglect in accordance with policy JHG JHG/GAE Child Abuse and Neglect Reporting.

Duty to Keep Student Safe and Secure

A student who is at imminent risk of suicide shall remain under adult supervision until a parent/guardian or other authorized individual accepts responsibility for the student's safety.

Adopted:

Legal Refs: Code of Virginia, 1950, as amended, §§ 22.1-272.1 and 63.2-1509.

Va. Board of Education "Suicide Prevention Guidelines," (Revised 2003).

Cross Refs: JHG JHG/GAE Child Abuse and Neglect Reporting
EB School Crisis, Emergency Management and Medical
Emergency Response Plan

PUBLIC COMPLAINTS ABOUT LEARNING RESOURCES

Despite the care taken in selecting suitable learning resources, and despite the qualifications and expertise of persons involved in that selection process, it is recognized that occasional objections to materials will be made by the public. It is, therefore, the policy of the School Board to provide channels of communication and a fair procedure for members of the community to follow in expressing and resolving concerns about learning resources, including instructional materials, used in teaching the curriculum.

Complaints about learning resources should be presented in writing using KLB-E, "Request for Reconsideration of Learning Resources" form, which may be obtained from the principal or the central office. The standards and procedure for review shall be consistently applied in recognition of the respective rights and responsibilities of all concerned. Materials shall be considered for their educational suitability and shall not be proscribed or removed because of partisan or doctrinal disapproval. Challenges which are not resolved at the building level may be submitted to the superintendent or superintendent's designee. The decision of the superintendent may be appealed to the School Board or reviewed at the School Board's request. The decision of the School Board will be final.

Adopted:

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.2.

~~8 VAC 20-170-10.~~ 8 VAC 20-720-160.

Cross Refs.:	IIA	Instructional Materials
	IGAH	Family Life Education
	INB	Teaching About Controversial Issues
	KL	Public Complaints
	KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships