

POLICY REVIEW COMMITTEE MEETING MINUTES

Curtis R. Milteer Sr. Recreational Center
Conference Room
132 Robertson Street, Suffolk, VA 23438
July 22, 2024

Present:

Members

- ✓ Karen Jenkins, **Chair, School Board Member**
- ✓ Mrs. Heather Howell, **Vice-Chair, School Board Member**
- ✓ Mrs. Phyllis Byrum, **School Board Member**

Participants

- ✓ Dr. John B. Gordon III, **School Superintendent**
- ✓ Wendell M. Waller, Esq. **School Board Attorney**
- ✓ Renee Davenport, **Legal Administrative Assistant**

Attendees

None Present

➤ Meeting called to order.

- Chair Jenkins called the meeting to order and welcomed everyone.
- The minutes were approved for the meeting of March 25, 2024.

➤ Unfinished Business

- None

➤ New Business

• POLICY SECTION 1-3.1

This policy revision added language that the “School Board does not discriminate against any employee because of membership in an employee organization, or participation in any lawful activities of the organization. This policy change is recommended by the VSBA. Committee agreed to first and second reading.

• POLICY SECTION 1-5.1

The word “ethnic” has been inserted and the School Board will not discriminate based on ethnicity. This policy change is required by Virginia Code Section 2.2-3904 (B). Committee agreed to first and second reading.

• POLICY SECTION 1-8.7

This policy revision adds language that for the 2024-2025 school year, the division-wide comprehensive plan for pre-kindergarten through grade eight will be in accordance with Virginia law and the Standards of Quality. The added language is

found in the Standards of Quality at Virginia Code Section 22.1-253.13:6. Committee agreed to first and second reading.

- **POLICY 1-8.8**

This is a new policy regarding the adoption of a division wide Literacy Plan for kindergarten through eighth grade. In the development of a division wide Literacy Plan SPS will use programs from the lists developed by VDOE, the plan will be posted on the division's website, and the policy also lists program components. This policy is required by Virginia Code Section 22.1-253.13:6. To incorporate before the with the new school year, committee agreed to first reading and adoption.

- **POLICY 2-2.1:1**

This is once again a revision of the policy requested by Board Member Riddick. This is being offered for your consideration as a model for discussion at your retreat. This version of the policy balances day-to-day operations of the school superintendent and school visits by members of the School Board. It also references individual visits as well as group visits. Visits can take place on selected days of the week during the months of February, April, October, and December.

- **POLICY 2-2.5**

This is only a change in legal authority by adding additional provisions of the State Code. Committee agreed that the change does not affect the policy and does not need to go before the board. Change can be made.

- **POLICY 2-3.2**

This suggested revision adds a subsection J. Under the agenda topic Reports by the Superintendent only matters specifically listed on the agenda by the superintendent can be addressed by the superintendent during the open meeting. This change in policy is allowed by Virginia Code Section 22.1-78. Attorney Waller noted that what made him look at developing this is what happened at the last school board meeting. Items should be listed to allow members of the public to sign up for either early appearances or late appearances. Committee agreed to do a 1st reading and adoption.

- **POLICY 2-4.2**

This policy revisions provides several changes when meetings are held by electronic communication means. There is a definition of "caregiver" and will allow a Board Member to participate in a public meeting by electronic communication means if the Board member is providing for someone in a caregiver role. Three other notable changes to this policy are (1) that a member who has a temporary or permanent disability or other medical condition and attends the meeting by electronic means is counted towards the quorum as if the members were physically present and (2) when a caregiver uses remote participation it also counts toward the quorum; and (3) there is no longer a voting requirement to participate by electronic communication means. Member participation will be approved unless a member objects, then the Board is required to vote. Members can be polled before the meeting to see if there are any objections to the member participating electronically. There are also changes in

subsection K, which will allow the School Board to hold a meeting without assembling in one location when the locality has declared a state of emergency and the purpose of the meeting is the continuity of School Board operations or the discharge of its lawful purposes, duties and responsibilities, and arrangements have been made for video-conferencing if already used by the School Board, and there is an opportunity for public comment if public comment is customarily received. This policy change is recommended by VSBA and allowed by Virginia Code Section 2.2-3708.3. Committee agreed to present as first reading and adoption.

- **POLICY 2-4.2:1**

This policy allows for all virtual meetings of any committee of the School Board. In order to hold an all virtual meeting the committee must: (1) give notice that it will be an all virtual meeting; (2) allow public access; (3) provide for electronic means that the public will be able to hear all members of the committee and if audio-visual technology is available to see members of the committee;(4) a failure in electronic transmission; (5) provide a copy of the agenda; (6) give the public an opportunity to comment if comments are customarily received; and (7) have no more than two members together in one remote location. If there is a closed meeting, the committee reconvenes in the open meeting before taking votes. And the committee cannot convene more than two all virtual meetings per calendar year or 25 percent of the meetings. This policy is allowed by VFOIA at Virginia Code Section 2.2-3708.3.

Vice Chair Howell suggested that the PRC consider the number of policies that are being suggested for first reading and adoption before deciding to present additional policies for first reading and adoption. Chair Howell was concerned that by having too many policies for first reading and adoption could overwhelm board members.

- **POLICY 3-1.4**

This policy revision added subsection D. Any severance benefits provided to a departing superintendent must be publicly announced prior to the superintendent's departure. This language is required by Virginia Code Section 15.2-1510.1. Policy will be presented for first and second reading.

- **POLICY 3-1.9**

This policy requires that the School Board in conjunction with law enforcement and others develop programs to prevent violence and crime on school property and at school sponsored events, which include research-based hazing prevention. This change in policy is required by Virginia Code Section 22.1-279.9. Dr. Gordon stated that most of this is covered in the health and physical education classes. Policy will be presented for first and second reading.

- **POLICY 4-6.1**

This change in policy increases the authority of the superintendent to enter into contracts if the aggregate sum of all phases is not expected to exceed \$200,000 for goods and services and not to exceed \$300,000 for other professional services. This change in policy is permitted by Virginia Code Section 2.2-4303. VSBA presented this as a model policy for school divisions. The general assembly increased the

amount due to the cost of goods and services. Vice Chair Howell suggested that the simple explanation should be presented to the board as well to help them understand why the amounts are being increased. Policy will be presented for first and second reading.

- **POLICY 4-6.2**

This policy revision added subsection C and D. Under subsection C, all personnel of SPS who desire to purchase equipment and supplies must follow established procurement procedures within their departments or schools. All purchase orders are to be forwarded to the superintendent or designee for processing. Under subsection D, the School Board encourages full and open competition whenever practicable, centralize purchasing and contracting and maximum educational value for every dollar spent. This policy is recommended by VSBA. This is the current practice of Suffolk Public Schools. The Policy will be presented for first reading and adoption.

- **POLICY 4-7.1**

This policy allows the School Board to establish petty cash funds not to exceed \$2,000 each for the payment of bills for materials, services and supplies. In subsection B, the School Board can appoint an agent to approve payment of claims. In subsection C, the clerk reports payments from petty cash funds to either the School Board or to the appointed agent of the School Board. In subsection D, a bond amount of \$4,000 is required for each person disbursing petty cash funds. This is allowed by Virginia Code Section 22.1-123. Schools will be allowed to use petty case to buy school supplies, etc. Dr. Gordon explained that if a school has a fundraiser, it could possible keep a certain amount of the cash to use for whatever the school deems necessary but will keep account of it. Dr. Gordon explained that the schools don't have petty cash presently and he would be concerned allowing it now. It would also be an extra burden on the bookkeepers. Dr. Gordon discussed policy with Chief Financial Officer and this change in policy does not have the support of the administration. This policy will not be presented to the School Board.

- **POLICY 4-9.1**

This policy specifies when the School Board will examine claims against it. The School Board will not examine claims paid from petty cash funds or for the purchase of instructional materials and office supplies. This policy also sets forth what is included on the warrant (e.g. check) when payment is made, and who signs the warrant. In subsection C, it provides that the School Board may appoint by resolution an agent and deputy to examine and approve all claims against it and what is required of that agent and deputy. This change in policy is allowed by Virginia Code 22.1-122. Vice Chair Howell asked if this speaks to how our monthly bills and payroll report and how the board manages the finances through that report which is part B? Attorney Waller stated that it could be a bifurcated report. You still have to take a separate vote. Vice Chair Howell asked if we could still receive a report of those expenditures? Attorney Waller stated that they could still receive the report. If it's something other than instructional material and office supplies, it will still need to be voted on. The finance department may find that it is too cumbersome to pull all that information out. Policy will be presented as a first and second reading to also allow

feedback from the finance director.

- **POLICY 4-13.1:1**

This policy allows buildings of the School Board that are no longer suitable for their present use may be used to benefit the school division or public in other ways. The superintendent reviews conditions of school facilities and makes a recommendation to the School Board regarding future use. Factors to be considered by the superintendent are laid out in the policy. In subsection B, the School Board may invite viewpoints of the community and staff, and in subsection C before retiring or closing a school building, the School Board will consider other uses that the school division might make of the building prior to relinquishing possession of the building. This policy is recommended by VSBA. Attorney Waller stated that it could be because of the age of buildings throughout the state and school buildings no longer being used for school purposes is happening throughout the state. Policy approved for first and second reading.

- **POLICY 4-13.3**

This is a new policy that requires the superintendent to implement an inventory system of school property in order to identify items for the purpose of insurance and to control loss of property. The policy also sets forth what must be included in the inventory system. In subsection B, all loss or damage to school property must be reported to the superintendent or the superintendent's designee. This policy is recommended by VSBA. Dr. Gordon stated that this is already being done in our district. Policy is approved for first and second reading.

- **POLICY 5-2.1**

This proposed policy change adds language in Subsection G(d) that each school building evacuation plan must include provisions that seek to maximize the opportunity for students with mobility impairments to evacuate the school building alongside their non-mobility impaired peers. This is required by Virginia Code Section 22.1-137.4. This is already done in our district. Policy will be presented for first and second reading.

- **POLICY 5-2.5**

This policy revision removes language that fire drills are conducted at least twice during the first 20 school days and replaced it with fire drills will be in accordance with the requirements of the Statewide Fire Prevention Code. This language is required by Virginia Code Section 22.1-137. The Statewide Fire Prevention Code only requires once a year. Board member Jenkins asked Dr. Gordon if the classes are prepared before having a fire drill. Dr. Gordon said that each class has a map to show the evacuation plan and they will also verbalize the plan the day of and then as the school year progresses. Dave LeFerve randomly picks times so they can practice so that students are prepared wherever they are in the school. There are also tornado drills, shelter in-place, and lock-down drills. Jenkins asked if we have defibrillators in each school. Dr. Gordon replied that there is one on each floor of the schools and portable ones as well. Policy will be presented as first and second reading.

- **POLICY 5-2.6**
This policy was referred back to the Policy Review Committee to have language re-inserted in subsection A, that guidelines regarding school closure by the superintendent may be reviewed by the School Board. The deleted language was recommended by VSBA. Board Chair Jenkins asked Dr. Gordon if he still gets to make that decision without notifying the board first? Dr. Gordon affirmed. This policy will be presented as first reading and adoption.

- **POLICY 6-4.1**
In the development of educational specifications, consultants may be used for this purpose when deemed necessary by the school superintendent and approved by the School Board. In subsection D, the School Board will consult with the local building official and the state or local fire marshal to ensure that all security enhancements to public school buildings comply with the Uniform Statewide Building Code and Statewide Fire Prevention Code. This is required by Virginia Code Section 22.1-138(E). Policy will be presented as first and second reading.

- **POLICY 6-6.1**
All school buildings must be constructed for use by individuals with disabilities. This is required by federal law found at 42 U.S.C. Section 12182. This is already being done in our division. This policy will be presented as first and second reading.

- **POLICY 7-8.1**
When employment verification is required by another school district, Suffolk Public Schools must respond to the request within 10 working days. Working days means every day except Saturdays, Sundays, and legal state and federal holidays. This policy change is required by Virginia Code Section 22.1-296.5. This policy will be presented as first and second reading.

- **POLICY 7-14.1**
This policy allows the school superintendent to employ as a teacher and issue a local license or a provisional license to any individual the School Board seeks to employ as a career and technical education teacher who is also seeking initial licensure in Virginia with an endorsement in the area of career and technical education to allow the teacher time to attain the required credentials. Upon completion, the School Board may issue a provisional license upon recommendation of the superintendent. In subsection C, a one-year nonrenewable local license may be issued to an individual who needs to take additional course work, but otherwise meets conditions for licensure. This policy also sets forth the requirements for local licensure. This change in policy is allowed by Virginia Code Section 22.1-298.1. Dr. Gordon reviewed how this process would be implemented by him writing a letter to the State stating that he agrees that this person meets our standards for a provisional license. He stated that this could potentially also help with some of our career switchers at CCAP, for example, we are looking for an electrician. Policy will be presented as a first and second reading.

- **POLICY 7-31.4**

The only policy change is making the policy gender neutral by removing his/her and replacing with the word “employee’s.” The committee agreed that this is a non-substantive change and can be made without going to the Board.

- **POLICY 9-5.2:1**

This is a new policy. It will require notice to parents or other person having charge or control of a pupil in an alternative program when it is determined by school officials that the pupil committed an offense without willful intent to violate policies of the School Board or an offense that did not endanger the health and safety of others. In subsection B, the notice must be sent no later than two school days following the incident and appropriate measures must be developed, in conjunction with the pupil’s parent or guardian, to correct behavior. This is required by Virginia Code Section 22.1-209.1:2. Vice Chair Howell asked does this require one of our staff to interpret the intent of a student? Attorney Waller stated that the rationale behind this policy is to prevent escalation of student occurrences? Board Chair Jenkins asked why are students suspended from school when they are only defending themselves. Dr. Gordon replied that this happens when the administrators have determined that there were prior student interactions. If the student didn’t engage with the student before hand then that student doesn’t get in trouble. It starts off that everyone involved in an altercation gets in trouble but then as the administration reviews the facts, then other recommendations are made. Policy will be set as first and second reading.

NOTE: Attorney Waller mentioned that the next six policies could have come in place due to the incident that occurred in Newport News schools. Dr. Gordon requested that these six policies be recommended for first reading and adoption so as to have in place before school begins.

- **POLICY 9-15.1**

This policy revision reinforces that student searches involve balancing a student’s right to privacy and the freedom from unreasonable search and seizure against the school division’s responsibility to protect health, safety, and welfare of all persons in the school community. Student searches can take place outside of school buildings whenever the student is involved in as school-sponsored function. This policy language is recommended by VSBA and allowed by Virginia Code Section 22.1-78. Attorney Waller used the example of students that maybe on a field trip and the teacher suspects that a student may have something on their person that violates school board policies. In that situation, the student can be searched without contacting parents. Committee agreed to first reading and adoption as requested by Dr. Gordon.

- **POLICY 9-15.4**

This policy recites the current law relative to student searches. Student searches must be justified at its inception and reasonable in scope taking-into-account the student’s sex, age, and nature of the infraction. This policy language is recommended by VSBA and allowed by Virginia Code Section 22.1-78. Committee agreed to first reading and adoption as requested by Dr. Gordon.

- **POLICY 9-15.5**

This policy includes language that students are responsible for the content of their assigned lockers at all times. This policy language is recommended by VSBA and allowed by Virginia Code Section 22.1-78. Vice Chair Howell asked if there are locks on the student's lockers. Dr. Gordon stated that the lockers do have locks and the newer schools' lockers came with locks on them. High school students do not use lockers except in the gymnasium, nor do elementary students. Committee agreed to first reading and adoption as requested by Dr. Gordon.

- **POLICY 9-15.5:1**

This policy includes language that the computer system is school property and use of such equipment must be consistent with the educational mission of Suffolk Public Schools and in accordance with the Acceptable Use Policy. This policy language is recommended by VSBA and allowed by Virginia Code Section 22.1-78. Vice Chair Howell asked what responsibility does that put on the Board if a student is found on a website that is unacceptable with one of our chrome books? Dr. Gordon answered that it would be a violation of our Acceptable Use Policy and our filter system catches 90% of them. We also have GoGuardian that monitors student activity on Chromebook and Mr. Littlefield and his team can go in and look at the history of every Chromebook we have. We actually use this for evidence if a student denies it. Committee agreed to first reading and adoption as requested by Dr. Gordon.

- **POLICY 9-15.6**

Reasonable suspicion for search of a student's automobile exists when there is reason to believe that the student has violated or is about to violate the law or a school rule and the search will yield evidence of the violation. The search of a student's automobile can be conducted without notice and without the student's consent. This policy language is recommended by VSBA and allowed by Virginia Code Section 22.1-78. Committee agreed to first reading and adoption as requested by Dr. Gordon.

- **POLICY 9-15.11**

This policy explains that consent to search a student is only valid if given willingly and knowingly. Students must also be told of their right to refuse a search and must not be perceived to be at risk for punishment for refusing to grant permission. This policy language is recommended by VSBA and allowed by Virginia Code Section 22.1-78. Attorney Waller stated that a student in granting consent must do so willingly and knowingly. They must understand clearly what they are doing, and they can't do so with the fear that they are going to be punished. You have to look at the totality of circumstances. Dr. Gordon said that there is really only 2 times that a search is going to happen — when it involves a weapon or potential theft. Committee agreed to first reading and adoption as requested by Dr. Gordon.

NOTE: Dr. Gordon requested that these six following policies be recommended for first

reading and adoption so as to have in place before school begins.

- **POLICY 9-20.11:3**

This policy allows for the administering of naloxone when someone is believed to be experiencing or about to experience an opioid overdose. Naloxone can be administered by a school nurse, local health department employee assigned to a school, other school board employees, or individuals contracted by the School Board to provide health services. This is allowed by Virginia Code Section 54.1- 3408(X). Attorney Waller stated that Nursing Supervisor Sara Williford requested that this policy be drafted. Committee agreed to first reading and adoption as requested by Dr. Gordon.

- **POLICY 9-25.2**

The Summer Food Program has been inserted in subsection C in place of the Fresh Fruit & Vegetable Program. In subsection E, water is recognized as an essential nutrient and water consumption is encouraged. Teachers and students are encouraged to role model health drinking behaviors. This change is required by VDOE Regulations 8 VAC-20-740-30 and 8 VAC-20-740-40. Committee agreed to first and second reading.

- **POLICY 9-25.3**

Language regarding applications for free and reduced lunches is being deleted from the policy because all SPS students receive free lunch. Dr. Gordon commented that the students also receive free breakfast. Policy will be presented for first and second reading.

- **POLICY 9-25.4**

The word “year-long” is being deleted in subsection E because the health and physical education class is not “year-long.” Dr. Gordon stated that this is due to the 4x4 Block scheduling. Committee agreed to make the non-substantive change and to notify the full board of all policies that are changed due to non-substantive changes.

- **POLICY 9-26.1**

This added language explains when physical restraint can be used. It can only be used for the purpose of behavior intervention in accordance with this policy and VDOE Regulations governing use of seclusion and restraint in elementary and secondary schools. It also provides that the School Board encourages positive behavioral interventions and supports to reduce and prevent the need for use of physical restraint and seclusion. This is not required by State Code but is required by VDOE regulations. Chair Jenkins asked what would happen if staff is assaulted by someone in seclusion? How are they protected. Dr. Gordon responded that the first thing to do is see if this was a manifestation of the student’s behavior. The second part would be to look at the training received by staff to ensure that it was followed. We also have to look at witness statements to see if procedures were followed and surrounding circumstances. Attorney Waller stated that the employee

would also be covered by Worker's Compensation. Charges could also be involved. Policy will be presented for first and second reading.

- **POLICY 10-5.1**

The amendment found in subsection C provides that students enrolled in SPS are allowed to address the School Board and they must follow the same sign-up procedures and rules and restrictions that are applicable to all public participants speaking before the School Board. This language is recommended by VSBA and allowed by Virginia Code Section 22.1-253.13:7. Dr. Gordon stated that this is our practice. Policy will be presented for first and second reading.

5. Business by Committee Members

- Attorney Waller stated that he is trying to have all remaining policies that are up for review brought before the School Board before Dr. Brooks-Buck and Board Member Byrum leave in December. Next meeting will be scheduled in August 19 possibly the week before school.

6. Adjournment

- **Meeting was adjourned.**