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Purpose of Manual

The purpose of the Albemarle County School Board Governance Manual is to provide a structure for Board members to work together to meet the goals and objectives of the School Division and the community.

Good governance is a set of responsibilities, practices, policies, and procedures providing direction to ensure that the School Division's strategic goals are achieved. Good governance can:

- Create a responsive system of management, including efficient utilization of resources;
- Allow for more active participation of internal and external stakeholders;
- Create greater transparency in all School Division activities, information, finances, policies and procedures;
- Strengthen accountability; and
- Allow for more open communication among stakeholders.

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School Board and School Division Overview

Vision

All learners believe in their power to embrace learning, to excel, and to own their future.

Mission

The core purpose of Albemarle County Public Schools is to establish a community of learners and learning, through relationships, relevance and rigor, one student at a time.

Core Values

Excellence

We believe in meaningful learning that stretches people to the frontiers and boundaries of their abilities.

Young People

We believe young people deserve the best we have to offer. Each individual child is capable and has the right to safety, mutual respect, and learning.

Community

We believe in our collective responsibility to work together in a cooperative effort to achieve common goals by building communities of practice, establishing a high-quality learning community, and listening to the community.

Respect

We believe in treating all individuals with honor and dignity.

Student Centered Goal

All Albemarle County Public Schools students will graduate having actively mastered the lifelong-learning skills they need to succeed as 21st century learners, workers and citizens.

Strategic Priorities

The 2019/2020 Strategic Priorities are:

- Identify and remove practices that perpetuate the achievement gap. - By December 1, identify practices that have demonstrated elimination of the achievement gap; By Sept. 30, staff will have evaluated and presented to the board the equity dashboard and present target achievement goals.
- Create a culture of high expectations for all. ○ By September 30, create a definition of high expectations or revise/strike the priority.
- Maximize opportunities for students at all levels to identify and develop personal interests. ○ Development of a student interest survey(s) for students in all levels by September 30 for presentation, input and approval from the Board.

School Board Governance Policies, Regulations and Procedures

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Role of the School Board

The School Board works in partnership with the Superintendent in developing a common vision for the School Division. The School Board sets the policy direction for the School Division based on this vision.

The specific responsibilities of the School Board include the following:

- Establish and communicate a clear vision, mission, goals and Strategic Plan.
- Ensure school laws are properly explained, enforced, and observed.
- Provide for the erecting, furnishing, and equipping of school buildings and the maintenance thereof.
- Provide for the consolidation of schools or redistricting of school boundaries as deemed necessary.
- Operate and maintain the public schools in the School Division and determine the length of the school calendar.
- Approve the curriculum and learning resources used in the School Division.
- Establish instructional and management priorities to support the achievement of the School Division's vision, mission, and goals.
- Develop and adopt policies that determine the operation of the Albemarle County Public Schools.
- Recruit, hire, evaluate the Superintendent
- Adopt an annual budget
- Ensure that all funds are accurately accounted for according to the adopted budget.
- Establish policies governing salaries and salary schedules, terms and conditions of employment, fringe benefits, leave, professional development, and equitable evaluation for all employees.
- Act on personnel recommendations of the Superintendent and enter into contract with such personnel as required by law.
- Communicate with various constituencies to receive input and gather support for public education
- Act as final adjudicator as delineated by policy, federal and state regulations, and statutes.

Members

The School Board is composed of seven elected members. One member is elected from each magisterial district within Albemarle County, and one member is elected from Albemarle County at-large.

The term of each member shall be four years. No employee of the School Board may serve on the School Board.

Officers

The officers of the School Board are the Chair and the Vice-Chair. The Chair and the Vice-Chair are elected annually at the January organizational meeting of the School Board.

The duties of the Chair are to preside at all meetings of the School Board, to perform other duties as may be prescribed by law or by action of the School Board, and to sign all legal documents approved by the School Board.

The Chair, as a member of the School Board, has a vote on all matters before the School Board which come to a vote.

The Vice-Chair, if present, shall preside in the absence of the Chair, and is empowered to act in all matters in case of the absence or inability of the Chair to act or as provided by resolution of the School Board.

Committees of the School Board

There shall be no standing committees of the Albemarle County School Board except a Discipline Committee and a Legislative Action Committee. Special committees may be appointed by the Chair or created by School Board action. These committees shall be appointed or created for a specific purpose and shall expire upon completion of the assigned task unless School Board action authorizes temporary continuance of such committees. The work of special committees shall be confined to their specific assignments, and they shall have only such authority as the Board directs. They shall make their reports directly to the Board as a whole.

At the annual meeting of the School Board, members of the Board are appointed to serve as liaisons to specific committees or boards. The following are the committees that have Board members appointed to at the annual organizational meeting:

Piedmont Regional Education Program: *The Piedmont Regional Education Program (PREP) is governed by a Joint Board consisting of a representative from each School Board of each participating school division. The School Board shall elect from its membership at the annual organizational meeting one (1) member to serve for a term of one (1) year on the PREP Board. An alternate School Board member from each local school district will be elected and will serve as a voting member in the absence of the elected School Board member.*

Charlottesville-Albemarle Technical Education Center: *The Albemarle County School Board shall elect from its membership each year at the annual organizational meeting one (1) member to serve for a term of three (3) years as the Board's representative on the Center Board of the Charlottesville-Albemarle Technical Education Center.*

Capital Improvements Program Advisory Committee: *The Oversight Committee reviews the Technical Review Committee's recommendations and adjusts the projects as necessary. The Oversight Committee provides a recommended CIP and CNA to the County Executive. The charge of the Oversight Committee is to assist the County in the CIP process by reviewing and evaluating the recommended CIP brought forward by the CIP Technical Review Committee. The Committee will assure that the proposed CIP projects are aligned with County policies, established priorities, guiding principles and long-term vision, as defined in the County's Strategic Plan. The Committee will also assure that the recommended five-year CIP is aligned with approved financial policies and the County's financial stability is maintained through the prudent use of its revenues. The CIP Oversight Committee will report its recommendations directly to the County Executive.*

Audit Committee: *The Audit Committee is a committee of the Board of Supervisors. Its primary function is to assist the Board in carrying out its oversight responsibilities by reviewing financial information provided in the County's Annual Financial Report.*

Membership on the committee consists of two members of the Board of Supervisors, one member of the School Board (appointed by the School Board), County Executive or designee, Director of Finance, and Superintendent of Schools or designee.

Public Education Foundation of Charlottesville-Albemarle: *The Public Education Foundation of Charlottesville-Albemarle is a community-based, non-profit organization dedicated to enhancing the quality of teaching and learning in our public schools. The Foundation (PEF) is a unique collaboration*

between the City of Charlottesville and Albemarle County School systems and will comprise four committee-advised funds:

- A dedicated fund in support of initiatives for the City of Charlottesville
- A dedicated fund in support of initiatives for the County of Albemarle
- The Innovation Fund, supporting joint initiatives with system-wide impact, including the Innovation Institute
- The Vision Fund that will support the PEF mission and operations

Membership on the committee includes a School Board member from each school division.

School Board Discipline Committee: *The Discipline Committee is authorized to act on behalf of the full School Board to impose long-term suspensions and expulsions, review long-term suspensions imposed by the Disciplinary Hearing Officer, and to review petitions for readmission after expulsion, all in accordance with this policy and Virginia Code §§22.1-277.05 and 22.1-277.06. In the event that School Board members who are not regular or alternate members of the Discipline Committee attend any discipline hearing of the Discipline Committee, the hearing shall be conducted as a hearing of the full School Board. Meets typically on the fourth Monday of the month at 5:30 p.m. as needed for discipline cases. Three Board members serve on this committee.*

Legislative Committee: *The committee meets to review and develop the legislative agenda for the Division. Meetings are scheduled as needed. Two Board members serve on this committee.*

Thomas Jefferson Adult and Career Education Regional Program: *The goal of the program is to provide quality services and convenient access to adult education. Through strong community partnerships, we strive to offer the best instruction to area adults in GED Preparation and English for Speakers of Other Languages—ESOL instruction. One board member is appointed to serve on the board.*

New School Board Member Orientation: *This committee meets on an as needed basis to develop and plan orientation materials and meetings for newly elected or newly appointed School Board members. Two or three Board members serve on this committee.*

Communications Committee: *The communications committee works in partnership with the Public Affairs and Strategic Communications Officer to review and make suggestions for communication activities within the Division.*

Advisory Committees to the School Board

The School Board may appoint advisory councils or committees of citizens of the school division for consultation regarding specific matters pertaining to local schools. In addition, pursuant to Board of Education regulations, the School Board establishes advisory committees for the following programs: special education and career and technical education. In addition, the School Board establishes the following committees: School Health Advisory Board, Long Range Planning Advisory Committee, Gifted Education Advisory Committee, and Charter Schools Review Committee. These committees/boards shall serve without compensation.

The terms of office for these committees/boards shall be two years, coinciding, when possible, with the middle or end of the School Board member four-year terms of office if the appointment is made based on magisterial district. At the completion of the first two-year term, a Board member may, at his/her discretion and with the concurrence of the whole Board, automatically reappoint a citizen to a second two-year term without advertising the appointment. No appointee may serve for more than four consecutive years without the appointment being advertised to the general public.

Following are descriptions of the major existing advisory committees to the School Board:

A. Charter Schools Review Committee

The Charter Schools Review Committee consists of five non-staff positions open to county citizens and appointed by the School Board. The five committee members shall include three community members, one local business representative and one qualified educator with specific knowledge of charter schools. The Charter School Review Committee reviews charter school applications, conducts applicant interviews, and makes recommendations to the School Board. The Committee will be convened upon receipt of Charter School applications and meet, as necessary, to carry out the responsibilities designated in Albemarle County School Board Policy LC and to prepare recommendations on Charter School applications to the School Board.

B. Gifted Education Advisory Committee

A Gifted Education Advisory Committee will be established. The Gifted Education Advisory Committee will annually review the local plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The comments and recommendations of the Committee will be submitted in writing to directly to the School Board and Superintendent. The Committee will reflect the ethnic and geographical composition of the school division.

C. Long Range Planning Advisory Committee

A Long Range Planning Advisory Committee (LRPAC) will be comprised of twelve citizens: seven appointed by the School Board selected by each School Board member from his/her

constituency; four at-large representatives selected by the Superintendent; and one at-large member based upon the recommendation(s) of the Equity and Diversity Committee. Non-voting staff participants will also meet with the LRPAC, including the Director of Building Services and any other staff representatives deemed necessary by the committee from departments such as Transportation, Building Services, the School Board Office, Superintendent's Office, County Community Development, Fiscal Services, & DART. No committee members may be current Division employees. The committee will inform and advise the Superintendent and School Board in the development of comprehensive, long-term plans for facilities needs in the most effective and efficient way and in support of the School Division's Strategic Plan. Issues which may be considered by the committee shall include, but not be limited to: school program capacity, enrollment and projections, transportation and operating efficiencies related to facilities planning, Capital Improvement Program (CIP) prioritization, creative financing and construction strategies, scope of renovations, school closures and new schools, student accommodation planning (building additions/modular relocations/review of school boundaries), and the future of "learning spaces" as influenced by technology and other dynamic fields. The committee will meet on a quarterly basis at a minimum, will provide quarterly briefings at School Board work sessions, and will prepare and submit an annual report to the School Board. More information concerning the LRPAC may be found in Policy FB, *Facilities Planning*.

D. School Health Advisory Board

A School Health Advisory Board (SHAB) will be established. The SHAB will be comprised of no more than twenty members. The members will include broad-based community representation, including parents, students, health professional, educators, and others. The SHAB will assist with the development of health policy in the school division and the evaluation of the status of school health, health education, the school environment, and health services. The SHAB will hold meetings at least semi-annually and will annually report on the status and needs of student health in the division to any relevant school, the School Board, the Virginia Department of Health, and the Virginia Department of Education.

The School Board may request that the SHAB recommend to the School Board procedures relating to children with acute or chronic illnesses or conditions, including, but not limited to, appropriate emergency procedures for any life-threatening conditions and designation of school personnel to implement the appropriate emergency procedures.

School Board Member Code of Conduct

The School Board annually adopts the VSBA Code of Conduct for School Board Members.

VSBA Code of Conduct for School Board Members

As a member of my local school board, I will strive to be an advocate for students and to improve public education and to that end:

1. I will have integrity in all matters and support the full development of all children and the welfare of the community, Commonwealth and Nation.
2. I will attend scheduled board meetings.
3. I will come to board meetings informed concerning the issues under consideration.
4. I will make policy decisions based on the available facts and appropriate public input.
5. I will delegate authority for the administration of the schools to the Superintendent, and establish a process for accountability of administrators.
6. I will encourage individual board member expression of opinion and establish an open, two-way communication process with all segments of the community.
7. I will communicate, in accordance with board policies, public reaction and opinion regarding board policies and school programs to the full board and Superintendent.
8. I will bring about desired changes through legal and ethical procedures, upholding and enforcing all laws, state regulations, and court orders pertaining to schools.
9. I will refrain from using the board position for personal or partisan gain and avoid any conflict of interest or the appearance of impropriety.
10. I will respect the confidentiality of privileged information and make no individual decisions or commitments that might compromise the board or administration.
11. I will be informed about current educational issues through individual study and participation in appropriate programs, such as those sponsored by my state and national school boards associations.
12. I will always remember that the foremost concern of the board is to improve and enhance the teaching and learning experience for all students in the public schools of Virginia.

Therefore, I will always strive to demonstrate appropriate behavior/conduct as a public school board member. (Each member of this school board voting to adopt this Code should sign.)

Role and Responsibilities of the Chair

The School Board Chair:

- Presides over School Board meetings.
- Ensures that the business of the School Board is conducted in a timely, orderly and succinct manner.
- Ensures open and fair discussion among School Board members allowing for each to have the opportunity to provide input and express ideas or opinions.
- Ensures that the evaluation of the Superintendent takes place at least annually.
- Works with other School Board members and the Superintendent to develop a retreat agenda and schedules at least one retreat each year.
- Represents the School Board's position on inquiries from the media or delegates this responsibility when appropriate.
- Speak at Division-wide events.
- Signs all documents requiring the approval of the School Board.
- Responds to correspondence sent to the entire School Board.

Board Meeting Types

The School Board transacts all public business at School Board meetings. The School Board does not vote by secret or written ballot. However, nothing prohibits separately contacting the membership, or any part thereof, of the School Board for the purpose of ascertaining a member's position with respect to the transaction of public business, whether such contact is done in person, by telephone or by electronic communication, provided the contact is done on a basis that does not constitute a meeting under the Virginia Freedom of Information Act.

All meetings of the School Board are open to the public, except as otherwise permitted by law.

No meeting is conducted through telephonic, video, electronic or other communication means where the members are not physically assembled to discuss or transact public business, except as provided in Policy BDD, Electronic Participation in Meetings from Remote Locations.

The School Board gives notice of its meetings in accordance with Policy BDDA, Notification of School Board Meetings. At least one copy of all agenda packets and, unless exempt, all materials furnished to the members of the School Board for a meeting are made available for public inspection at the same time such documents are furnished to the members of the School Board.

Any person may photograph, film, record or otherwise reproduce any portion of an open meeting. The School Board may adopt rules governing the placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting to prevent interference with the proceedings, but does not prohibit or otherwise prevent any person from photographing, filming, recording, or otherwise reproducing any portion of an open meeting. The School Board does not conduct any open meeting in any building or facility where such recording devices are prohibited

Types of Meetings

Annual Organizational Meeting: The annual meeting of the School Board shall be the first meeting in January, at which time officers shall be elected. Actions may be taken to elect a Chair and Vice-Chair; to appoint a clerk; and to adopt Board meeting calendar for the calendar year.

Business Meetings: The time and date for business meetings are set at the annual organizational meeting. The time, date and location of a business meeting may be changed provided that every member is notified and due notice is given to the public in accordance with the law. All meetings are open to the public except when the School Board is in closed meeting. Notice of all meetings will be given in accordance with Policy BDDA, Notification of School Board Meetings.

Work Sessions: Work sessions are held to provide the Board with in-depth information and discussion on an identified topic. Work sessions are held the second meeting of each month as noted on the adopted Board meeting calendar at the annual organizational meeting.

Special Meetings: The School Board may hold special meetings when necessary. These meetings are held when called by the Chair or when requested by two or more members of the Board or Superintendent. Special meetings may be called provided each member is duly notified, or a reasonable attempt has been made to notify each member. Notice, reasonable under the circumstances, shall be given to the public and the media at the same time the notice is provided to members of the School Board.

Closed Meetings: The School may hold closed meetings when necessary and are not open to the public. No closed meeting shall be held by the School Board or any committee thereof unless the School Board or committee has taken an affirmative vote in open meeting approving a motion which (i) identifies the subject matter, (ii) states the purpose of the meeting, and (iii) makes specific reference to the applicable exemption or exemptions from open meeting requirements provided in the Virginia Freedom of Information Act. School Boards may conduct closed meetings in accordance with Virginia Code § 2.2-3711.A and the Virginia Freedom of Information under the following subsections:

1. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the School Board; and evaluation of performance of departments or individual schools where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the Chair or other presiding officer of the School Board.
2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in an education record concerning any student in Albemarle County Schools. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents or guardians so request in writing and such request is submitted to the Chair or other presiding officer of the School Board.
3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the School Board or other public body.
4. The protection of the privacy of individuals in personal matters not related to public business.

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.
6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the School Board would be adversely affected.
7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the School Board; and consultation with legal counsel employed or retained by the School Board regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subsection, "*probable litigation*" means litigation that has been specifically threatened or on which the School Board or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.
8. Discussion or consideration of honorary degrees or special awards.
9. Discussion or consideration of tests or examinations or other records excluded from public disclosure pursuant to Va. Code §2.2-3705.1.
10. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the School Board in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the School Board or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.
11. Discussion or consideration of medical and mental health records excluded from disclosure under Va. Code § 2.2-3705.5.
12. Discussion of plans to protect public safety as it relates to terrorist activity or specific cyber security threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of records excluded from mandatory disclosure pursuant to subdivision 3 or 4 of Va. Code § 2.2-3705.2 where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system or software program; or discussion of reports or plans related to the security of any School Board facility, building or structure, or the safety or persons using such facility, building or structure.
13. Discussion or consideration of records excluded from mandatory disclosure pursuant to subdivision 11 of Va. Code § 2.2-3705.6 (the Public Private Education Facilities and Infrastructure Act) by the School Board or any independent review panel appointed to review information and advise the School Board concerning such records.

14. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the School Board.

Public Hearings: The School Board may convene a public hearing as needed, with notice given in accordance with law.

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Board Meeting Protocols

Meeting Procedures

- 1. Quorum:** The Chair, or in his/her absence the Vice-Chair, or in his/her absence a member elected by the members present shall call the meeting to order at the appointed time and place. At any meeting of the School Board, a majority of the members shall constitute a quorum for the purpose of convening the meeting.
- 2. Parliamentary Procedure:** The School Board shall observe Robert's Rules of Order for small boards, as amended, except as otherwise provided by these policies or by law.
- 3. Agenda:** An agenda for each School Board meeting will be prepared under the direction of the School Board Chair and Vice-Chair in consultation with the Superintendent. School Board members wanting to have an item included on the agenda should contact either the School Board Chair or the clerk with the request. The agenda and supporting documents will be made available to the School Board and the public through ElectronicSchoolBoard ten days in advance of the meeting.

The following procedures have been developed to ensure that Board agendas will be completed and published to School Board members in a timely manner and to ensure all agenda items will have sufficient review by the Superintendent. The deadline for submitting agenda items is ten calendar days before the School Board meeting. The Chairman, Vice-Chairman, Clerk, Superintendent Cabinet members, School Board Attorney, and the Superintendent will meet in pre-agenda meetings to discuss items that will appear on the School Board agenda. In general:

1. Items requested to be placed on the agenda will be submitted to the Superintendent, appropriate Assistant Superintendent or Cabinet member and/or the Chairman (or delegated to the Clerk) to be discussed for short- and long-range planning.

2. Guidelines for developing the agenda items:

A. All action items should be scheduled on the School Board's business meeting agenda, however, there may be exceptions if the action required is deemed time sensitive by the Chair in consultation with the Superintendent. The sequence of agenda items will be determined by the Chairman of the School Board in consultation with the Vice-Chairman and Superintendent.

B. If at all possible, items should be presented to the School Board for information prior to being placed on the agenda for approval. If the item is deemed time-sensitive by the Chairman then exceptions will be made.

C. Closed Meetings, whenever possible, will be scheduled immediately prior to the start of the School Board meeting.

3. School Board members may ask that an item be placed on the agenda at any School Board meeting. Inclusion of the item requires School Board consensus.

~~3.~~ 4. Staff will adhere to the timeline provided by the Clerk of the School Board when submitting items for inclusion on the agenda. Items not submitted by the due date will be postponed to a future meeting unless the item is a time-sensitive issue and the Chair and Superintendent have approved adding the item to the agenda.

4. **Motions:** Any School Board member, including the Chair and Vice Chair, who wishes to introduce a motion during the immediately upcoming meeting with respect to a topic or issue not related to any agenda item for such meeting shall so notify the Chair or Clerk at least forty-eight (48) hours in advance of the meeting.

4.5. **Voting:** The official vote on all decisions shall be recorded in the official minutes of the meeting. The minutes of the meeting shall reflect the method and result of all votes. No votes are taken by secret or written ballot. In any case in which there is a tie vote of the School Board when all members are not present, the question shall be passed by until the next meeting when it shall again be voted upon, even though all members are not present. Any tie on a second vote shall defeat the motion, resolution, or issue voted upon. However, a tie vote on a motion does not preclude introduction of a substitute motion. In the event of a tie vote when all the members of the school board are present, the proceedings thereon shall conform to the requirements of Code of Virginia §22.1-75.

5-6. **Public Notification of Meetings:** The School Board and any committees thereof shall give notice of the date, time, and location of their regular meetings by placing a notice in a prominent public location at which notices are regularly posted and in the office of the clerk of the School Board at least three working days prior to the meeting. In addition, the School Board and any committees thereof shall publish notice of their meetings by electronic means whenever feasible. Notice, reasonable under the circumstance, of special or emergency meetings shall be provided at the same time it is given to members of the School Board or committee.

7. **Closed Meeting Packets for Student Behavior Management Cases:** The School Board Discipline Committee holds meetings as needed. Meetings of the discipline committee typically begin at 5:30 p.m. Discipline meeting materials are provided to School Board Discipline Committee members at least three days in advance of the meeting. The materials provided in the packet include:

- Superintendent's Memo to the School Board
- Current School Records for the Student
- Prior School Records • Incident information for which the student was referred to the School Board
- Related correspondence

Students and/or individuals representing a student must submit any information they wish the School Board to review by the Board Packet publishing date. Any material received after the Board Packet is published will not be accepted.

Public Comment Guidelines

The School Board invites and actively seeks the public's input in the matters relevant to School Board governance and provide for time in our business meetings to hear from our residents and community members. During public comment, we expect respectful and on-topic comments.

The School Board will first hear from students who have signed up for the Public Comment period on the agenda.

The School Board wishes to maintain appropriate meeting decorum so that persons in attendance have the opportunity to observe and hear the proceedings of the School Board and that attendees such as students (whether in person or via video) are not subject to inappropriate language and conduct. Disruptive behavior from speakers or from members of the public in attendance will not be tolerated. The Chair will ask anyone who willfully disrupts the meeting in a manner that prevents or interferes with the orderly conduct of such meeting to leave.

Individuals and/or organizations wishing to speak during Public Comment must sign up advance. The School Board is piloting a new public comment process beginning on September 26, 2019. Sign-up is available on-line beginning at 8 a.m. on the Monday of the week of the School Board meeting. On-line signup will be available until Noon on the day of the meeting. You may also call the School Board Clerk's Office at 434-972-4055 to sign-up for public comment until Noon on the day of the meeting. The pilot will be evaluated at the beginning of 2020. Members of the public who do not sign up to speak electronically or by telephone in advance of the meeting may sign-up in person with the School Board Clerk beginning at 6:00 p.m. In person sign-up will be available until the Public Comment period of the meeting.

Public testimony guidelines are as follows:

Speakers should adhere to the following protocol:

A. State name and address or magisterial district. Simply stating Albemarle County is not adequate.

B. Limit comments to those matters that are relevant to School Board governance or Division operations.

C. Give written statements and other supporting material to the Clerk. If you are unable to complete the presentation in the time allotted, a copy of supporting materials will be provided to School Board members.

D. Three minutes will be allowed for each presenter to speak. However, the Chair, with the consent of the Board, may reduce the time allocated for all individuals to speak to two (2) minutes depending on the number of individuals who sign up.

E. A color-coded light system is used to time presentations. The yellow light means the speaker is two (2) minutes (or one (1) minute if there are more than ten (10) speakers) into the presentation, and the red light means the speaker is at the time limit and must wrap up promptly.

F. In order to maintain respect for all points of view, the School Board requests no clapping, booing, or any other audible form of support or nonsupport be used. If members of the public wish to show their support for a speaker, they may stand or raise their hands.

G. The School Board does not respond to comments made during the Public Comment period. However, Board members may address comments at the end of the meeting agenda under Other Business.

H. Use of the projection system is reserved for staff scheduled agenda item presentations only.

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**INTENTIONALLY LEFT BLANK SINCE THE BOARD IS DISCUSSING
ITS EVALUATION PROCESS**

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School Board Protocol for Staff-Board Communications

1. The Chairman/designee of the School Board speaks for the Board.
2. The Superintendent speaks for the school division on operational matters.
3. The Superintendent/designee will communicate in a timely fashion with School Board members on matters that are legal, controversial, or involve public safety.
4. Supportive information about agenda items must be available to School Board members at least five calendar days before School Board meetings.
5. School Board members may contact individual staff members for general information. Such information will be distributed to all members of the School Board. Should the information request require significant time or generation of new information on the part of the staff, approval of the Superintendent and/or the School Board shall be required.
6. At School Board meetings, members may make informational requests requiring more than 30 minutes of time to the administrative staff with consensus of the School Board.

Allocating Staff Time to Address School Board Member Requests for Information

Responses to requests for information requiring 30 minutes or less of staff time for preparation (information which is already assembled and available) should be handled in a timely fashion by the office receiving the request. Any request for information that requires more than 30 minutes of staff time to prepare must have approval of the Superintendent or School Board consensus for the information to be prepared.

Handling of Letters and Electronic Mail

Letters Received by the Clerk's Office or Copied to the Albemarle County School Board Are Managed Through the Following Process:

1. The School Board Clerk will notify and provide a copy of the letter to the Chairman/Superintendent.
2. The Chairman reviews the letter to determine if the School Board or staff should respond.
3. If the School Board should respond to the letter, the Chairman or designee will respond and provide a copy to School Board members.
4. If staff should respond to the letter, the Chairman will notify the author of the letter that the issue has been delegated to the Superintendent. The individual's letter and staff's response will be provided to School Board members.
5. If a letter is addressed to the Superintendent or to a staff member and the School Board is copied, the School Board will receive a copy of the letter and the response from staff.

6. If an individual School Board member receives a letter that he/she determines a staff response is needed, then the School Board member is requested to provide a copy of the letter to the Clerk. Both the letter and a copy of the response will be provided to School Board members.

Handling of Electronic Mail Protocol for responding to emails sent directly to the entire School Board

1. Individual School Board members, the Clerk and the Superintendent are recipients of emails sent to schoolboard@k12albemarle.org.

2. The Chair will respond to all emails to the School Board and copy the School Board on any response. The Chair's response does not preclude an individual School Board member from responding to the email.

3. For multiple emails regarding the same topic, the Chairman may determine a single prepared response is appropriate.

4. Each School Board member is responsible for archiving his/her applicable inbound and outbound email for FOIA compliance.

Protocol for responding to emails sent directly to individual School Board Members.

1. An individual School Board Member may reply to emails expressing his/her individual opinions so long as it is clear that the member is not speaking on behalf of the entire School Board.

2. Each School Board Member is responsible for archiving their applicable inbound and outbound email for FOIA compliance. To ensure FOIA compliance, School Board members are encouraged to copy the School Board Clerk on his/her email replies to these communications.

Creating and Sustaining a Positive Culture

(Provided by Chesterfield County Public Schools)

Norms for Building and Sustaining Trust Among Board Members:

Building and sustaining trust among members of our team requires that we take the time to develop relationships with each other and recognize that we each have different opinions and styles. Trust requires constant nurturing and energy and the acceptance of honest mistakes.

We Will Be Respectful of Each Other:

- Listen actively when others are speaking.
- Be honest and tell the truth – saying what we mean and meaning what we say.
- Recognize and accept differences of opinion and style.
- Value and build upon each other's ideas and opinions.
- Extend courtesy and kindness to each other.
- Follow through on our commitments.
- Be consistently authentic and sincere.
- Treat everyone who comes before the Board with respect.

We Will Communicate:

- Each of us will provide timely and direct communication when we hear rumors, or concerns (following protocol) so that all members of the team have the same information.
- The Superintendent will distribute information to all team members equally.
- All Board members will receive the answers when one Board member asks a question that is responded to by staff.
- Trust in the good intentions and honesty of each other.
- Give feedback to others respectfully – receive respectful feedback gracefully.
- Let the Superintendent know the questions that will be asked during the Board meeting so staff has the time to prepare a response.

We Will Engage in Positive Decision-Making:

- Make sure that decisions are based on principle – not our own self-interest.
- Agree to disagree courteously and not take things personally.
- Provide equal access to all information involving the action item that is being considered.
- Bring ideas, issues and concerns to that table.

Conflict of Interests and Disclosure of Economic Interests

The Albemarle County School Board seeks to assure that the judgment of its members, officers and employees will be guided by a policy that defines and prohibits inappropriate conflicts and requires disclosure of economic interests as defined by the General Assembly in the State and Local Government Conflict of Interests Act.

Areas of Regulation

The State and Local Government Conflict of Interests Act establishes six (6) principal areas of regulation applicable to Board members, officers, and employees of the Albemarle County School Division ("Division"). They are:

1. Special anti-nepotism rules relating to School Board members and Superintendents of Schools.
2. General rules governing public conduct by School Board members regarding acceptance of gifts and favors.
3. Prohibited conduct regarding contracts.
4. Required conduct regarding transactions.
5. Disclosures required from School Board members.
6. Training requirements for elected School Board members.

Definitions

"Advisory agency" means any board, commission, committee, or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

"Affiliated business entity relationship" means a relationship, other than a parent-subsidary relationship, that exists when

- (i) one (1) business entity has a controlling ownership interest in the other business entity;
- (ii) a controlling owner in one (1) entity is also a controlling owner in the other entity; or
- (iii) there is shared management or control between the business entities.

Factors that may be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two (2) entities, there are common or commingled funds or assets, the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis, or there is otherwise a close working relationship between the entities.

"Business" means any individual or entity carrying on a business or profession, whether or not for profit.

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision of it.

"Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in Virginia Code § 30-355.

"Employee" means all persons employed by a governmental or advisory agency.

"Financial institution" means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, broker-dealer as defined in subsection A of Va. Code § 13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings, and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include any offer of a ticket, coupon or other admission or pass unless the ticket, coupon, admission, or pass is used; honorary degrees; any athletic, merit or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution or program's financial aid standards and procedures applicable to the general public; a campaign contribution properly received and reported pursuant to Va. Code § 24.2-945 et seq.; any gift related to the private profession, occupation, or volunteer service of the School Board member or employee or of a member of the School Board member's or employee's immediate family; food or beverages consumed while attending an event in which the School Board member or employee is performing official duties related to his public service; food and beverages received at or registration or attendance fees waived for any event at which the School Board member or employee is a featured speaker, presenter or lecturer; unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento or similar item that is given in recognition of public, civic, charitable or professional service; a devise or inheritance; travel disclosed pursuant to the Campaign Finance Disclosure Act (Va. Code § 24.2-945 et seq.); travel paid for or provided by the government of the United States, any of its territories or any state or any political subdivision of such state; travel related to an official meeting of, or any meal provided for attendance at such meeting by, the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity, or any charitable organization established pursuant to § 501 (c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member by virtue of his/her office or employment; gifts with a value less than \$20; attendance at a reception or similar function where food, such as hors d'oeuvres, and beverages that can be conveniently consumed by a person while standing or walking are offered; or gifts from relatives or personal friends. For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, nephew or first cousin; a person to whom the donee is engaged to be married; the donee's or donee's spouse's parent, grandparent, grandchild, brother, sister, step-parent, step-grandparent, step-grandchild, step-brother, step-sister, or the donee's

brother's or sister's spouse, or the donee's son-in-law or daughter-in-law. For the purpose of this definition, "personal friend" does not include any person that the School Board member or employee knows or has reason to know is (a) lobbyist registered pursuant to Va. Code § 2.2-418 et. seq.; (b) a lobbyist's principal as defined in Va. Code § 2.2-419; or (c) a person, organization or business who is a party to or is seeking to become a party to a contract with the School Board. For purposes of this definition, "person, organization or business" includes individuals who are officers, directors, or owners of or who have a controlling ownership interest in such organization or business.

"Governmental agency" means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are "governmental agencies" for purposes of this policy.

"Immediate family" means (i) a spouse and (ii) any other person who resides in the same household as the School Board member or employee and who is a dependent of the School Board member or employee.

"Officer" means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he/she receives compensation or other emolument of office.

"Parent-subsidiary relationship" means a relationship that exists when one corporation directly or indirectly owns shares possessing more than fifty percent (50%) of the voting power of another corporation.

"Personal interest" means a financial benefit or liability accruing to a School Board member or employee or to a member of the immediate family of the School Board member or employee. Such interest shall exist by reason of:

- (i) ownership in a business if the ownership interest exceeds three percent (3%) of the total equity of the business;
- (ii) annual income that exceeds, or may reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property or a business;
- (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be anticipated to exceed \$5,000 annually;
- (iv) ownership of real or personal property if the interest exceeds \$5,000 in value and excluding ownership in a business, income or salary, other compensation, fringe benefits or benefits from the use of property;
- (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or
- (vi) an option for ownership of a business or real or personal property if the ownership interest will consist of (i) or (iv) above.

"Personal interest in a contract" means a personal interest which an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business which is a party to the contract.

"Personal interest in a transaction" means a personal interest of an officer or employee in any matter considered by his/her agency. Such personal interest exists when an officer or employee or a member of his/her immediate family has a personal interest in property or a business, or governmental agency, or represents or provides services to any individual or business and such property, business, or represented or served individual or business is

- (i) is the subject of the transaction or
- (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction.

Notwithstanding the foregoing, such personal interest in a transaction shall not be deemed to exist where (a) an elected member of a local governing body serves without remuneration as a member of the Board of Trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity or (b) an officer, employee or elected member of a local governing body is appointed by the local governing body to serve on a governmental agency or an officer, employee or elected member of a separate local governmental agency formed by a local governing body is appointed to serve on a governmental agency, and the personal interest in the transaction of the governmental agency is a result of the salary, other compensation, fringe benefits, or benefits provided by the local governing body or the separate governmental agency to the officer, employee, elected member, or member of his/her immediate family.

"Transaction" means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

Special Anti-Nepotism Rules Relating to School Board Members and Superintendents

1. The School Board may not employ or pay, and the Superintendent may not recommend for employment, the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of the Superintendent or of a School Board member. This prohibition shall not be construed to prohibit the employment, promotion, or transfer within the School Division, of any person within a relationship described above when such person:

- Has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of any member of the School Board or Superintendent; or
- Has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the inception of such relationship; or
- Was employed by the School Board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia School Board prior to the taking of office of any member of the School Board or Superintendent.

- A person employed as a substitute teacher may not be employed to any greater extent than he/she was employed by the School Board in the last full School year prior to the taking of office of such board member or superintendent or to the inception of such relationship.
2. Notwithstanding the rules stated in Subsection D.1 above, the School Board may employ or pay, and the superintendent may recommend for employment, any family member of a School Board member provided that
 - the member certifies that he/she had no involvement with the hiring decision; and
 - the superintendent certifies to the remaining members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the Board had any involvement with the hiring decision.
 3. Notwithstanding the rules stated above, the School Board may employ or pay any family member of the superintendent provided that
 - the superintendent certifies that he/she had no involvement with the hiring decision; and
 - the assistant superintendent certifies to the members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that the superintendent had no involvement with the hiring decision.
 4. No family member (as listed in section D.1, above) of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit is discouraged.

General Rules Governing Public Conduct by School Board Members and Employees Regarding Gifts and Favors

1. Prohibited Conduct

No member or employee of the Board shall:

- a. Solicit or accept money, or anything else of value, for services performed within the scope of his or her official duties other than his or her regular compensation, expenses or other remuneration;
- b. Offer or accept money, or anything else of value, for or in consideration of obtaining employment, appointment, or promotion of any person in the School Division;
- c. Offer or accept any money or anything else of value for or in consideration of the use of his public position to obtain a contract for any person or business with the School division;

- d. Use for his or her own economic benefit, or anyone else's, confidential information gained by reason of his or her office, and which is not available to the public;
- e. Accept any money, loan, gift, favor, service or business or professional opportunity that reasonably tends to influence him or her in the performance of his or her professional duties;
- f. Accept any business or professional opportunity when he or she knows that there is a reasonable likelihood that the opportunity is being afforded him or her to influence his or her conduct in the performance of official duties;
- g. Accept a gift from a person who has interests that may be substantially affected by the performance of the School Board member's or employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the Board member's or employee's impartiality in the matter affecting the donor;
- h. accept gifts from sources on a basis so frequent as to raise an appearance of the use of his or her public office or employment for private gain; or
- i. Use his or her public position to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law, provided, however, that this prohibition shall not restrict the authority of any public employer to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law.

2. Prohibited Gifts

For purposes of this subsection:

"Person, organization or business" includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

"Widely attended event" means an event at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals (i) who are members of a public, civic, charitable or professional organization, (ii) who are from a particular industry or profession or (iii) who represent persons interested in a particular issue.

School Board members and employees required to file a Statement of Economic Interests as prescribed in Va. Code § 2.2-3117 and members of their immediate families shall not solicit, accept or receive any single gift with a value in excess of \$100 or any combination of gifts with an aggregate value in excess of \$100 within any calendar year for the School Board member or employee or a member of the School Board or employee's immediate family from any person that the School Board member or employee or a member of the School Board's or employee's immediate family knows or has reason to know is (i) a lobbyist registered pursuant to Va. Code § 2.2-418 et seq.; (ii) a lobbyist's principal as defined in Va. Code § 2.2-419; or (iii) a person, organization or business who is or is seeking to become a

party to a contract with the School Board. Gifts with a value of less than \$20 are not subject to aggregation for purposes of this prohibition.

Notwithstanding the above, School Board members and employees required to file a Statement of Economic Interests and members of their immediate families may accept or receive

- a gift of food and beverages, entertainment or the cost of admission with a value in excess of \$100 when such gift is accepted or received while in attendance at a widely attended event and is associated with the event. Such gifts shall be reported on the Statement of Economic Interests;
- a gift from a foreign dignitary with a value exceeding \$100 for which the fair market value or a gift of greater or equal value has not been provided or exchanged. Such gift shall be accepted on behalf of the Commonwealth or a locality and archived in accordance with guidelines established by the Library of Virginia. Such gift shall be disclosed as having been accepted on behalf of the Commonwealth or a locality, but the value of such gift shall not be required to be disclosed;
- certain gifts with a value in excess of \$100 from a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board if such gift was provided to such School Board member or employee or a member of the immediate family of the School Board member or employee on the basis of a personal friendship. A lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board may be a personal friend of such School Board member or employee or the immediate family of the School Board member or employee. In determining whether a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board is a personal friend, the following factors shall be considered: (i) the circumstances under which the gift was offered; (ii) the history of the relationship between the person and the donor, including the nature and length of the friendship and any previous exchange of gifts between them; (iii) to the extent known to the person, whether the donor personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iv) whether the donor has given the same or similar gifts to other persons required to file the disclosure form prescribed in Va. Code §§ 2.2-3117 or 30-111; and
- gifts of travel, including travel-related transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of \$100 that is paid for or provided by a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board when the School Board member or employee has submitted a request for approval of such travel to the Council and has received the approval of the Council pursuant to Va. Code § 30-356.1. Such gifts shall be reported on the Statement of Economic Interests.

The \$100 limitation imposed in accordance with this section shall be adjusted by the Council every five (5) years, as of January 1 of that year, in an amount equal to the annual increases for that five-year period in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar.

No person shall be in violation of this policy if (i) the gift is not used by such person and the gift or its equivalent in money is returned to the donor or delivered to a charitable organization within a reasonable period of time upon the discovery of the value of the gift and is not claimed as a charitable contribution for federal income tax purposes or (ii) consideration is given by the donee to the donor for the value of the gift within a reasonable period of time upon the discovery of the value of the gift provided that such consideration reduces the value of the gift to \$100 or less.

3. Awards to Employees for Exceptional Service

Nothing herein shall be construed to prohibit or apply to the acceptance by a teacher or other employee of the School Board of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

Prohibited Conduct Regarding Contracts

1. No School Board member or employee shall have a personal interest in (i) any contract with the School Board or (ii) any contract with any government agency which is subject to the ultimate control of the Board;

2. Exceptions - The above prohibition is not applicable to:

a. A School Board member's personal interest in a contract of employment provided the employment first began prior to the member becoming a member of the School Board;

b. An employee's own contract of employment;

c. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public;

d. A contract awarded to a member of the School Board as a result of competitive sealed bidding where the School Board has established a need for the same or substantially similar goods through purchases prior to the election or appointment of the member to serve on the School Board. However, the member shall have no involvement in the preparation of the specifications for such contract, and the remaining members of the School Board, by written resolution, shall state that it is in the public interest for the member to bid on such contract;

e. The sale, lease, or exchange of real property between an officer or employee and a governmental agency, provided the officer or employee does not participate in any way as such officer or employee in such sale, lease, or exchange, and this fact is set forth as a matter of public record by the governing body of the governmental agency or by the administrative head thereof;

- f. The publication of official notices;
- g. An officer or employee whose sole personal interest in a contract with the governmental agency is by reason of income from the contracting firm or governmental agency in excess of \$5,000 per year, provided the officer or employee or a member of his immediate family does not participate and has no authority to participate in the procurement or letting of such contract on behalf of the contracting firm and the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of his governmental agency or he/she disqualifies him/herself as a matter of public record and does not participate on behalf of his/her governmental agency in negotiating the contract or in approving the contract;
- h. Contracts between an officer's or employee's governmental agency and a public service corporation, financial institution, or company furnishing public utilities in which the officer or employee has a personal interest provided the officer or employee disqualifies him/herself as a matter of public record and does not participate on behalf of his/her governmental agency in negotiating or approving the contract;
- i. Contracts for the purchase of goods or services when the contract does not exceed \$500;
- j. Grants or other payment under any program wherein uniform rates for, or the amounts paid to, all qualified applicants are established solely by the administering governmental agency;
- k. An officer or employee whose sole personal interest in a contract with his/her own governmental agency is by reason of his/her marriage to his/her spouse who is employed by the same agency, if the spouse was employed by such agency for five (5) or more years prior to marrying such officer or employee.
- l. Employment contracts and other contracts entered into prior to August 1, 1987, provided such contracts were in compliance with the Virginia Conflict of Interests Act (or the Comprehensive Conflict of Interests Act) at the time of their formation and thereafter. Those contracts shall continue to be governed by the provisions of the appropriate prior Act. The employment by the same governmental agency of an officer or employee and spouse or any other relative residing in the same household shall not be deemed to create a material financial interest except when one of the persons is employed in a direct supervisory and/or administrative position with respect to the spouse or other relative residing in his/her household and the annual salary of the subordinate is \$35,000 or more.

Prohibited Conduct Regarding Transactions

1. Each School Board member and School Board employee who has a personal interest in a transaction:

- a. Shall disqualify him/herself from participating in the transaction if:
- (i) the transaction has application solely to property or a business or governmental agency in which he/she has a personal interest or a business that has a parent-subsidary or affiliated business entity relationship with the business in which he/she has a personal interest;
 - or
 - (ii) he/she is unable to participate pursuant to subdivision G.1.b, G.1.c., or G.1.d. of this policy.
- b. Any disqualification under this subsection shall be recorded in the School Board's public records. The School Board member or employee shall disclose his/her personal interests as required by Va. Code § 2.2-3115(F) and shall not vote or in any manner act on behalf of the School Board in the transaction. The member or employee shall not
- (i) attend any portion of a closed meeting authorized by the Virginia Freedom of Information Act when the matter in which he/she has a personal interest is discussed; or
 - (ii) discuss the matter in which he/she has a personal interest with other governmental officers or employees at any time.
- c. May participate in the transaction if he/she is a member of a business, profession, occupation, or group of three (3) or more persons, the members of which are affected by the transaction, and he complies with the declaration requirements of VA Code §2.2-3115(H);
- d. May participate in the transaction when a party to the transaction is a client of his firm if he/she does not personally represent or provide services to such client and he/she complies with the declaration requirements of Va. Code § 2.2-3115 (I); or
- e. May participate in the transaction if it affects the public generally, even though his/her personal interest, as a member of the public, may also be affected by that transaction.

2. Disqualification under this section shall not prevent any employee having a personal interest in a transaction in which his/her employer is involved from representing him/herself or a member of his/her immediate family in such transaction provided he/she does not receive compensation for such representation and provided he/she complies with the disqualification and relevant disclosure requirements of this policy.

3. If disqualifications under subsection 1.a. of this section leave less than the number required by law to act, the remaining member or members of the School Board shall constitute a quorum for the conduct of business and have authority to act for the School Board by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members.

4. The provisions of this section shall not prevent a School Board member or employee from participating in a transaction merely because such a School Board member or employee is a defendant in a civil legal proceeding concerning such transaction.

Disclosure Requirements

1. School Board members will file, as a condition of assuming office, a disclosure statement of their personal interests and other information as is required on the form prescribed by the Council pursuant to Va. Code § 2.2-3117 and thereafter file such statement annually on or before February 1. The disclosure forms are filed and maintained as public records for five (5) years in the office of the clerk of the School Board.

2. School Board members and employees required to file the Statement of Economic Interests who fail to file such form within the time period prescribed shall be assessed a civil penalty of \$250. The clerk of the School Board shall notify the Commonwealth Attorney for the locality of any School Board member's or employee's failure to file the required form and the Commonwealth Attorney shall assess and collect the civil penalty. The clerk shall notify the attorney within thirty (30) days of the deadline for filing.

3. Any School Board member or employee who is disqualified from participating in a transaction under Section G.1.a. of this policy, or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate and such disclosure shall be reflected in the School Board's public records in the Division Superintendent's office for a period of five (5) years.

4. Any School Board member or employee who is required to disclose his/her interest under Section G.1.b. of this policy shall declare his/her interest by stating:

- (i) the transaction involved;
- (ii) the nature of the School Board member's or employee's personal interest affected by the transaction;
- (iii) that he/she is a member of a business, profession, occupation, or group the members of which are affected by the transaction; and
- (iv) that he/she is able to participate in the transaction fairly, objectively, and in the public interest.

The School Board member or employee shall either make his/her declaration orally to be recorded in written minutes of the School Board or file a signed written declaration with the clerk of the School Board, who shall, in either case, retain and make available for public inspection such declaration for a period of five (5) years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the School Board member or employee shall prepare and file the required declaration by the end of the next business day. The School Board member or employee shall also orally disclose the existence of the interest during each School Board meeting at which the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

5. A School Board member or employee who is required to declare his/her interest pursuant to subdivision G.1.c. of this policy shall declare his/her interest by stating
- (i) the transaction involved;
 - (ii) that a party to the transaction is a client of his/her firm;
 - (iii) that he/she does not personally represent or provide services to the client; and
 - (iv) that he/she is able to participate in the transaction fairly, objectively, and in the public interest.

The School Board member or employee shall either make his/her declaration orally to be recorded in written minutes of the School Board or file a signed written declaration with the clerk of the School Board who shall, in either case, retain and make available for public inspection such declaration for a period of five (5) years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the School Board member or employee shall prepare and file the required declaration by the end of the next business day.

Release of Disclosure Forms

A clerk of the School Board who releases any disclosure form shall redact from the form any residential address, personal telephone number, or signature contained on such form.

Deadlines and Coverage Periods for Disclosure Forms

A School Board member or employee required to file an annual disclosure on or before February 1 shall disclose his/her personal interests and other information as required on the form prescribed by the Council for the preceding calendar year complete through December 31.

A School Board member or employee required to file disclosure as a condition to assuming office or employment shall file such disclosure on or before the day such officer or position of employment is assumed and disclose his personal interests and other information as required on the form prescribed by the Council for the preceding 12-month period complete through the last day of the month immediately preceding the month in which the office or position of employment is assumed; however, any School Board member or employee who assumed office or a position of employment in January shall be required to only file an annual disclosure on or before February 1 for the preceding calendar year complete through December 31.

When a deadline for filing any disclosure falls on a Saturday, Sunday, or legal holiday, the deadline for filing shall be the next day at that is not a Saturday, Sunday, or legal holiday.

Training Requirements for Elected School Board Members

Each elected School Board member completes the training session provided by the Council within two (2) months after assuming office and thereafter at least once during each consecutive period of two (2) calendar years while holding office.

The clerk of the School Board maintains records indicating School Board members subject to the training requirement and the dates of their completion of training sessions. Such records are maintained as public records for five (5) years in the clerk's office.

Advisory Opinions

School Board members or employees subject to the Act may seek written opinions regarding the Act from the local Commonwealth's Attorney; the local County Attorney; or the Council. Good faith reliance on any such written opinion of the Commonwealth Attorney or a formal opinion or written informal advice or the Council made in response to a written request for such opinion or advice regardless of whether such opinion or advice is later withdrawn, provided that the alleged violation occurred prior to the withdrawal of the opinion or advice, bars prosecution for knowing violation of the Act provided the opinion was made after full disclosure of the facts. If the School Board member or employee relies on the opinion of the attorney for the Commonwealth in a prosecution for a knowing violation of the Act, the written opinion of the Commonwealth's Attorney shall be a public record and shall be released upon request. An opinion of the County Attorney may be introduced at trial as evidence that the School Board member or employee did not knowingly violate the Act.

Budget Development

Albemarle County Public Schools begins its annual budget planning process in August. The budget development process is a collaborative process involving many stakeholders. The School Board's Strategic Plan, *Horizon 2020*, includes a student-centered goal, objectives, and priorities to guide the development of the annual budget.

The Superintendent works closely with the School Board, the leadership team, and the community to present the needs of the division and works closely with the County to fit these needs into the larger needs of the community. Community engagement is critical during the budget development process. The Superintendent gathers feedback and prepares a funding request that incorporates community input as well as the strategic priorities set by the School Board.

The Superintendent's Funding Request is presented to the School Board in January. The School Board then makes amendments to the Superintendent's Funding Request after a series of work sessions in preparation for the adoption of the request to the Board of Supervisors.

School Board/Superintendent Relationship

Qualifications for Superintendent

The candidate for Superintendent shall meet those minimum qualifications as set forth by the Commonwealth of Virginia and the State Board of Education. The applicant shall have had a minimum of five years of full-time experience in administration and/or supervision in public schools, two years of which shall have been in a principalship. A portion of professional education or experience shall have been within a period of five years immediately prior to the application.

Preference shall be given to those applicants whose experience and education demonstrate proven competence with instruction, planning and management, and communication.

Eligibility shall be limited to individuals whose records indicate they possess the following attributes:

- Good character
- Management and fiscal capabilities
- Leadership
- Knowledge of school law
- Thorough knowledge of academic, vocational, and special education.
- Awareness of current educational trends/strategies.

Role and Responsibilities of the Superintendent

The Albemarle County School Board places the primary responsibility and authority for the administration of the School Division in the Superintendent. The Superintendent is responsible for the direction, leadership, and coordination of students and staff in their efforts to reach educational goals adopted by the School Board. ~~The Superintendent works in partnership with the Board in developing a common vision for the School Division. The Superintendent serves as chief executive officer and provides direction through subordinate executives for the daily operation of the school system.~~

The School Board expects the Superintendent to provide leadership in:

- Decision-making.
- Communication.
- Planning, organizing, implementing, and evaluating educational programs.
- Defining the School Division's organizational structure. All changes affecting principals and Division-wide positions two reporting levels below the Superintendent and all licensed personnel must be approved by the School Board. Approval of other personnel will be delegated to the Superintendent/designee.
- Developing and maintaining close working relationships and channels of communication within the school system and community.

The Superintendent works in partnership with the Board in developing a common vision for the School Division. The Superintendent serves as chief executive officer and provides direction through subordinate executives for the daily operation of the school system.

The Superintendent ~~of Schools~~ works under the policy direction of the ~~Albemarle County~~ ~~SS~~ School Board. The Superintendent is responsible to the School Board for the performance of all divisions and departments of the ~~system~~ School Division. Authority vested in the Superintendent may be delegated to subordinates except as may otherwise be prescribed by the Commonwealth of Virginia or local School Board policy. The Superintendent shall define the school systems organizational structure. The Superintendent is the chief fiscal officer of the School Division and is responsible for the performance of the school system within the budget approved by the School Board.

Specific performance responsibilities/standards for the Superintendent include the following performance standards established by the Virginia Department of Education (VDOE) for the Superintendent.

Performance Standard 1 – Mission, Vision, and Goals: The Superintendent works with the local School Board to formulate and implement the School Division’s mission, vision, and goals to promote student academic progress.

Performance Standard 2 - Planning and Assessment: The Superintendent strategically gathers, analyzes, and uses a variety of data to guide planning and decision-making consistent with established guidelines, policies, and procedures that result in student academic progress.

Performance Standard 3 – Instructional Leadership: The Superintendent fosters the success of all teachers, staff, and students by ensuring the development, communication, implementation, and evaluation of effective teaching and learning that leads to student academic progress and school improvement.

Performance Standard 4 - Organizational Leadership and Safety: The Superintendent fosters the safety and success of all teachers, staff, and students by supporting, managing, and evaluating the division’s organization, operation, and use of resources.

Performance Standard 5 - Communication and Community Relations: The Superintendent fosters the success of all students through effective communication with stakeholders.

Performance Standard 6 – Professionalism: The Superintendent fosters the success of teachers, staff, and students by demonstrating professional standards and ethics, engaging in continuous professional development, and contributing to the profession.

Appointment and Term of the School Division Superintendent

The School Board appoints the Division Superintendent from a list of eligible candidates certified by the Board of Education and determines the term of employment. The Superintendent's term expires on June 30. The Superintendent serves an initial term of not less than two years nor more than four years. At the expiration of the initial term, the Superintendent is eligible to hold office for the term specified by the School Board, not to exceed four years.

If the School Board fails to appoint a division Superintendent within 180 days of a vacancy, the Virginia Board of Education will appoint a Superintendent for the division. If the School Board has not appointed a Superintendent within 120 days of a vacancy, it will submit a written report to the Superintendent of Public Instruction demonstrating its efforts to make an appointment and containing a status report with a timeline for making the appointment prior to the 180-day deadline. If the School Board does not appoint a Superintendent within 180 days of a vacancy, it will immediately notify the Virginia Board of Education, in writing, of its failure to do so.

Within 30 days of the 180th day after the vacancy occurs, the School Board will submit, in writing, its preferred candidate(s), not to exceed three, for the position. The Virginia Board of Education may consider these candidates and other eligible individuals. The Virginia Board of Education may authorize the State Superintendent of Public Instruction to conduct the search for a division Superintendent.

If the Virginia Board of Education appoints a Superintendent, the contract for the Superintendent will be negotiated by the School Board.

School Board/Superintendent General Operating Procedures

The Albemarle County School Board and the Superintendent are bound in a partnership of mutual trust and vision. Together, the Superintendent and School Board take primary responsibility for ensuring that Albemarle County Public Schools (“ACPS”) are an effective school division. The School Board establishes the vision, mission, core values, goal(s), and strategic objectives for the School Division and develops policies in alignment with division objectives and the Virginia Code. The Superintendent is the official representative of the School Board as its Chief Administrative Officer and carries out the day-to-day business affairs of ACPS. These procedures facilitate the collaborative relationship between the School Board and Superintendent while maintaining the policy focus of the School Board and the operational focus of the Superintendent.

1. Day-to-Day Operations and Decision- Making of the Organization (ACPS): The Superintendent will provide direction and leadership consistent with section two of his

contract (Duties) which outlines specific duties and responsibilities the Board has charged the Superintendent to perform, and others that may be assigned to him by the Board from time to time. As such, he will maintain open lines of communication with the Division's senior administrative staff and the Board in carrying out such duties and responsibilities associated with the Office of the Superintendent.

2. **School Board Meetings:** In consultation with the Superintendent, the Board Chair will prepare the Board agendas. To assist the Board Chair in the facilitation of a productive Board meeting with appropriate decorum, the Superintendent will contact members of the Board (as needed) prior to the meeting to determine whether additional information is needed to support an agenda item or clarification is needed. The intent is to facilitate informed discussion and decision-making. If a person addresses the Board during Public Comment with requests for specific information, the Superintendent will ensure the question is referred to the appropriate staff member. Information that is provided to the patron pursuant to such request will also be provided to the Board in the Superintendent's Letter to the Board.
3. **General Communications:** When necessary, the Superintendent will correspond with Board members through emails, texts, telephone, or in person in an effort to convey important topics.
4. **Emergency Communications:** The Superintendent or designee will contact Board members as soon as practical when an emergency (e.g., school safety threat, negative personnel issues, negative media attention) has occurred. Depending on the situation, the communication will take place via telephone, text, or email.
5. **Parent and Community Concerns:** Unless it will compromise the impartiality of a student discipline hearing, Board members will listen to and/or review email communications from parents and/or community members and refer these concerns to the appropriate staff member(s); e.g., teacher, principal, Student Advisory Council, or administrator. As appropriate, the Board member also will alert the Superintendent of the concern.
6. **Anonymous Concerns:** Occasionally, concerns are raised anonymously to a Board member. Such concerns will be referred to the Superintendent for informational purposes; however, no action will be required unless additional information is forthcoming that will allow for the prepared response to a specific individual. In cases where the complaint involves a particular school or staff member, the principal and/or appropriate staff member will be informed of the concern for informational purposes.

7. Superintendent Communications with Board Members: The Superintendent will share information to all Board members, except in cases where the topic requires the protection of privacy of an individual Board member.
8. Faculty and Staff Concerns: Unless it would compromise the impartiality of the Board's or individual Board member's participation in a grievance hearing, the Board member will listen to and encourage the staff member to contact the principal and/or immediate supervisor. Further, the Board will advise the Superintendent about the concern that was shared. When faculty/staff contact a Board member via email or letter, the Board member should send a brief response that references the concern and advises the individual that he/she will look into the matter. In the event of an email or letter addressed to the entire Board, the Board Chair should send such a response or appoint a specific Board member to respond. When appropriate, the Superintendent will report the outcome to the Board. Individual School Board members do not have directive authority with regard to employees.
9. Request for Information from Principals and Staff: If a Board member determines that he or she needs information that pertains to the operations of the organization from principals and/or staff, the Board member may contact appropriate staff for information. If appropriate, the information will be shared with the full Board and cabinet for open channels of communication and shared knowledge. Requests for information that require 30 minutes or less of preparation time by staff (i.e., information that already is assembled and available) should be handled in a timely fashion by the office receiving the request. Any request for information that requires more than 30 minutes of preparation time by staff must first have the approval of the Superintendent or be supported by School Board consensus.
10. Strategic Planning: From time to time, the Superintendent and Board will engage in long-range planning and the development of specific goals for the Division. These strategic planning goals will become the basis for the Superintendent's goals.
11. Media and Constituent Relations: Board members frequently receive requests for information or interviews from constituents and the media. In general, the Board Chair, in consultation with the Office of Strategic Communications and appropriate Division senior staff, will respond to the media and constituents. Board members may refer the media and constituents to the Office of Strategic Communications, which will contact the Board Chair and the Superintendent to develop the appropriate response, especially when the media is inquiring about personnel issues, legal issues, student discipline, or closed session discussion. As appropriate, Board members should utilize the Office of Strategic Communications as a resource prior to responding to their constituents, both to ensure they have the correct information and to alert the

Division's senior staff of community concerns. Board members may respond individually to media and constituent communications while making it clear that when doing so they are responding as an individual and not on behalf of the Board. Only the Chair or a delegate of the Chair may respond on behalf of the whole Board.

Evaluation of the Superintendent

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**THIS ITEM MAY CHANGE IF THE SCHOOL BOARD SELF-EVALUATION
PROCESS CHANGES.**

School Board/Board of Supervisors
Relationship

Role of Board of Supervisors

The Board of Supervisors establishes policies and hires a professional manager to operate the government on a day-to-day basis. The residents of each of the County's six magisterial districts elect one member of the Board to serve a four-year term.

The Board of Supervisors sets policy and oversees the general operations of the County's programs, levies taxes, appropriates funds, makes land use decisions, implements the Comprehensive Plan, and appoints members of Boards and Commissions.

Communications with the Board of Supervisors

The School Board shares information with the County Board of Supervisors in the following manner:

- Individual meetings between School Board members and County Board of Supervisor members.
- Email of School Board meeting recaps.
- Monthly Board-to-Board presentations by the School Board Chair.

Creating and Sustaining a Positive Culture Worksheet

(Provided by Chesterfield County Public Schools)

Norms for Building and Sustaining Trust Among Board Members:

Building and sustaining trust among members of our team requires that we take the time to develop relationships with each other and recognize that we each have different opinions and styles. Trust requires constant nurturing and energy and the acceptance of honest mistakes.

We Will Be Respectful of Each Other:

- Listen actively when others are speaking.
- Be honest and tell the truth – saying what we mean and meaning what we say.
- Recognize and accept differences of opinion and style.
- Value and build upon each other's ideas and opinions.
- Extend courtesy and kindness to each other.
- Follow through on our commitments.

- Be consistently authentic and sincere.
- Treat everyone who comes before the Board with respect.

We Will Communicate:

- Each of us will provide timely and direct communication when we hear rumors, or concerns (following protocol) so that all members of the team have the same information.
- Information will be distributed to all members equally.
- All School Board members and Board of Supervisor members will receive the answers when one Board member asks a question that is responded to by staff regarding materials or discussions from joint Board meetings.
- Trust in the good intentions and honesty of each other.
- Give feedback to others respectfully – receive respectful feedback gracefully.
- Let the Superintendent and County Executive know the questions that will be asked during the Board meeting so staff has the time to prepare a response.

We Will Engage in Positive Decision-Making:

- Make sure that decisions are based on principle – not our own self-interest.
- Agree to disagree courteously and not take things personally.
- Provide equal access to all information involving the action item that is being considered.
- Bring ideas, issues and concerns to that table.

Board/Community Relationships

Board's Goals for Relationship with Community

The School Board has determined that mutually beneficial partnerships with community organizations, businesses, volunteers and parents is essential to achieving its strategic goal that all Albemarle County Public School students will graduate having actively mastered the life-long learning skills they need to succeed as 21st century learners, workers, and citizens.

The School Board has community outreach and engagement programs to ensure that they are broadening public knowledge and recognition of educational programs.

Public Participation at School Board Meetings

Citizen Participation

Members of the community are invited and encouraged to attend meetings of the Albemarle County School Board to observe its deliberations. Any member of the community may address the Board on matters related to Albemarle County Public Schools. Public comment will be received at the beginning of each meeting – business and work sessions.

Regular Meetings: Any member of the general public or group may appear in person at any regular meeting of the School Board with any school system related question, request, or item he/she may wish to discuss. Citizens or organizations may present matters of concern within a time not to exceed three minutes. The Chair is responsible for the orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented and suitability of the time for such presentation. The School Board as a whole shall have the final decision in determining the appropriateness of all such rulings.

Special Meetings: The purpose of special meetings is to give the Board the opportunity to carry on discussions or to work through problems that take a great deal of time. Public participation at any

specially called meetings of the School Board shall be determined by the School Board upon recommendation of the Chair. Limitations will depend upon the nature of the topics under discussion.

Written Communications: The opportunity to speak at Board meetings is only one way to present their views to the School Board. The Board welcomes correspondence from community members. Written communication can be hand delivered or mailed to the School Board Office at 401 McIntire Road, Room 345, Charlottesville, VA or by electronic mail to schoolboard@k12albemarle.org.

Expectations of Board for Interactions with Internal and External Stakeholders

Objective: Develop opportunities for two-way communication between the division and stakeholders that will identify needs and enable community members to contribute to division.

Teachers/Schools

Action: By the end of the school year, hold a lunch drop in at each of the high schools allowing for teachers to drop in to talk to Board members.

- Two Board Members at each
- Refreshments provided

Action: For the 2019-2020 school year, hold a lunch drop in at each school within the division.

- Two Board Members at each
- Refreshments provided

Action: Schedule Board Member visits to schools.

- Staff to schedule visits as requested by Board members to ensure that someone is available to walk and talk.

Action: Create a Division Calendar of Events at schools. Events would include PTO meetings, choral performances, and other school events.

- Staff to create a Google doc of events and solicit Board Members to sign up to participate.

Challenge: School participation. Need directive that it needs to be provided.

Community Members/Business Community Members/Community Organizations

Action: Develop a list of business community and community organizations with contacts.

- Staff to prepare list.

Action: Schedule presentations about the School Division with businesses and community organizations.

- Staff to schedule presentations and solicit Board Members to participate.

Action: Coffee with Board Members.

- Staff to schedule in different areas of the County for drop ins.

Action: Community meetings on specific topics on interest. (Mental Health, School Safety)

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