

SCHOOL BOARD GOVERNANCE AND OPERATIONS

SCHOOL BOARD LEGAL STATUS

File: BB

The School Board of the City of Charlottesville derives its authority from the Constitution of Virginia, the Code of Virginia, and the regulations of the Board of Education.

The Charlottesville City School Board members are officers of the Commonwealth.

The Charlottesville City School Board governs the school division.

The School Board is a corporate body whose official title shall be Charlottesville City School Board.

Adopted: August 6, 1998

Revised: December 20, 2007

Legal Reference: Constitution of Virginia, Art. VIII, section 7, Code of Virginia, 1950, as amended, sections 22.1-1, 22.1-2, 22.1-28, 22.1-31, 22.1-71.

Cross Reference: AA, School Division Legal Status

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SCHOOL BOARD POWERS AND DUTIES

File: BBA

The School Board shall:

1. Adopt policy to provide for the day-to-day supervision of schools.
2. See that the school laws are properly explained, enforced and observed.
3. Secure, by visitation or otherwise, as full information as possible about the conduct of the public schools in the school division and take care that they are conducted according to law and with the utmost efficiency.
4. Care for, manage and control the property of the school division and provide for the erecting, furnishing, equipping, and noninstructional operating of necessary school buildings and appurtenances and the maintenance thereof by purchase, lease, or other contracts.
5. Provide for the consolidation of schools or redistricting of school boundaries or adopt pupil assignment plans whenever such procedure will contribute to the efficiency of the school division.
6. Insofar as not inconsistent with State statutes and regulations of the State Board of Education, operate and maintain the public schools in the school division and determine the length of the school term, the studies to be pursued, the methods of teaching and the government to be employed in the schools.
7. Perform such other duties as shall be prescribed by the State Board of Education or as are imposed by law.
8. Obtain public comment through a public hearing not less than ten days after reasonable notice to the public in a newspaper of general circulation in the school division prior to providing (1) for the consolidation of schools; (2) the transfer from the public school system of the administration of all instructional services for any public school classroom or all noninstructional services in the school division pursuant to a contract with any private entity or organization; or (3) in school divisions having 15,000 pupils or more in average daily membership, for redistricting of school boundaries or adopting any pupil assignment plan affecting the assignment of fifteen percent or more of the pupils in average daily membership in the affected school. Such public hearing may be held at the same time and place as the meeting of the School Board at which the proposed action is taken if the public hearing is held before the action is taken. If a public hearing has been held prior to the effective date of this provision on a proposed consolidation, redistricting or pupil assignment plan which is to be implemented after the effective date of this provision, an additional public hearing shall not be required.

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9. Survey, at least annually, the school division to identify critical shortages of teachers and administrative personnel by subject matter, and report such critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System or request the division Superintendent to conduct such survey and submit such report to the school board, the Superintendent of Public Instruction, and the Virginia Retirement System.
10. Ensure that the public schools within the school division are registered with the Department of State Police to receive electronic notice of the registration or reregistration of any sex offender within the school division pursuant to § [9.1-914](#)
11. Prescribe qualifications of all employees of the Charlottesville City Schools and fix salary schedules for such employees.
12. Employ and evaluate a superintendent.
13. On the recommendation of the Superintendent, employ teachers and other personnel as may be needed for the efficient operation of the schools.
14. Adopt broad goals and objectives for each aspect of the school system's operation based upon the identified needs of the community. Said goals shall be documented, reviewed and revised periodically in light of changing community needs.
15. Evaluate the performance and progress of the Charlottesville City School Division against the stated goals and objectives
16. Review and approve the annual operating budget of the school system prepared by the superintendent and his/her staff to provide prudent utilization of public resources.
17. Provide leadership in presenting needs of the school system to local, regional, state and federal government or agencies, the general public or the media.
18. Communicate with various constituencies to receive input and gather support for public education.

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Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-79.

Cross Ref.: KN Sex Offender Registry Notification
AF Comprehensive Plan

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BOARD MEMBER AUTHORITY (AND DUTIES)

File: BBAA

The School Board is a body corporate, and in its corporate capacity is vested with all the powers and charged with all the duties, obligations, and responsibilities imposed upon school boards by law and may sue, be sued, contract, be contracted with, and purchase, take, hold, lease and convey school property, both real and personal. School Board members shall have no authority or duties except such as may be assigned to them by the School Board as a whole.

Adopted: August 6, 1998
Revised: October 16, 2003
Reviewed: December 20, 2007

Legal Reference: Code of Virginia, 1950, as amended, section 22.1-71.

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SCHOOL BOARD SELECTION

The School Board of the Charlottesville City School Division shall be selected as provided by law.

A. Election

Members of the Charlottesville City School Board shall be elected for service during a general election following the elections procedures set by the Electoral Board of Charlottesville City.

B. Term of Office/Limitations

Terms of office shall be for four (4) years.

Adopted: August 6, 1998
Revised: August 16, 2007
Revised: December 20, 2007

Legal Reference: Charter of the City of Charlottesville, Code of Virginia, 1950, as
as amended, § 22.1-57.3

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QUALIFICATIONS FOR ELECTED SCHOOL BOARD MEMBERS

At the time of his/her election, each member of the School Board must be a qualified voter and bona fide resident of the city and meet any other criteria set forth in state law. The Charlottesville City School Board shall consist of seven (7) members. If a Board member shall cease to be a resident of the city, his/her position on the School Board shall be deemed vacant.

No employee of the School Board shall be eligible to serve on the Board by whom he/she is employed.

Adopted: August 6, 1998
Revised: August 16, 2007
Revised: December 20, 2007

Legal References: Code of Virginia, 1950, as amended, Sections 22.1-29, 22.1-30, 22.1-57.3

Cross Reference: BBE Unexpired Term Fulfillment

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File: BBBC

BOARD MEMBER OATH OF OFFICE

School Board members shall qualify by taking the oath prescribed for officers of the Commonwealth before January 1 following the election. School Board members fulfilling unexpired terms of office must take the oath of office before serving in the first School Board meeting. Failure to take the oath of office within the time allowed by law renders the office vacant.

Adopted: August 6, 1998
Revised: August 16, 2007
Revised: December 20, 2007
Revised: June 16, 2011

Legal Reference: Code of Virginia, 1950, as amended, Sections 15.2-1522, 15.2-1524, 22.1-31, 24.2-228, 49-1,49-3

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BOARD MEMBER REMOVAL FROM OFFICE

Any School Board member may be removed from office in accordance with the provisions of Sections 24.2-230 through 24.2-238 of the Code of Virginia.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007

Legal Reference: Code of Virginia, 1950, as amended, sections 24.2-230 through 24.2-238.

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UNEXPIRED TERM FULFILLMENT

All vacancies occurring by expiration of term of office shall be filled_ by general election procedures as set by the Electoral Board of the City of Charlottesville. For vacancies occurring other than by expiration of the term of office, the vacancies shall be filled for the unexpired term in accordance with Va. Code Sections 24.2-226 and 24.2-228.

Adopted: August 6, 1998
Revised: August 16, 2007
Revised: December 20, 2007

Legal References: Code of Virginia, 1950, as amended, §§ 15.2-627, 22.1-39, 22.1-44, 22.1-50, 22.1-57.3, 24.2-226, 24.2-228.

Charlottesville City Code of 2976, section 2-109

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SCHOOL BOARD MEMBERS AND STAFF CONFLICT OF INTEREST

A. Purpose

The Charlottesville City School Board seeks, through the adoption of this policy, 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.

B. Areas of Regulation

The State and Local Government Conflict of Interests Act establishes five principal areas of regulation applicable to Board members, officers, and employees of the Charlottesville School 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. Disclosure required from certain School Board members.

C. 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-subsiary relationship, that exists when:

1. One business entity has a controlling ownership interest in the other business entity;
2. A controlling owner in one entity is also a controlling owner in the other entity; or
3. 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

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same person owns or manages the two 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.

"Dependent" means a son, daughter, father, mother, brother, sister or other person, whether or not related by blood or marriage, if such person receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support.

"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 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 or other admission or pass unless the ticket, admission, or pass is used. "Gift" does not include honorary degrees and presents from relatives. For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse.

"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

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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 residing in the same household as the officer or employee who is a dependent of the officer or employee or of whom the officer or employee is a dependent.

"Officer" means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he 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 50 percent of the voting power of another corporation.

"Personal interest" means a financial benefit or liability accruing to an officer or employee or to a member of his immediate family. Such interest shall exist by reason of:

1. Ownership in a business if the ownership interest exceeds three percent of the total equity of the business;
2. Annual income that exceeds, or may reasonably be anticipated to exceed, \$10,000 from ownership in real or personal property or a business;
3. 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 \$10,000 annually;
4. Ownership of real or personal property if the interest exceeds \$10,000 in value and excluding ownership in a business, income or salary, other compensation, fringe benefits or benefits from the use of property;
5. Personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or
6. An option for ownership of a business or real or personal property if the ownership interest will consist of (1.) or (4.) above.

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"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 agency. Such personal interest exists when an officer or employee or a member of his 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:

1. Is the subject of the transaction, or
2. 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 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.

"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.

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

1. The School Board may not employ, 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, grandson, or granddaughter of the Superintendent or of a School Board member. This provision 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:
 - a. Has been employed pursuant to a written contract with a 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 Board or Superintendent; or

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- b. 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
 - c. 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.
 - d. A person employed as a substitute teacher may not be given any greater employment than that obtained in the last full school year prior to the taking of office of the superintendent or any School Board member.
2. 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 shall be discouraged.
- E. General Rules Governing Public Conduct by School Board Members Regarding Gifts and Favors

1. Prohibited Conduct

Neither the School Board collectively, nor any member 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 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;

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- 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 or service that might reasonably tend to influence the discharge of duties;
 - f. Accept any business or professional opportunity from which a School Board member may gain a financial benefit, where the member knows or should know that there is a reasonable likelihood that the opportunity is being offered with intent to influence his or her conduct in the performance of official duties.
2. Nothing herein shall be construed to prohibit or apply to the acceptance by a teacher or other employee of Charlottesville City 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 provision of Section 504 C (3) of the Internal Revenue Code.

F. Prohibited Conduct Regarding Contracts

1. No School Board member shall have a personal interest in (a.) any contract with the School Board or (b.) any contract with any government agency which is subject to the ultimate control of the Board;
2. Exceptions - The above prohibition shall not be applicable to:
 - a. A 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. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public;
 - c. 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;

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- d. 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;
- e. The publication of official notices;
- f. 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 \$10,000 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 disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract;
- g. 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 himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating or approving the contract;
- h. Contracts for the purchase of goods or services when the contract does not exceed \$500;
- i. 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; or
- j. An officer or employee whose sole personal interest in a contract with his own governmental agency is by reason of his marriage to his spouse who is employed by the same agency, if the spouse was employed by such agency for five or more years prior to marrying such officer or employee;

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- k. 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 household and the annual salary of the subordinate is \$35,000 or more.

G. Prohibited Conduct Regarding Transactions

1. Each School Board member and School Board employee who has a personal interest in a transaction:
 - a. Shall disqualify himself from participating in the transaction if
 - (i) the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsidiary or affiliated business entity relationship with the business in which he has a personal interest, or
 - (ii) he is unable to participate pursuant to subdivision G.1.b, G.1.c., or G.1.d. of this policy.

Any disqualification under this subsection shall be recorded in the School Board's public records. The School Board member or employee shall disclose his personal interests as required by Va. Code § 2.2-3114E or § 2.2-3115E and shall not vote or in any manner act on behalf of his agency 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 has a personal interest is discussed; or
 - (ii) discuss the matter in which he has a personal interest with other governmental officers or employees at any time.
 - b. May participate in the transaction if he is a member of a business, profession, occupation, or group of three or more persons, the members of which are affected by the transaction, and he complies with the disclosure provisions under Va. Code § 2.2-3115 G;

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- c. May participate in the transaction when a party to the transaction is a client of his firm if he does not personally represent or provide services to such client and he complies with the declaration requirements of Va. Code-§ 2.2-3115 H; or
 - d. May participate in the transaction if it affects the public generally, even though his 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 employer is involved from representing himself or a member of his immediate family in such transaction provided he does not receive compensation for such representation and provided he 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 Board shall constitute a quorum for the conduct of business and have authority to act for the 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 Board member or employee from participating in a transaction merely because such a Board member or employee is a defendant in a civil legal proceeding concerning such transaction.

H. Disclosure Requirements for School Board Members

1. School board members in each county, city or town with populations in excess of 3,500 will file, as a condition of assuming office, with the clerk of the school board a disclosure statement of their personal interests and other information as is specified on the form set forth in Va. Code § 2.2-3117 and shall thereafter file such statement annually on or before January 15.
2. Any 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

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School Board's public records in the division superintendent's office for a period of five (5) years.

3. Any Board member or employee who is required to disclose his interest under Section G.1.b. of this policy shall declare his interest by stating:
 - (a) the transaction involved,
 - (b) the nature of the Board member's or employee's personal interest affected by the transaction,
 - (c) that he is a member of a business, profession, occupation, or group, the members of which are affected by the transaction, and
 - (d) that he is able to participate in the transaction fairly, objectively, and in the public interest.

The Board member or employee shall either make his declaration orally to be recorded in written minutes of the Board or file a signed written declaration with the clerk of the board, who shall, in either case, retain and make available for public inspection such declaration for a period of five 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 Board member or employee shall prepare and file the required declaration by the end of the next business day. The 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.

4. A Board member or employee who is required to declare his interest pursuant to subdivision G.1.c. of this policy shall declare his interest by stating:
 - (a) the transaction involved,
 - (b) that a party to the transaction is a client of his firm,
 - (c) that he does not personally represent or provide services to the client, and
 - (d) that he is able to participate in the transaction fairly, objectively, and in the public interest.

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The Board member or employee shall either make his declaration orally to be recorded in written minutes of the Board or file a signed written declaration with the clerk of the board who shall, in either case, retain and make available for public inspection such declaration for a period of five 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 Board member or employee shall prepare and file the required declaration by the end of the next business day.

Adopted: October 16, 2003
Revised: August 16, 2007
Revised: December 20, 2007
Revised: June 19, 2008
Revised: June 17, 2010

Legal References: Code of Virginia, 1950, as amended, sections 2.2-3102, 2.2-3103, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3119.

Cross References: GCCB Employment of Family Members

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SCHOOL BOARD ORGANIZATIONAL MEETING

Beginning with the first meeting of the School Board in January, 2008, the School Board shall organize annually by the election of officers at the first meeting in January. The agenda for the organizational meeting shall include setting time, place and dates of regular School Board meetings and other items of annual business as appropriate. The meeting shall be called to order by the Superintendent.

The first order of business shall be the election of the School Board Chairperson. The new chairperson shall then assume office and preside over the remainder of the meeting. Following the election of the chairperson, the School Board shall elect vice-chairperson. The School Board also shall appoint a clerk and a deputy clerk/secretary.

The second order of business shall be fixing the time and place for holding regular meetings for the ensuing year. The third order of business shall be to approve a designee of the Superintendent to attend meetings of the School Board in the absence or inability to attend of the Superintendent. The fourth order of business shall be the appointment of members to boards, commissions and joint committees of control.

The Board shall then proceed to the agenda set for the meeting.

Adopted: August 6, 1998
Revised: August 16, 2007
Reviewed: December 20, 2007

Legal Reference: Code of Virginia, 1950, as amended, section 22.1-76

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SCHOOL BOARD OFFICERS

File: BCB

The officers of the School Board shall be a chairperson and vice-chairperson. The chairperson and the vice-chairperson shall be elected annually at the organizational meeting of the School Board.

School Board Chairperson

The duties of the chairperson shall be to preside at all meetings of the School Board, to perform such 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 chairperson, as a member of the School Board, has a vote on all matters before the School Board which come to a vote, but does not have an additional vote as chairperson in case of a tie.

Vice-Chairperson

The vice-chairperson, if present, shall preside in the absence of the chairperson, and shall be empowered to act in all matters in case of the absence or inability of the chairperson to act or as provided by resolution of the School Board. If neither the chairperson nor vice-chairperson is present, the majority board members present, if they constitute a quorum, shall elect one from among themselves to chair the meeting.

Adopted: August 6, 1998
Revised: October 16, 2003
Reviewed: December 20, 2007

Legal References: Code of Virginia, 1950, as amended, sections 22.1-72, 22.1-76.

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SCHOOL BOARD CLERK

File: BCC

On recommendation of the Superintendent, a clerk and a deputy clerk shall be appointed annually at the organizational meeting of the School Board.

The clerk and deputy clerk shall each be bonded in an amount no less than ten thousand dollars (\$10,000), and the School Board shall pay the premiums for each bond. The clerk and deputy clerk shall discharge under the general direction of the division superintendent all duties as required by law and such other duties as may be required by the School Board or the State Board of Education.

Adopted: August 6, 1998
Revised: December 20, 2007
Revised: June 16, 2011

Legal References: Code of Virginia, 1950, as amended, sections 22.1-76, 22.1-77.

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SCHOOL BOARD COMMITTEES

File: BCE

There shall be no standing committees of the Charlottesville City School Board except, at the School Board's option, a Student Disciplinary Committee. Special committees may be appointed by the chairman 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.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007

Legal References: Code of Virginia, 1950, as amended, section 22.1-78.

Cross References: BCEA Disciplinary Committee
BDA/BDB Regular/Special School Board Meetings
BDC Closed Meetings
GB Equal Employment Opportunity/Non-Discrimination

SCHOOL BOARD GOVERNANCE AND OPERATIONS

DISCIPLINARY COMMITTEE

File: BCEA

A Disciplinary Committee composed of no more than three (3) School Board members shall preside over all cases of student suspensions of more than 10 days and expulsions within the Charlottesville City School Division. The decision of the committee in expulsion cases shall, if unanimous, be the final decision of the School Board. In non-unanimous decisions, the student shall have the right to appeal his/her case to the full School Board. The School Board shall render a final decision in such cases within 30 days of the Committee decision. Membership on the Disciplinary Committee shall be determined by the School Board.

The Disciplinary Committee shall follow the procedures set forth in Policy JGD/JGE.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007

Legal References: Code of Virginia, sections 22.1-277.05 and 22.1-277.06

Cross References: JEC School Admission
JGD/JGE Student Suspensions/Expulsions

SCHOOL BOARD GOVERNANCE AND OPERATIONS

FILE: BCEB

JOINT SCHOOLS: CHARLOTTESVILLE/ALBEMARLE VOCATIONAL-TECHNICAL EDUCATION CENTER

A. Joint Committee for Control

The Charlottesville City School Board approves the creation of a Joint Committee for Control to develop, operate and manage the Charlottesville/Albemarle Vocational-Technical Education Center pursuant to the regulations of the Board of Education of the Commonwealth of Virginia.

B. Board Representation

The Joint Committee for control shall consist of three (3) members selected by and from each of the two (2) School Boards; at the first election one (1) member from each Board shall be elected for a term of one (1) year; another member for a term of two (2) years and the third member for a term of three (3) years. Thereafter, one member shall be elected for a term of three (3) years. If, at any time, for any reason, any member of the joint committee shall cease to be a member of the Charlottesville City School Board, the vacancy so created shall be filled for the unexpired term by electing a new member from the Board.

Adopted: August 6, 1998
Revised: December 20, 2007

Legal Reference: Agreement by and among the School Board of Albemarle County and the School Board of the City of Charlottesville, dated October 1, 1969.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

FILE: BCED

JOINT FACILITIES AND SERVICES

The Charlottesville City School Board endorses and supports the principle of sharing services for students with other school divisions and/or other agencies when such will result in improved educational services or savings in public funds.

Adopted: August 6, 1998
Revised: December 20, 2007

Legal Reference: Code of Virginia, section 22.1-27. Contracts to furnish facilities and services.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

ADVISORY COMMITTEES TO THE SCHOOL BOARD

File: BCF

It is the duty of the School Board to appoint advisory councils or committees of citizens of the School Division for consultation with reference to specific matters pertaining to local schools. In addition, pursuant to the Code of Virginia, Board of Education regulations, and federal law, the School Board shall establish advisory committees for the following programs: school health, safe and drug-free schools and communities, gifted education, special education, and career and technical education. These committees shall serve without compensation for one-year terms.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007
Revised: June 17, 2010
Revised: June 16, 2011

Legal References: 20 U.S.C. §§ 5964(a)(6), 6318(e)(12), 7115(a)(1)(E).

Code of Virginia, 1950, as amended, sections 22.1-18.1, 22.1-86, 22.1-275.1, 22.1-279.8

8 VAC 20-40-60

8 VAC 20-81-230D

8 VAC 20-120-50.

Cross References: IGBB Programs for Gifted Students

SCHOOL BOARD GOVERNANCE AND OPERATIONS

SCHOOL BOARD ATTORNEY

File: BCG

The Board may retain an attorney for legal counsel and services. The school attorney, upon request by the School Board, may attend regular meetings of the Board and other meetings of the Board or its committees.

Adopted: August 6, 1998

Revised: December 20, 2007

Legal Reference: Code of Virginia, 1950, as amended, section 22.1-82.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

REGULAR SCHOOL BOARD MEETINGS

File: BDA

The School Board will transact all business at official School Board meetings. The School Board will not vote by secret or written ballot. All meetings of the School Board shall be open to the public, except as otherwise provided by law.

The Board reserves the right to meet at other times and places upon proper notification to the public. The date of a regular meeting of the School Board may be changed by the chairperson, provided each member is duly notified, or a reasonable attempt has been made to notify each member.

No meeting shall be 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 will give 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 shall be 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 shall not prohibit or otherwise prevent any person from photographing, filming, recording, or otherwise reproducing any portion of an open meeting. The School Board will not conduct any open meeting in any building or facility where such recording devices are prohibited.

Adopted: October 17, 2002
Revised: December 20, 2007
Revised: June 17, 2010

Legal References: Code of Virginia, 1950, as amended, §§ 2.2-3707, 2.2-3710, 22.1-72

Cross References: KC Community Involvement in Decision Making
BCA Board Organizational Meetings
BDDA Notification of School Board Meetings
BDD Electronic Participation in Meetings from Remote Locations
BDDG Minutes

SCHOOL BOARD GOVERNANCE AND OPERATIONS

SPECIAL SCHOOL BOARD MEETINGS

File: BDB

The School Board may hold special meetings when necessary. These meetings shall be held when called by the chairman or when requested by two or more members. 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 contemporaneously with the notice provided to members of the School Board.

Business that does not come within the purposes set forth in the call of the meeting shall not be transacted at any special meeting of the School Board unless the quorum present is in unanimous agreement to consider additional items of business.

Adopted: August 6, 1998
Revised: October 16, 2003
Reviewed: December 20, 2007

Legal References: Code of Virginia, 1950, as amended, sections, 2.2-3707, 22.1-72.

Cross References: KC Community Involvement in Decision Making
BCA Board Organizational Meetings
BDDA Notification of School Board Meetings

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDC

CLOSED MEETINGS

- A. Closed meetings may be held only in accordance with Virginia law, for the following purposes:
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. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter which 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 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 a scholastic record concerning any student in the Charlottesville City School Division. 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 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 to an open meeting would adversely affect the bargaining position or negotiating strategy of the School Board.
 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.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDC

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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 meetings 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 purposes of this subdivision, “probable litigation” means litigation which 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 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 sitting 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 records excluded from disclosure under Va. Code § 2.2-3705.
12. Discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure, or the safety of 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.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDC

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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.
- B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the School Board, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: August 16, 2007
Reviewed: December 20, 2007

Legal References: Code of Virginia, 1950, as amended, section 2.2-3711.
Code of Virginia, 1950, as amended, section 2.2-3712.
Code of Virginia, 1950, as amended, sections 2.2-3707, 22.1-72

Cross References: BDC Closed Meetings
 BDDA Notification of School Board Meetings
 KC Community Involvement in Decision Making
 BCA Board Organizational Meetings

SCHOOL BOARD GOVERNANCE AND OPERATIONS

FILE: BDCA

CALLING AND CERTIFICATION OF CLOSED MEETINGS

- A. No closed meetings shall be held unless the School Board has taken an affirmative recorded vote in an 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 of exemptions from open meeting requirements provided in the Virginia Freedom of Information Act, and stated in Policy BDC. The matters contained in such motion shall be set forth in detail in the minutes of the open meetings. A general reference to the provisions of the Virginia Freedom of Information Act or authorized exemptions from open meetings requirements, or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.
- B. The notice provisions of the Virginia Freedom of Information Act shall not apply to closed meetings of the Board held solely for the purpose of interviewing candidates for the position of superintendent. Prior to any such closed meeting for the purpose of interviewing candidates, the School Board shall announce in an open meeting that such closed meeting shall be held at a disclosed or undisclosed location within fifteen days thereafter.
- C. The School Board in holding a closed meeting, shall restrict its discussion during the closed meeting only to those purposes specifically exempted under the Virginia Freedom of Information Act and identified in the motion required in part A. above.
- D. At the conclusion of any closed meeting, the School Board shall reconvene in open meeting immediately thereafter and shall take a roll call or the recorded vote to be included in the Board minutes, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the School Board. Any member of the Board who believes that there was a departure from the requirements of subdivision (i) and (ii) above, shall so state prior to the vote, indicating the substance of the departure that, in his/her judgment, has taken place. The statement shall be recorded in the School Board minutes.
- E. Failure of the certification required by subsection D, above, to receive the affirmative vote of a majority of the members of the School Board present during a meeting shall not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with these provisions. The recorded vote and any statement made in connection therewith shall, upon proper authentication, constitute evidence in any proceeding brought to enforce these provisions.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDCA

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- F. The School Board may permit non-members to attend a closed meeting if such persons are deemed necessary or if their presence will reasonably aid the Board in its consideration of a topic which is a subject of the meeting.
- G. Except as specifically authorized by law, in no event may the School Board take action on matters discussed in any closed meeting, except at an open meeting for which notice was given pursuant to Va. Code § 2.2-3707 and Policy BDDA.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised : August 16, 2007
Reviewed: December 20, 2007

Legal References: Code of Virginia, 1950, as amended, section 2.2-3712.

Cross References: BDC Closed Meetings
BDDA Notification of School Board Meetings

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDD

ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

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

I. Quorum Physically Assembled

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

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

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

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

A school board member may participate in a meeting by electronic means only when:

- a quorum of the School Board is physically assembled at the primary or central meeting location; and
- the School Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDD

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II. Quorum Not Physically Assembled

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

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

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

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

The nature of the emergency and the fact that the meeting was held by electronic communication means shall be stated in the minutes of the meeting.

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

- the total number of electronic communication meetings held that year;
- the dates and purposes of the meetings;
- the number of sites for each meeting;
- the types of electronic communication means by which the meetings were held;
- the number of participants, including members of the public, at each meeting location;
- the identity of the members of the School Board recorded as absent and those recorded as present at each meeting location;

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDD

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- a summary of any public comment received about the electronic communication meetings; and
- a summary of the School Board's experience using electronic communication meetings, including its logistical and technical experience.

Adopted: August 16, 2007
Reviewed: December 20, 2007
Revised: June 19, 2008

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

Cross References: BDDG Minutes

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDDA

NOTIFICATION OF SCHOOL BOARD MEETINGS

Regular Meetings

The School Board shall give notice of the date, time, and location of its regular meetings by placing a notice in a prominent public location at which notices are regularly posted and in the central office of the School Board at least three working days prior to the meeting. In addition, the School Board shall publish notice of its meetings by electronic means whenever feasible. At least one copy of all agenda packets and other nonexempt materials furnished to members of the School Board shall be made available for public inspection at the same time the documents are furnished to School Board members.

Special Meetings

Notice, reasonable under the circumstance, of special or emergency meetings shall be given contemporaneously with the notice provided to members of the School Board.

Direct Notification

Notice of all School Board meetings shall be furnished directly to any person who requests such information. Requests to be notified on a continual basis shall be made at least once a year in writing and will include the requester's name, address, zip code, daytime telephone number, electronic mail address (if available) and organization, if any. Unless the person making the request objects, the school division may provide electronic notice of all meetings in response to such requests.

Adopted: August 6, 1998
Revised: October 16, 2003
Reviewed: December 20, 2007
Revised: June 19, 2009

Legal Reference: Code of Virginia, 1950, as amended, section 2.2-3707.

Cross References: BDA Regular School Board Meetings
BDB Special School Board Meetings

SCHOOL BOARD GOVERNANCE AND OPERATIONS

AGENDA PREPARATION AND DISSEMINATION

File: BDDC

The preparation of the agenda shall be the responsibility of the School Board chairperson with the assistance of the Superintendent. Any member of the School Board may submit items for inclusion on the agenda.

A copy of the agenda packet and materials shall be made available for inspection by the public at the same time such documents are furnished to the School Board members unless the materials are exempt under the Virginia Freedom of Information Act.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007

Legal Reference: Code of Virginia, 1950, as amended, sections, 2.2-3707, 22.1-78.

Cross Reference: BDDA Notification of School Board Meetings

SCHOOL BOARD GOVERNANCE AND OPERATIONS

QUORUM

FILE: BDDD

A. Quorum

At any meeting of the Charlottesville City School Board a majority of the members of the Board shall constitute a quorum.

Adopted: August 6, 1998

Revised: December 20, 2007

Legal Reference: Code of Virginia, section 22.1-73

SCHOOL BOARD GOVERNANCE AND OPERATIONS

RULES OF ORDER

FILE: BDDE

The School Board shall establish its own rules of order and shall adopt policies, bylaws, and regulations. In the absence of any specific rule, *Roberts Rules of Order Revised* shall be considered the authority on parliamentary law.

Adopted: August 6, 1998
Revised: December 20, 2007
Revised: June 16, 2011

Legal Reference: Code of Virginia, as amended, section 22.1-78.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

VOTING METHOD

File: BDDF

The official vote on all decisions that are unanimous shall be recorded in the official minutes. The minutes of the meeting shall reflect the method and result of all votes. No votes shall be taken by secret or written ballot.

In any case in which there shall be 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 be voted upon again. When the full Board is present, a tie vote shall defeat the motion, resolution or issue voted upon.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007

Legal Reference: Code of Virginia, 1950, as amended, sections 2.2-3710, 22.1-57.3, 22.1-75.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

MINUTES

File: BDDG

Complete and accurate minutes of all open School Board meetings shall be recorded by the clerk, approved by the School Board in regular session, signed by the clerk and chairperson of the Board, and kept and stored in accordance with the provisions of the Code of Virginia.

Except as otherwise specifically provided by law, minutes and other official records of the School Board, including the School Board meeting agenda packets, shall be open to inspection and copying by any citizen of Virginia during the hours when the School Board office is regularly open to the public. Draft minutes and all other records of open meetings, including audio or audio/visual records, shall be deemed public records and subject to production pursuant to the Virginia Freedom of Information Act. The Superintendent is authorized to make a charge for the copying and search time expended by School Board employees in supplying requested records, provided such charges do not exceed the actual cost to the School Board in supplying these services.

Minutes may be taken during closed meetings of the School Board, but shall not be required. Such minutes shall not be subject to mandatory public disclosure.

Minutes are not required to be taken at deliberations of study commissions or study committees, or any other committee or subcommittees appointed by the School Board except where the membership of any such commission, committee or subcommittee includes a majority of the School Board.

Minutes shall include, but are not limited to

- the date, time, and location of the meeting;
- the members of the School Board recorded as present and absent, and
- a summary of the discussion on matters proposed, deliberated or decided, and
- a record of any votes taken.

Adopted: August 6, 1998
Revised: October 16, 2003
Reviewed: December 20, 2007
Revised: June 19, 2008

Legal References: Code of Virginia, 1950, as amended, sections 2.2-3701, 2.2-3704, 2.2-3707, 2.2-3712, 22.1-74.

Cross References: BDC Closed Meetings
KBA Requests for Information

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Charlottesville City Public Schools

SCHOOL BOARD GOVERNANCE AND OPERATIONS

PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

File: BDDH

A reasonable period of time, as determined by the School Board, will be allocated at each regular meeting for citizens to present matters of concern. However, persons requesting to place an item on the agenda and appear before the Board should contact the Superintendent, School Board Chairman or designee prior to the meeting.

The chairperson 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. No one will be allowed to make additional presentations until everyone has made their initial presentation

Adopted: August 6, 1998

Revised: December 20, 2007

Legal References: Code of Virginia, 1950, as amended, sections 22.1-78,
22.1-253.13:7 C.4.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

BOARD POLICY MANUAL

File: BF

The Board shall be guided by written policies that are readily accessible to the Board, division employees, students, and citizens. The division manual shall be reviewed at least every five years and revised as needed.

An up-to-date copy of the School Board policy manual shall be kept in the library of each school and in any public library in the division. A current copy of division policies will be posted on the division webpage. The Superintendent shall ensure that an annual announcement is made in each division at the beginning of the school year and, for parents of students who enroll later in the academic year, at the time of enrollment, advising the public regarding the availability of the policies.

Adopted: August 6, 1998

Revised: December 20, 2007

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-253.13:7

Cross Reference: CH Policy Implementation

SCHOOL BOARD GOVERNANCE AND OPERATIONS

POLICY ADOPTION

File: BFC

It is the responsibility of the School Board to adopt policies for governing the school division. The power to enact policy cannot be delegated to an employee or agent such as the superintendent or a single member of the School Board.

Policy is a basic statement of the intent of the School Board which creates rights and responsibilities for the conduct of the school division's business. Being of a dynamic nature, policies are subject to revision by the School Board.

Regulation is the manner or method of implementation of policy by the superintendent, subject to change as conditions and/or circumstances may dictate.

Policies shall be developed and presented to the Board evidencing the consideration given to the views of the division's community. The final authority for adoption rests solely with the School Board.

When a proposed action of the School Board, initiated either by Board member or administration, affects existing School Board policies, the existing policy and regulation, if any, shall be presented so that the effect of the new action will be clear.

Unless otherwise provided, when policies are adopted, altered or replaced, the new or revised policy shall become effective upon adoption.

All regulations for implementation of the policies shall be developed by or through the Superintendent. They shall be presented to the School Board as information items, unless the School Board informs the Superintendent that it wants to act on a specified regulation.

The Board reserves the right to review and veto administrative regulations should they, in the Board's judgment, be inconsistent with the policies adopted by the Board.

Where changes in policy and/or regulations are made, these shall be prepared and distributed to all concerned for insertion into the policy and/or regulations manuals so that action of the School Board may be implemented as soon as possible.

Adopted: August 6, 1998
Revised: December 20, 2007
Revised: June 19, 2008

Legal References: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-253.13:7
Underwood v. Henry County School Board, 427 S.E. 2d 330,
245 Virginia 217, 9 VLR 904 (1993)

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BFC

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Cross References:	BF	Board Policy Manual
	BFE/CHD	Administration in Policy Absence
	CH	Policy Implementation

SCHOOL BOARD GOVERNANCE AND OPERATIONS

ADMINISTRATION IN POLICY ABSENCE

File: BFE
(Also CHD)

In cases where action must be taken by the School Division and the School Board has provided no guidelines for administrative action, the Superintendent shall have the power to act, but his/her decisions shall be subject to review by the School Board at its next regular meeting. It shall be the duty of the Superintendent to inform the School Board promptly of such action and of the need for policy.

Adopted: August 6, 1998

Reviewed: December 20, 2007

Revised: June 16, 2011

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78.

SCHOOL BOARD GOVERNANCE AND OPERATIONS

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BOARD-STAFF COMMUNICATIONS File: BG
(Also GBD)

The Charlottesville City School Board supports and encourages the concept of two-way communication between the Board and employees. The Superintendent is the official representative of the School Board as its chief administrative officer in its relations and communications with its employees. A description of the two-way communications system shall be included in this policy manual.

The School Board desires to develop and maintain the best possible working relationship with the employees of the School Division. The Board welcomes the viewpoints of employees, and it shall allow time at its meetings for employees to be heard.

It is the policy of the School Board not to discriminate against any employee by reason of his or her membership in an employee organization, or participation in any lawful activities of the organization.

Adopted: August 6, 1998
Revised: December 20, 2007
Revised: June 19, 2008

Legal Reference: Code of Virginia, 1950, as amended, section 22.1-253.13:7.C.1

Cross Reference: GBB Staff Involvement in Decision Making

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SCHOOL BOARD GOVERNANCE AND OPERATIONS

SCHOOL BOARD MEMBER IN-SERVICE ACTIVITIES

File: BHB

The School Board places a high priority on the importance of a planned and continuing program of in-service education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The School Board shall plan specific in-service activities designed to assist School Board members in their efforts to improve their skills as members of a policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the educational activities of the local schools; and, to deepen their insights into the nature of leadership in a modern democratic society.

School board members will participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel, policies and practices; curriculum and instruction; use of data in planning and decision making; and current issues in education.

Funds shall be budgeted annually to support this program. Individual School Board members shall be reimbursed for out-of-pocket costs incurred through participation in approved activities. The School Board shall retain the authority to approve or disapprove the participation of members in planned activities. The public shall be kept informed about the School Board's continuing in-service educational activities.

The School Board regards the following as the kinds of activities and services appropriate for implementing this policy:

1. Participation in School Board conferences, workshops and conventions conducted by the Virginia and the National School Boards Association.
2. Division-sponsored training sessions for School Board members.
3. Subscriptions to publications addressed to the concerns of School Board members.

Adopted: August 6, 1998
Revised: December 20, 2007
Revised: June 19, 2008

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-253.13:5 D.

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SCHOOL BOARD GOVERNANCE AND OPERATIONS

SCHOOL BOARD MEMBER COMPENSATION AND BENEFITS

File: BHD

Each member of the Charlottesville City School Board shall receive an annual salary as provided by law.

Actual expenses incident to performance of official duties by a School Board member may be reimbursed on presentation of an expense voucher with receipts attached. Compensation is paid for mileage incurred for attendance at a meeting of the School Board and in conducting other official business of the School Board.

School Board members may participate in the division's group insurance plan and wellness benefit if allowable by the carrier.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007
Revised: June 19, 2008

Legal References: Code of Virginia, sections 15.2-1414.1 seq., 22.1-32, 22.1-55, 22.1-85.

Cross Reference: BHE School Board Member Liability Insurance

SCHOOL BOARD GOVERNANCE AND OPERATIONS

SCHOOL BOARD MEMBER LIABILITY INSURANCE

FILE: BHE

The Charlottesville City School Board shall provide liability insurance, or self-insurance, for its members while performing functions or services for the school division to cover the costs and expenses incident to liability, including those for settlement, suit or satisfaction of judgment, arising from their conduct in discharging their duties or in performing functions or services for the school division.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007
Revised: June 19, 2008

Legal References: Code of Virginia, 1950, as amended, § 22.1-84.

Cross References: BHD Board member Compensation and Benefits
EI Insurance Management