

**AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 6, SECTION 1-6.12 ENTITLED "ABUSIVE WORK ENVIRONMENTS PROHIBITED; RETALIATION AGAINST EMPLOYEES WHO MAKE ALLEGATIONS ALSO PROHIBITED" OF THE POLICIES OF THE SUFFOLK CITY SCHOOL BOARD — SECOND READING**

**BE IT ORDAINED, by the School Board of the City of Suffolk, Virginia that Chapter 1, Article 6, Section 1-6.12 entitled "Abusive work environments prohibited; retaliation against employees who make allegations also prohibited" of the Policies of the Suffolk City School Board, be, and the same is hereby amended as follows:**

**Section 1-6.12. Abusive work environments prohibited; retaliation against employees who make allegations also prohibited; definitions; investigations and appeals.** — A. The Suffolk School Board prohibits abusive work environments in Suffolk Public Schools. Any School Board employee who contributes to an abusive work environment shall be appropriately disciplined.

B. Retaliation or reprisal against School Board employees who make allegations of abusive work environments or assist in the investigation of allegations of abusive work environments is prohibited.

C. Definitions as used in this policy are listed below:

**"Abusive conduct"** means conduct of a School Board employee in the workplace that a reasonable person would find hostile and that is severe enough to cause physical harm or psychological harm to another School Board employee based on a determination in which the following factors are considered: the severity, nature, and frequency of the conduct and, when applicable, the continuation of the conduct after a School Board employee requests that it cease or demonstrates outward signs of physical harm or psychological harm in the face of the conduct. "Abusive conduct" includes verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; the gratuitous sabotage or undermining of another School Board employee's work performance; attempts to exploit another School Board employee's known psychological or physical vulnerability; or repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, or epithets. "Abusive conduct" does not include (i) a single act, unless it is especially severe, or (ii) conduct that the School Board proves with clear and convincing evidence is necessary for the furtherance of its legitimate and lawful interests.

**"Abusive work environment"** means a workplace in the school division in which abusive conduct occurs.

**"Physical harm"** means a material impairment of a School Board employee's physical health or bodily integrity, as documented by a licensed physician or another licensed health care provider.

**"Psychological harm"** means a material impairment of a School Board employee's mental health, as documented by a licensed psychologist, psychiatrist, or psychotherapist or another licensed mental health care provider.

D. All claims of abusive work environments under this Policy will be investigated and appeals will be conducted as provided for in School Board Policy Section 1-5.9. (Adopted October 14, 2018, Ordinance Number: 18/19-20; Ordinance 22/23-28, Revised/Effective: February 9, 2023)

**Legal Authority** — Virginia Code § 22.1-291.4 (1950), as amended.

**BE IT FURTHER ORDAINED** that all phrases, clauses, sentences, paragraphs, subsections, sections and chapters of the School Board's Policy Manual not amended or repealed shall remain in full force and effect.

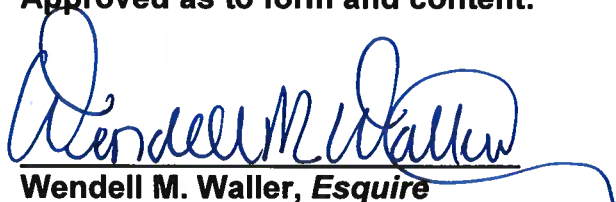
**FIRST READING:** October 12, 2023

**SECOND READING:** \_\_\_\_\_

**EFFECTIVE DATE:** \_\_\_\_\_

**TESTE:** \_\_\_\_\_  
**CLERK**

**Approved as to form and content:**



**Wendell M. Waller, Esquire**  
**School Board Attorney**