

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 9, SECTION 2-9.9 ENTITLED, "DEADLINES AND COVERAGE PERIODS FOR DISCLOSURE FORMS; RELEASE OF DISCLOSURE FORMS AND REDACTION REQUIREMENTS; PENALTY FOR FAILURE TO FILE; DISCLOSURE OF INTEREST, TRAINING REQUIREMENTS" OF THE POLICIES OF THE SUFFOLK CITY SCHOOL BOARD — FIRST READING

BE IT ORDAINED, by the School Board of the City of Suffolk, Virginia that Chapter 2, Article 9, Section 2-9.9, entitled "Deadlines and Coverage Periods for Disclosure Forms; Release of Disclosure Forms and Redaction Requirements; Penalty for Failure to File; Disclosure of Interest, Training requirements" of the Policies of the Suffolk City School Board, be, and the same is hereby amended to read as follows:

Section 2-9.9. Deadlines and Coverage Periods for Disclosure Forms; Release of Disclosure Forms and Redaction Requirements; Penalty for Failure to File; Disclosure of Interest, Training requirements. — ~~A. School Board members file, as a condition of assuming office, a disclosure statement of their personal interests and other information as is specified on the Statement of Economic Interests form set forth in Va. Code § 2.2-3117 and thereafter file such statement semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April. The disclosure forms are filed and maintained as public records for five years in the office of the clerk of the School Board.~~ School Board members file, as a condition of assuming office, a disclosure statement of their personal interests and other information as required on the form prescribed by the Virginia Conflict of Interest and Ethics Advisory Council pursuant to Virginia Code Section 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 years in the office of the Clerk of the School Board. A School Board member or employee required to file an annual disclosure on or before February 1 shall disclose his personal interests and other information as required on the form prescribed by the Virginia Conflict of Interest and Ethics Advisory Council for the preceding calendar year complete through December 31.

A School Board member or employee required to file a disclosure as a condition to assuming office or employment shall file such disclosure on or before the day such office or position of employment is assumed and disclose his personal interests and other information as required on the form prescribed by the Virginia Conflict of Interest and Ethics Advisory 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 assumes 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 the deadline for filing any disclosure falls on a Saturday, Sunday or legal holiday, the deadline for filing shall be the next day that is not a Saturday, Sunday or legal holiday.

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

C. B. 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 attorney for the Commonwealth for the locality of any School Board member's or employee's failure to file the required form and the attorney for the Commonwealth shall assess and collect a civil penalty. The clerk shall notify the attorney for the Commonwealth within 30 days of the deadline for filing.

D. C. Any Board member or employee who is disqualified from participating in a transaction under Section 2-9.8(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 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.

E. D. Any Board member or employee who is required to disclose his interest under Section 2-9.6(B) of this policy shall declare his interest by stating: (i) the transaction involved; (ii) the nature of the Board member's or employee's personal interest affected by the transaction; (iii) that he is a member of a business, profession, occupation or group the members of which are affected by the transaction; and (iv) 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.

F. E. A Board member or employee who is required to declare his interest pursuant to Section 2-9.8(C) of this policy shall declare his interest by stating: (i) the transaction involved; (ii) that a party to the transaction is a client of his firm; (iii) that he does not personally represent or provide services to the client; and (iv) 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.

G. F. In compliance with the State and Local Government Conflict of Interests Act, each elected school board member completes the training session provided by the Virginia Conflict of Interests and Ethics Advisory Council within two months after assuming office and thereafter at least once during each consecutive period of two 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 years in the clerk's office. (Adopted: April 14, 2016; Ordinance Number 15/16-22; Effective Date July 1, 2016; Revised October 10, 2019; Ordinance Number 19/20-17; Effective Date: October 10, 2019)

Legal Authority - Virginia Code §§ 2.2-3103, 2.2-3102, 2.2-3103, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118, 2.2-3119, 2.2-3121, ~~and~~ 2.2-3124, 2.2-3132 and 30-3056 (1950), as amended.

FIRST READING: _____

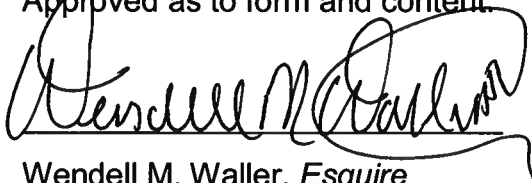
SECOND READING: _____

EFFECTIVE DATE: _____

TESTE: _____

CLERK

Approved as to form and content:



Wendell M. Waller, *Esquire*
School Board Attorney