

AN ORDINANCE AMENDING CHAPTER 7, ARTICLE 20, SECTION 7-20.4 ENTITLED "NOTICE OF ARREST; EMPLOYEE CONVICTIONS; PLACEMENT OF EMPLOYEE ON PROBATION BY COURT; INFORMATION APPEARING ON CRIMINAL RECORD; FOUNDED COMPLAINTS OF CHILD ABUSE AND NEGLECT" 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 7, Article 20, Section 7-20.4 entitled "Notice of arrest; employee convictions; placement of employee on probation by court; information appearing on criminal record; founded complaints of child abuse and neglect" of the Policies of the Suffolk City School Board, be, and the same is hereby amended as follows:

Section 7-20.4. Notice of arrest; employee convictions; placement of employee on probation by court; information appearing on criminal record; founded complaints of child abuse and neglect. — A. The superintendent shall inform the School Board of any notification of arrest of a School Board employee received pursuant to state law. The School Board may require such employee, whether full-time or part-time, permanent, or temporary, to submit fingerprinting and to provide personal descriptive information to be forwarded along with the employee's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such employee. The contents of the employee's criminal record shall be used only to implement dismissal, suspension or probation in accordance with §§22.1-307 and 22.1-315 of the Code of Virginia.

B. If charged with the commission of a felony or of a misdemeanor involving (i) sexual assault; (ii) obscenity and related offense; (iii) drugs; (iv) moral turpitude; or (v) the physical or sexual abuse or neglect of a child, the employee may be suspended without pay and salary placed in an interest-bearing escrow account as provided for by state law. If the employee is found guilty of the charge, and all appeals have been exhausted and the conviction is upheld, the employee shall be dismissed from employment with Suffolk Public Schools and all funds held in the escrow account shall be paid to the School Board. If the employee is found not guilty of the charge or upon dismissal of the charge, the employee shall be reinstated with all unpaid salary and accrued interest from the escrow account, less any earnings received by the employee during the period of suspension, but in no event shall such payment exceed one year's salary.

C. For the purpose of this policy, if a court places an employee on court ordered probation pursuant to Virginia Code Section 18.2-251, it shall be treated as a conviction, ~~notwithstanding the fact that the court may have withheld the formal~~ and as a finding of guilt.

D. If a current employee is suspended or dismissed because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information provided by the Central Criminal Records Exchange to the employee.

E. Any employee of the School Board will be dismissed if he or she is or becomes the subject of a founded complaint of child abuse and neglect and after all rights to an appeal provided by Va. Code §63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for Suffolk Public Schools to recommend that the Board of Education revoke such person's license to teach. (Adopted: August 21, 2008, Ordinance Number 08/09-5; Effective: August 21, 2008; Revised April 10, 2013; Ordinance Number 12/13-44; Effective Date: July 1, 2013)

Legal Authority — Virginia Code § 22.1-315 (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: _____

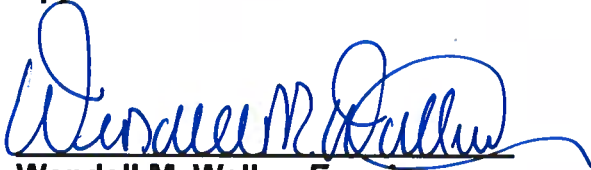
SECOND READING: _____

EFFECTIVE DATE: _____

TESTE: _____

CLERK

Approved as to form and content:



Wendell M. Waller, Esquire
School Board Attorney