

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 3, SECTION 10-3.5, ENTITLED “VIRGINIA FREEDOM OF INFORMATION ACT; PENALTIES FOR VIOLATION OF THE ACT; SCHOOL FOIA OFFICER; TRAINING REQUIRED” 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 10, Article 3, Section 10-3.5, entitled “Virginia Freedom of Information Act; penalties for violation of the Act; School FOIA Officer; Training required” of the Policies of the Suffolk City School Board, be, and the same is hereby amended to read as follows:

Section 10-3.5. Virginia Freedom of Information Act; penalties for violation of the Act; School FOIA Officer; Training required. — A. Suffolk Public Schools and the School Board comply with the Virginia Freedom of Information Act (FOIA). Except as otherwise specifically provided by law, all public records are open to citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth and representatives of radio and television stations broadcasting in or into the Commonwealth during the regular office hours of custodian of such records. All requests for information are processed in accordance with School Board Policy Section 10-3.3.

B. Officers, employees, and members of the School Board who fail to provide public records as required by FOIA because they altered or destroyed the requested records with the intent to avoid the provisions of FOIA are subject to penalties in their individual capacity of up to \$100 per record altered or destroyed.

C. B. The position and contact information for the person designated by the School Board and Suffolk Public Schools as its Freedom of Information (FOIA) Officer is the Public Information Officer for Suffolk Public Schools. The FOIA Officer serves as a point of contact for members of the public in requesting public records and coordinates the School Board’s and Suffolk Public Schools’ compliance with FOIA.

D. G. The FOIA officer receives training at least annually once during each consecutive period of two calendar years beginning on the date on which the FOIA Officer last completed a training session from the School Board’s legal counsel or the Virginia Freedom of Information Advisory Council. (Adopted October 13, 2016; Ordinance Number 16/17-26; Effective Date: July 1, 2017)

Legal Authority – Virginia Code §§ 2.2- 3704, 2.2-3704.2, and 2.2-3714 (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: _____

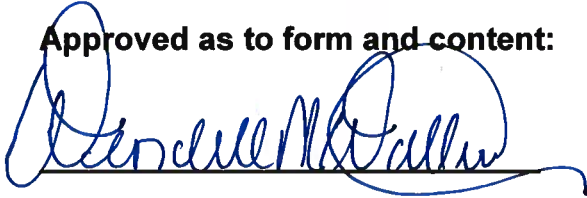
SECOND READING: _____

EFFECTIVE DATE: _____

TESTE: _____

CLERK

Approved as to form and content:

A handwritten signature in blue ink, appearing to read "Wendell M. Waller", written over a horizontal line.

Wendell M. Waller, Esquire
School Board Attorney