

Policy	Title	Revision	Rationale
<a href="#">GA</a>	<a href="#">Standards of Professional Conduct and Employee Group Definitions Personnel Policies Goals, Standards and Definitions</a>	<p>Expounded on professional conduct.</p> <p>Removed items that are in fact other policies. (we removed items that have their own policy)</p> <p>Updated title.</p>	Provide clarity to professional conduct
<a href="#">GAA</a>	Staff Time Schedules	<p>Aligned licensed staff language with VSBA model.</p> <p>Added formal FLSA workweek definition.</p> <p>Clarified planning time protections.</p> <p>Updated overtime and compensatory time provisions.</p> <p>Removed operational times as they are covered in C Policies</p>	Clarity, legal compliance, and alignment with Virginia Code.
<a href="#">GAB/II</a> <a href="#">BEA</a>	<a href="#">Acceptable Computer Systems Use Policy (AUP)Acceptable Computer Systems Use</a>	Aligned the Policy title with the AUP language	Alignment to VSBA and law
<a href="#">GAD</a>	Digital Communication Policy	Updated terminology (ie. X (Twitter) Clarified professional expectations tied to mission and YCSD policy alignment.	Alignment to VSBA and law
<a href="#">GAE/</a>	Child Abuse and Neglect Reporting	<p>Added explicit requirement to post the Dept of Social Services toll-free hotline number.</p> <p>Clarified reporting sequence and documentation expectations.</p> <p>Removed JHG as they are not the same policies</p>	Alignment to VSBA and law
<a href="#">GB</a>	Equal Employment Opportunity/ Nondiscrimination	Expanded protective classes.	Alignment to VSBA and law

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		Revised reporting and investigation timelines.	
<a href="#">GBA/J</a> <a href="#">FHA</a>	Prohibition Against Harassment and Retaliation	Updated with J Book Revisions	
<a href="#">GBC</a>	Staff Compensation Procedures	Clarified deferral election timing to align with VSBA.	Alignment to VSBA and law
<a href="#">GBD/</a> <a href="#">BG</a>	Board-Staff Communications	Added VSBA-required non-discrimination / employee organization protection.  Clarified that informal communication is allowed and encouraged appropriately.	Alignment to VSBA and law
<a href="#">GBEB</a>	Staff Weapons in School	Added: The division superintendent Division or designee may authorize possession of a firearm on school property only by persons expressly authorized by statute to possess a firearm on school property.	Alignment to VSBA and law
<a href="#">GBEC</a>	Smoking and Substance Abuse	minor language updates	Alignment to VSBA and law
<a href="#">GBI</a>	Staff Gifts and Solicitations	Added: "Exchange of gifts between students and/or parents and staff is discouraged."  During school hours, on school property, For personal use or use by staff or students.  Shifts approval authority to the division superintendent or designee Requires written authorization.	This clarifies expectations without imposing a strict prohibition and aligns with VSBA's ethics-focused tone and improves operational clarity and reduces unnecessary Board involvement in routine approvals.
<a href="#">GBL</a>	Personnel Records	Updated structure and language.  Clarified employee access rights consistent with FOIA and Privacy laws.  Added explicit employment verification response time (10 working days).	Alignment with VSBA and Virginia Law.  Clarity and compliance improvements.

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		<p>Clarified that unofficial or shadow personnel files are prohibited.</p> <p>Modernized language to explicitly allow electronic personnel records.</p> <p>Clarifies employee notification for third-party requests.</p>	
<a href="#">GBLA</a>	Third-Party Complaints Against Employees	<p>YCSD original: Complaints processed “usually within 30 school days.”</p> <p>VSBA: Complaints processed “usually within 15 days.”</p>	Alignment with VSBA and Law
<a href="#">GBN</a>	Staff Hiring Procedures	<p>Added flexibility in advertising methods.</p> <p>Broadened language to allow forms or electronic systems.</p>	Increased scope and flexibility
<a href="#">GBO</a>	Retirement	<p>Title change to Virginia Retirement System.</p> <p>Updated mandatory VRS participation and governance.</p>	Alignment with VSBA and Law
<a href="#">GBR</a>	Voluntary Retirement Savings Program	<p>Included language from VSBA model policy.</p> <p>Removed competitive procurement language.</p>	Alignment with, VSBA, current practice and Law
<a href="#">GBZ</a>	Post-Retirement Earnings Plan (PREP)	Reorganized and detailed components for alignment.	Alignment with VSBA and Law
<a href="#">GC</a>	Professional Staff	<p>Expanded the types of acceptable licenses.</p> <p>Added a new section for Provisional Teacher Licenses.</p> <p>Clarified military deployment impact.</p> <p>Added the Local Eligibility License Framework.</p>	<p>Aligns with statutory authority.</p> <p>Aligns with VDOE requirements.</p>
<a href="#">GCB</a>	Professional Staff Contracts	Deleted language stating that contracts may be terminated only by mutual consent and requiring written resignation.	These provisions are addressed more appropriately in resignation, discipline,

		<p>Removed Resignation Notice Deadlines. Eliminated February 1 / June 15 notice language.</p> <p>Removed Probationary Contract Renewal Procedures.</p> <p>Deleted division superintendent-directed procedures for renewing or non-renewing probationary teachers.</p> <p>Clarified Temporary Employment Language.</p> <p>Updated reference to division superintendent of Public Instruction to reflect statutory terminology.</p> <p>Explicitly states that coaching and extracurricular contracts are in a Board of Education-permitted form, consistent with VSBA language.</p> <p>Reinforces that termination of supplemental contracts does not affect the primary employment contract.</p> <p>Added 8 VAC 20-441-40, consistent with VSBA references for professional staff contracts.</p>	<p>suspension, and continuing contract policies (GCPB, GCPD, GCPF, GCG).</p> <p>Resignation timelines are governed by separate policy and statute, avoiding inconsistency across personnel policies.</p> <p>These procedures are already governed by Va. Code §§ 22.1-304 and 22.1-305 and addressed in Policy GCG.</p> <p>Improves alignment with VSBA and Virginia law.</p> <p>Eliminates redundancy and potential policy conflicts.</p>
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<a href="#">GCBA</a>	Staff Salary Schedules	Converted to an umbrella policy	Procedural information should be in the form of a regulation
<a href="#">GCBB</a>	Supplementary Pay	<p>Corrected and standardized wording to state that supplemental contracts are “in a form permitted by the Board of Education,” consistent with VSBA language.</p> <p>Retained the requirement for reasonable notice prior to termination of supplemental contracts.</p> <p>Deleted the sentence stating the supplemental contract is “separate and apart from the contract for teaching.”</p> <p>Added VSBA language clarifying that the assignment is one for which a monetary supplement is received, tightening alignment with compensation practices and audit clarity.</p> <p>Removed regulatory citations (8 VAC 20-440-110 and 8 VAC 20-440-120) that are not included in the VSBA model and are not necessary for policy-level guidance.</p>	<p>Clarified Contract Language</p> <p>This concept is already clearly addressed in Policy GCB (Professional Staff Contracts) and does not need repetition.</p> <p>Refined Definition of Extracurricular Activity Sponsorship.</p> <p>This is an administrative/operational matter better addressed in regulation or practice, not Board policy.</p> <p>Legal compliance.</p>
<a href="#">GCBC</a>	<a href="#">Staff Fringe Benefits</a> <a href="#">Employee Benefits</a>	Shift from Detailed Benefits to Governance Statement by using an umbrella format.	This mirrors the VSBA model and best governance practice.

		<p>Replaced extensive benefit descriptions with a single policy statement confirming that benefits are: Established by the School Board and implemented through division superintendent regulations and procedures.</p> <p>The following were moved from policy to SOPs and SREGs (not eliminated as practices):</p> <ul style="list-style-type: none"> <li>• Sick leave transfer specifics</li> <li>• Employee recognition program language</li> <li>• Holiday schedules and compensation rules</li> <li>• Insurance plan descriptions and contribution formulas</li> <li>• Direct deposit, pay cards, and FSA administration</li> <li>• Tuition reimbursement criteria</li> <li>• Full-time vs. part-time benefit formulas</li> </ul> <p>Replaced “fringe benefits” with “employee benefits”</p>	<p>These items are more appropriately addressed in: Division superintendent Regulations. Annual pay plans. Employee handbooks. Benefit plan documents.</p> <p>More consistent with VSBA language and modern HR standards.</p>
<a href="#">G CBD</a>	Staff Leaves and Absences	<p>Converted GCDB into an umbrella policy.</p> <p>Removed extensive procedural details from Board policy.</p>	<p>The revised G CBD now establishes that all leaves and absences are governed by policy + Division superintendent Regulations, instead of embedding lengthy procedures in the policy itself.</p> <p>All detailed content (unauthorized absences, reporting procedures,</p>

			<p>definitions, sick leave, personal leave, annual leave, LWOP, FMLA, long-term medical leave, special leave, severe weather leave, etc.) would move to:  Division  superintendent  Regulations / SOPs  and/or the  employee handbooks.</p>
		Updated cross-references.	Alignment
<a href="#">GCBE</a> <a href="#">/JEF</a>	Memorials	We are recommending assigning a new G code because VSBA uses this policy code for a policy we may need to add in the future.	VSBA uses GCBE for a leave policy
<a href="#">GCCB</a>	Employment of Family Members	Added VSBA “Except as authorized below” clarity. Removed the local “unanimous approval” exception for supervisory relationships. Reorganized the definition of “family members” into its own section.	Clarity. YCSD’s extra paragraph allowing exceptions via unanimous board approval and S. Reg. GCCB is not part of the VSBA model. Conforms to VSBA’s structure (separate “E.” section).
<a href="#">GCDA</a>	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect	Added “solicitation of any such offense” to mirror VSBA language and current statutory interpretation. Corrected and standardized Virginia Code citations and references. Clarified discretionary hiring language to reflect case-by-case authority rather than undefined “extraordinary circumstances.” Replaced inconsistent phrasing (“shall not employ” vs. “does not employ”) with VSBA-standard language. Standardized terminology across applicants and employees. Consolidated redundant language and	This revision aligns YCSD Policy GCDA with the current VSBA model policy and Virginia law. Changes strengthen statutory accuracy, clarify hiring and dismissal standards related to criminal convictions and founded child abuse complaints, and improve internal consistency without altering the division’s

		<p>removed duplicative sections. Clarified that dismissal for founded child abuse complaints occurs only after all appeal rights are exhausted, consistent with statute and VSBA guidance. Explicitly limited use of criminal history records to permitted employment actions.</p>	<p>underlying employment practices or authority. No operational impact or fiscal change is anticipated.</p>
<a href="#">GCE</a>	Part-Time and Substitute Professional Staff Employment	<p>Aligned substitute language directly with VSBA model policy and Virginia Code.</p> <p>Added bylaws and regulations enacted since previous review</p>	<p>Consistency and alignment with VSBA and law.</p> <p>Legal Requirement</p>
<a href="#">GCG</a>	Professional Staff Probationary Term and Continuing Contract	<p>Deleted from YCSD “Probationary Term” section:</p> <p>“...upon recommendation of the division superintendent, a probationary teacher hired on or after January 28, 2014, may be required to serve up to two additional one-year probationary periods...”</p> <p>“...such probationary teacher hired on or after January 28, 2014, may be required to...”</p>	<p>VSBA model does not include those January 28, 2014, add-on probation extensions, so the VSBA-aligned version removes them.</p>
<a href="#">GCI</a>	Professional Staff Assignments and Transfers	<p>Aligned language directly with VSBA model policy and Virginia Code.</p> <p>Clearly established division superintendent authority for assignments and reassignments.</p> <p>Distinguished voluntary vs. involuntary transfers, with deadlines to be set by regulation.</p> <p>Clarified that School Division needs are primary, while employee preferences are discretionary.</p>	<p>Consistency and alignment with VSBA and law</p>

		Added explicit conflict-of-interest prohibition tied to Policy GCCB.	
<a href="#">GCL</a>	Professional Staff Development	<p>Added statutorily required training provisions:</p> <ul style="list-style-type: none"> <li>• Science-based reading and literacy instruction</li> <li>• IEP implementation and special education documentation</li> <li>• Inclusive instructional practices</li> <li>• Cultural competency training</li> </ul> <p>Clarified limits on required conduct-management training (five-year rule)</p> <p>Reorganized policy into clear thematic sections.</p> <p>Removed duplication between state-mandated and local PD requirements.</p> <p>Modernized language while preserving YCSD practice.</p> <p>Clarified who must participate, how often, and why.</p>	<p>Key legal and compliance updates. Aligns policy directly with Virginia Code and Board of Education guidance.</p> <p>Structural and clarity improvements</p>
<a href="#">GCN</a>	Evaluation of Professional Staff	<p>Clarified statutory requirements regarding student academic progress, summative ratings, and cultural competency.</p> <p>Reorganized the professional staff response and rebuttal process for readability.</p> <p>Clarified that evaluations and performance plans are not grievable,</p>	<p>Alignment and clarification</p> <p>Clarity and governance improvements.</p>

		<p>while preserving a formal rebuttal right.</p> <p>Standardized documentation language while retaining YCSD's electronic evaluation system.</p> <p>Clearer expectations for evaluators and staff.</p> <p>Stronger documentation framework for performance-based actions.</p> <p>Better alignment with improvement planning and professional development.</p> <p>Added cross reference to Policy CBG.</p>	Operational clarity.
<a href="#">GCPA</a>	Reduction in Staff Work Force	<p>Updated structure and language to reflect VSBA reduction-in-force guidance.</p> <p>Emphasized division needs and qualifications over automatic seniority.</p> <p>Clarified that RIF decisions are not solely seniority based.</p> <p>Distinguished clearly between reassignment and reduction in force.</p> <p>Standardized recall timelines and forfeiture rules.</p> <p>Harmonized licensed and non-licensed sections for consistency.</p> <p>Clarified pay and contract impacts of reassignment.</p>	<p>Alignment with VSBA Model</p> <p>Clarity &amp; Operational Improvements</p>
<a href="#">GCPB</a>	Resignation of Staff Members	Aligned language precisely with VSBA model policy. Clarified statutory requirements under § 22.1-304 and 8 VAC 20-440-160.	Alignment with VSBA & Virginia Law

		<p>Added explicit reference to disciplinary options short of revocation (consistent with regulation).</p> <p>Clarified written resignation expectations while preserving administrative documentation of verbal resignations.</p> <p>Clearly distinguished teacher resignation requirements from those for other employees.</p> <p>Clarified notice waivers as discretionary and division-interest-based.</p>	Clarity & Consistency Improvements
<a href="#">GCPD</a>	Professional Staff Discipline	<p>Clarified definitions of incompetency and just cause.</p> <p>Strengthened and clarified mandatory Board of Education notification.</p> <p>Improved consistency with related YCSD policies (GCDA, GCPF, GCG).</p> <p>Modernized and clarified health-related services protections.</p>	Alignment with VSBA & Virginia Law
<a href="#">GCPF</a>	Suspension from Work or Administrative Leave	<p>Clarified statutory due-process requirements under § 22.1-315</p> <p>Standardized treatment of criminal charges, escrow, and reinstatement</p> <p>Clearly distinguished disciplinary suspension from non-disciplinary administrative leave.</p> <p>Clarified FLSA exempt vs. non-exempt suspension rules</p>	Clarity and alignment to VSBA and law
<a href="#">GCQA</a>	Nonschool Employment by Staff Members	Clarified that outside employment is permitted only when it does not interfere with School Division duties.	Alignment with VSBA and laws

		<p>Reinforced non-endorsement and liability protections.</p> <p>Clarified selling and solicitation restrictions on school property and during work hours.</p> <p>Clarified outside employment disclosure expectations.</p> <p>Aligned leave-related employment restrictions with federal and state law (FMLA reference retained).</p>	<p>Clarity and compliance improvements</p>
<a href="#">GDQ</a>	Bus Drivers	<p>Integrated FMCSA Drug and Alcohol Clearinghouse requirements (pre-employment and annual queries).</p> <p>Added Substance Abuse Professional (SAP) return to duty process language.</p> <p>Aligned prohibited conduct, testing categories, and consequences with US Department of Transportation (DOT) regulation 49 C.F.R. Parts 40 and 382.</p> <p>Added first aid/CPR/AED training requirement.</p> <p>Streamlined eligibility criteria and DMV review language.</p> <p>Clarified age requirement to avoid statutory conflicts.</p> <p>Standardized notification, education, and acknowledgement requirements.</p>	<p>Stronger alignment with law, regulations, and policy GBEA.</p>

Revisions

Book	Policy Manual
Section	G - Personnel
Title	<del>Personnel Policies Goals, Standards and Definitions</del> <u>Standards of Professional Conduct and Employee Group Definitions</u>
Code	GA
Status	Active
Adopted	June 20, 1998
Last Revised	January 22, 2018
Last Reviewed	March 9,
Reinstatements	November 22, 2010; January 27, 2014; February 28, 2022
Prior Revised Dates	March 15, 1993; January 26, 1998; August 28, 2000; March 25, 2002; May 22, 2007; January 22, 2018;

~~The goal of the employment policies and practices of the York County School Board is to promote the employment and retention of highly qualified personnel to effectively serve the educational needs of students.~~

~~The purpose and goal of employee policies and practices is to attract and retain highly qualified, compassionate, diverse, and committed team members to effectively serve the needs of our students. The York County School Board believes all employees should adhere to certain basic standards of professional conduct. The purpose of this policy and the rules contained herein is to define, establish, and uphold generally accepted standards of professional conduct for all YCSD employees. For the purpose of G policies, school personnel or any like reference, includes School Board members, school board employees, agents, volunteers, and contractors.~~

Standards of Professional Conduct

- ~~A. All employees shall practice the professional standards of federal, state, and local governing bodies appropriate to their positions of employment. Employees shall be aware of and abide by all laws, School Board policies and administrative regulations which affect their work in the School Division.~~
- ~~B. All employees shall always serve as positive role models for students, parents, and the community. All employees must recognize that as a condition of their employment, they must model legal, moral, and professional behaviors, both inside and outside of the workplace.~~
- ~~C. All employees shall be respectful of the diverse views of students, parents and legal guardians, and colleagues and shall not promote personal political or religious views.~~
- ~~D. Employees shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.~~

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E. Employees shall demonstrate the necessary skills, maturity, ability to work with others, and understanding of their job functions.

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F. Employees shall not misuse public funds or property. Employees shall not submit fraudulent requests for reimbursement, expenses, or pay.

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G. Employees shall direct all complaints regarding the work environment to the appropriate supervisor and/or file grievances instead of acting to undermine or diminish the authority of co-workers and supervisors.

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H. Employees shall avoid confrontations with co-workers, including but not limited to, engaging in actions or conversations which the employee knows or should know will result in an actual disruption to the workplace.

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I. Employees will comply with all administrative directives in a timely and professional manner.

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J. Employees shall be fully engaged in their job responsibilities during work hours.

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K. Employees shall demonstrate respect for the York County School Division and towards co-workers, supervisors, students, and parents.

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L. Employees shall not commit any act of abuse or sexual exploitation with, to, or in the presence of a student, whether that student is or has been under the care or supervision of that employee as defined below:

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a. any use of language that is considered profane, vulgar, or demeaning.

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b. any sexual act.

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c. any solicitation of a sexual act, whether written, verbal, or physical, including over the internet.

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d. any act of child abuse or neglect, as defined by law.

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e. any act of sexual harassment or harassment based on a protected class, as defined in policy GB, of an employee, student, contracted vendor, or volunteer.

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M. Employees and independent contractors with access to confidential student records shall keep in confidence personally identifiable information regarding students or their family members that has been obtained in the course of professional service, unless disclosure is required or permitted by law or professional standards, or is necessary for the personal safety of the student or others.

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N. Employees shall use school division equipment, time, and resources judiciously and as authorized.

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O. Employees shall comply with the division's requirement that alcohol, tobacco, e-cigarette, vaping, weapons, and drug free work environment be maintained.

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P. Employees shall meet or exceed established job performance expectations.

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Q. Employees shall use leave and related employee benefits in the manner for which they were intended and consistent with law, policy and regulation.

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Note; the preceding list is not intended to be all-inclusive; rather, it is to illustrate the minimum expectations for acceptable conduct and performance.

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#### Corrective and Disciplinary Action

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The purpose of this policy is to set forth guidelines for expected conduct and to assist employees in understanding their responsibilities and roles as School Board employees. Failure to comply with expected conduct, conditions of employment, and job responsibilities may result in corrective actions or discipline, up to and including dismissal, recommendation of license revocation (where applicable), and referral to appropriate authorities.

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#### Conduct Outside of the Workplace

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The School Board recognizes that employees retain the right to keep their personal lives separate from their positions as School Board employees. Yet, due to the unique position that School Board employees serve in the community as role models, leaders and caretakers for the School Division's students, certain conduct is inconsistent with employment with the School Board.

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Applicants who have convictions for felonies, offenses involving sexual molestation, physical or sexual abuse or rape of a child (or the solicitation thereof), convictions for crimes or moral turpitude or founded cases of child abuse or neglect will not be eligible for employment by the School Board. Current employees who are convicted of any of the above noted crimes or have founded cases of child abuse or neglect shall be recommended for dismissal and may be terminated from employment by the School Board.

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Other conduct that jeopardizes the School Board's or the community's trust in the employee's ability to perform duties may be the basis for disciplinary action up to and including dismissal. Examples of such conduct include, but are not limited to: drug or alcohol abuse that becomes open and notorious; plea bargains to lesser crimes after being charged with crimes that would disqualify an employee from employment; misuse of School Board property; intentional conflicts of interest; interference of personal matters with performance of duties; and inappropriate social networking activities on

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internet sites or other public mediums. In such cases, the School Board reserves the right to take disciplinary action that promotes the integrity and safety of staff and students.

#### Employee Handbook

The purpose of the Employee Handbook, and updates, is to inform employees about terms and conditions of their employment. The Employee Handbook shall also be accessible to new hires at the time of onboarding.

All employees have access to the Employee Handbook that summarizes the School Board's policies and regulations applicable to all employees. Updates to the Employee Handbook will be made available via the School Division's intranet site.

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All employees have a responsibility to be aware of and abide by all laws, School Board policies and administrative regulations which affect their work in the School Division. The School Board expects employees to conduct themselves in a professional and ethical manner. The School Board shall define "professional and ethical manner" as required by facts and circumstances. The teacher will be responsible for leading children and youth to desirable patterns of conduct and behavior. The practice of exemplary conduct in all personal, social and professional affairs is expected of all employees. Manner and dress will at all times be appropriate to the activity of the moment and will be such as to maintain dignity and respect. Standards of appropriate dress will be enforced by the building Administrator. Any employee charged with a crime (Note: Traffic citations, other than reckless driving and driving under the influence, are not crimes.) must report the charge to his/her supervisor on the next workday following the charge or within 48 hours, whichever is the lesser amount of time.

Certain employees are issued high value or sensitive equipment or material for the purpose of carrying out their employment responsibilities. High value equipment or material includes but is not limited to, digital portable radio units, lap top computers, personal digital assistants, teacher edition textbooks and publishers' instructional materials. Sensitive equipment or material consists of electronic access cards, building entry keys and York County School Division uniform items used for the purpose of maintaining security in schools and on buses in the school division. Employees issued such equipment and material shall be personally accountable for its' safe keeping. The division superintendentSuperintendent shall ensure employees issued such equipment or material are aware of their responsibility, including the consequences should such equipment be lost or destroyed as a consequence of the employee's negligence. Employees must return such equipment or material intact to the School Division upon termination of employment with the Division.

No employee, contractor or agent of the School Board may assist a school board employee, contractor or agent in obtaining a new job, apart from the routine transmission

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of administrative and personnel files, if the employee, contractor or agent knows, or has probable cause to believe, that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of law.

~~This prohibition does not apply if the information giving rise to probable cause~~

~~1. A. has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct and~~

~~—B. has been properly reported to any other authorities as required by federal or state law, including title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.) and the regulations implementing it and~~

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~~2. A. the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor or agent engaged in sexual misconduct regarding a minor in violation of law;~~

~~—B. the school employee, contractor or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or~~

~~—C. the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor or agent within 4 years of the date on which the information was reported to a law enforcement agency.~~

#### Definitions

SCHOOL BOARD EMPLOYEE - a person, other than an independent contractor, hired by the ~~York County~~ School Board at a specified rate of pay to render service in the York County School Division ~~under the direction and control of another School Board employee~~. Individual School Board employees fall into one or more of the following categories:

- Full Time
- Part Time
- Licensed
- Non-Licensed
- Permanent
- Probationary
- Administrator
- Supervisor

~~For purposes of this definition the division superintendent is not an employee of the Board. Rather the division superintendent is the Chief Executive Officer of the School Division whose services are retained by a negotiated contract with the School Board.~~

FULL TIME EMPLOYEE - an individual who by reason of employment is eligible for all benefits offered by the School Board to its employees. Full time employees are hired by the School Board upon recommendation of the division superintendent. Given the nature

of a school division's operations, full time status is a matter of definition by the School Board upon recommendation of the division superintendent, rather than by working a specified number of hours in a fiscal year and are not expressly identified by the division superintendent as a part time employee. Full time employees can fall into one of the following sub-categories of the School Board Employee Pay Plan:

- 12 month employee\*
- 11 month employee\*
- 10 month employees\*

\*Defined in the Pay Plan

**PART TIME EMPLOYEE** - a person hired by the School Board upon the recommendation of the division superintendent to fill a temporary position or a permanent position expressly identified by the division superintendent as a part time position. A part time employee is eligible only for those benefits expressly authorized for part time employees.

**LICENSED EMPLOYEE** - a licensed employee is a person holding a license issued by the Virginia Department of Education (DOE), employed by the School Board and assigned to a position specified by DOE as requiring a DOE license holder. All other employees are considered non-licensed employees. NOTE: Registered nurses, speech and language pathologists, physical therapists, and occupational therapists holding licenses issued by the Department of Health, are employed by the School Board for positions designated by the School Board, not DOE or the Department of Health. For purposes of this Policy Manual, these employees are grouped with non-licensed employees with respect to personnel policies and DOE regulations

- Virginia Department of Education regulations govern which positions in the School Division require licensed personnel:
  - Under Virginia law the School Board employs a licensed employee either on a continuing contract or on a probationary contract basis:
  - Licensed employees are grouped under the Licensed Employees section of the School Board Pay Plan:
  - Employees who hold licenses but who serve in positions for which a license is not required by the Virginia Department of Education are non-licensed employees of the School Board for purposes of School Board policy:
  - A supervisor is a full time licensed employee assigned by the School Board to a supervisory position, other than an administrator's position, for which the Virginia Department of Education requires a license:

**NON-LICENSED EMPLOYEE** - any employee not defined as a licensed employee.

**PERMANENT NON-LICENSED EMPLOYEE** - any non-licensed full time employee who has worked for the School Board for more than 18 continuous months and who has been

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endorsed for full time status by the immediate supervisor, the Chief Human Resources Officer, the division superintendent and approved by the School Board.

PROBATIONARY NON-LICENSED EMPLOYEE - any full time non-licensed employee who has worked for the School Board for less than 18 continuous months. Probationary periods for licensed employees are governed by Virginia law.

ADMINISTRATOR - an employee placed by the division superintendent in a leadership position either in a school or in the School Board Office. Administrators include Chief Officers; Directors; Principals; Assistant Principals; and other positions designated by the division superintendent in their annual organization chart presented to the School Board. Administrators can be licensed or non-licensed employees.

SCHOOL DIVISION WORKDAYS – workdays are defined as Monday through Friday, excluding paid holidays.

LEGAL REFERENCE	20 U.S.C. § 7926; 22.1-293, 22.1-294, 22.1-295; §§ 22.1-79.8 Code of Virginia, 1950, as amended, § 22.1-295
CROSS REFERENCE	AC Nondiscrimination GAE/JHG Child Abuse and Neglect Reporting GB Equal Employment Opportunity/Nondiscrimination GBL Personnel Records GBN Staff Hiring Procedure

Book	Policy Manual
Section	G - Personnel
Title	Staff Time Schedules
Code	GAA
Status	Active
Adopted	June 20, 1988
Last Revised	February 28, 2022
Last Reviewed	TBD
Reinstatements	
Prior Revised Dates	March 15, 1993; January 26, 1998; October 26, 1998; March 25, 2002, May 23, 2006; May 22, 2007; November 22, 2010; January 27, 2014; January 22, 2018; February 28, 2022

**Work Schedules**

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**A. Operating Hours for School Division Facilities**

School Board Office - This facility shall be open to the public from 8:00 a.m. to 5:00 p.m. Monday through Friday throughout the fiscal year except for those dates which have been designated as holidays on the York County School Board approved school year calendar.

-  
Schools - School offices will be open to the general public Monday through Friday of the school year as follows: elementary school 8:00 to 4:15; middle school 7:45 to 4:00; high school 7:00 to 4:00. Offices will be closed on dates which have been designated as holidays on the School Board approved school year calendar to:  
-

Classrooms and other facilities within the school will be open during those hours designated by the school principal as necessary to carry out the program of instruction and the authorized extra curricula program. In every case a School Board employee must be present when a school building is open for any purpose:  
-

Support Operations Offices - The School Division Warehouse, Maintenance Office, School Division Warehouse and School Bus Garage will be open on a schedule, approved by the division superintendent, each work day of the fiscal year. The Transportation Office shall operate on a schedule, approved by the division superintendent, which ensures the reliability and safety of bus transportation services provided to York County School Division pupils:

#### B- Employee Work Hours

##### Non-Licensed Employees

Technical, Maintenance and Clerical staff - Full time employees will work a standard 8 hour 8-hour day, exclusive of a lunch break break, which will be without pay. Principals, Directors and Associate Directors will manage the scheduling and length of lunch breaks for their faculties and staffs staff. In every case each employee shall have a lunch break each day. More than one work shift may be established for any work day workday.

Bus Drivers - Bus drivers' standard work day workday will be specified in hours in the bus driver's contract on the bus routes assigned for the school year.

Food Service workers, Health Services Paraprofessionals, Para-Educators and other non-licensed instructional support staff - Full time employees will work the number of hours specified on their personnel actions for the school year in which they are employed.

~~A regular full time employee who is non-exempt under the provisions of the Fair Labor Standards Act and who is required to be available immediately by telephone after regular working hours and to respond within a reasonable period of time when called is eligible to receive on-call standby pay. The rate of pay shall be listed in the Annual Pay Plan.~~

~~Work schedules for non-licensed employees shall be established by the division superintendent or their designee in a manner consistent with the Fair Labor Standards Act and this policy.~~

#### C- Licensed Employees on School Faculties/Assigned to School-based Programs

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For licensed employees assigned to school faculties/school-based programs, the Board will include in the school calendar each year a number of work days, not to exceed twenty, in addition to the 180 teaching days or 990 hours required by law. Such days will be used for planning, evaluation, professional development, recordkeeping or orientation. Certain employees in this category shall have their contracts extended additional days when necessary to fulfill the duties of their positions:

The workday for full-time staff is a minimum of seven hours and thirty minutes and continues until professional responsibilities to the students and school division are completed. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning, and extracurricular activities may require hours beyond the stated minimum.

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Teachers have the opportunity each day at a reasonable time a lunch period of the same duration as that afforded pupils, during which no duties are assigned except in emergencies or when special events occur.

Elementary school teachers will be provided at least an average of thirty minutes per day during the students' school week as planning time.

Each full-time middle and secondary classroom teacher is provided one planning period per day, or the equivalent, as defined by the Board of Education, unencumbered of any teaching or supervisory duties. If a middle or secondary school classroom teacher teaches more than the standard instructional load, an appropriate contractual arrangement and compensation shall be provided.

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The minimum day schedule will be seven hours and thirty minutes. However, teachers will perform such other duties during the school year as are deemed necessary by the School Board, Division Superintendent or principal for the efficient and successful operation of the school:

The Board reserves the right to extend the minimum daily requirement at any time to meet the expectations of the instructional program. The principal or other supervisory personnel may require personnel to perform the following services beyond the minimum time requirements:

-

- school or division wide staff development activities
- chaperone - regular day instructional field trips
- parent group meetings
- faculty/staff meetings
- in-school parent-teacher conference
- orientation program
- grade level or Department Chairperson work
- IEP development

- ~~other services necessary for the efficient and successful operation of the instructional, athletic or student activity program(s)~~

Registered nurses will work the number of hours specified on personnel actions or contracts.

#### Administrators and Exempt Employees

The School Board ~~views~~views, as inappropriate, a specific work schedule for Directors, Associate Directors, Principals, Assistant Principals, Managers, Coordinators and other employees exempted from the Fair Labor Standards Act because they occupy management positions in the School Division. Accordingly, the School Board expects them to work as necessary, under the direction of the division superintendent, to discharge their duties regardless of the office hour schedule set for the School Board office or individual school offices. Consequently, salaries for these positions are predicated on job demands which require time both in excess of a nominal ~~40-hour~~40-hour work week and outside the limits of the nominal 8:00 a.m. to 5:00 p.m. workday.

~~The division superintendent is authorized to delegate to principals, directors and associate directors the authority to establish flexible working hour schedules for licensed and non-licensed employees. The division superintendent, if he chooses to exercise this grant of authority, shall establish procedures which ensure compliance with the Fair Labor Standards Act and which also ensure productive work schedules. In no case, however, shall an individual employee work more than ten paid hours per day, unless approved by the division superintendent or the Chief Operations Officer.~~

#### Workweek Defined

For purposes of compliance with the Fair Labor Standards Act, the workweek for employees of the York County School Board shall begin at 12:00 a.m. Sunday and end at 11:59 p.m. Saturday.

#### Overtime and Compensatory Time

Working hours for all employees not classified as exempt under the Fair Labor Standards Act shall conform to federal and state regulations. The division superintendent ensures that job positions are properly classified and that employees are informed of such classifications.

The School Board discourages overtime work by non-exempt employees. A non-exempt employee shall not work overtime without the express approval of the employee's supervisor. All overtime must be approved in writing by the division superintendent or their designee.

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~~Supervisors shall monitor overtime weekly and adjust schedules as necessary to avoid non-exempt employees working more than forty hours in a workweek. Accurate and complete timesheets must be submitted and reviewed by the finance officer.~~

#### ~~Fair Labor Standards Act Compliance~~

~~Human resources and payroll management practices in the School Division shall ensure records and work schedules comply with Fair Labor Standards Act requirements for employees not exempted by the Act.~~

~~All FLSA non-exempt employees shall be paid cash overtime compensation. Overtime compensation shall be ~~one and one-half~~ ~~one and one-half~~ times the equivalent hourly rate for each full hour worked in excess of ~~the 40~~40 hours in any work-week.~~

~~In lieu of cash overtime compensation, non-exempt employees may receive compensatory time off at a rate of one and one-half hours for each hour of overtime worked, provided such compensatory time is authorized in advance and is pursuant to a written agreement.~~

~~Non-exempt employees may accrue a maximum of 240 hours of compensatory time. Upon separation from employment, employees shall be paid for unused compensatory time in accordance with federal law.~~

~~The division superintendent shall implement this policy by an appropriate regulation. Further, the division superintendent is expressly authorized to establish flexible scheduling practices which he deems appropriate for minimizing the frequency of non-exempt employees working in excess of 40 hours in any work week.~~

#### ~~Overtime~~

~~Working hours for all employees not classified as exempt under the Fair Labor Standards Act, including secretaries, bus drivers, cafeteria, janitorial, and maintenance personnel, conform to federal and state regulations. The superintendent ensures that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors make every effort to avoid circumstances which require non-exempt employees to work more than 40 hours each week. The School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of the employee's supervisor. All overtime work must be expressly approved in writing by the superintendent or superintendent's designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or superintendent's designee. Principals and supervisors monitor employees' work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed, and ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a~~

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workweek. Accurate and complete timesheets of actual hours worked during the workweek must be signed by each employee and submitted to the finance officer. The finance officer reviews the work records of employees on a regular basis to make an assessment of overtime use.

Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees are provided overtime pay as provided above for working more than 40 hours in a workweek.

Attendance Expectations

All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

Implementation

The division superintendent shall implement this policy through appropriate regulations and is authorized to establish flexible scheduling practices consistent with this policy and the Fair Labor Standards Act.

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LEGAL REFERENCE	Code of Virginia, Sections 22.1-291.1; 29 U.S.C. §§ 203,207.; 29 C.F.R § 516.1 et seq.; Code of Virginia, 1950, as amended; 40.1.29.2.8. §§ 22.1-253.13:2, 22.1-253.13:3; VAC 20-131-240
CROSS REFERENCE	IC/ID School Year/School Day <a href="#">CX Operating Hours for School Division Facilities</a>

Book	Policy Manual
Section	G - Personnel
Title	Acceptable Computer Systems Use (AUP)
Code	GAB/IIBEA
Status	Active
Adopted	January 27, 2014
Last Revised	December 18, 2017; October 24, 2022; October 27, 2025
Last Reviewed	TBD
Reinstatements	January 22, 2018
Prior Revised Dates	December 18, 2017; October 24, 2022;

The York County School Board provides a computer system, including the internet, to promote educational excellence by facilitating learning, resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers,

CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, interactive whiteboards/panels, audio-visual equipment, multimedia devices, workstations, remote network access, cloud services, the internet and other electronic services and internal or external networks. This includes any devices that may be connected to or used to connect to the school division's network or electronically stored division material.

All use of the Division's computer system must be (1) in support of education and/or research, or (2) for legitimate school division business. Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text messages, Artificial Intelligence (AI) generated content, and other files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by school division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy and the guidelines outlined in the [Network Services/Internet Acceptable Use Policy \(AUP\)](#) [Acceptable Computer Systems Use Policy \(AUP\)](#) by the division superintendent.

The division superintendent is responsible for establishing the [Network Services/Internet Acceptable Use Policy \(AUP\)](#); [Acceptable Computer Systems Use Policy \(AUP\)](#); containing the appropriate uses, ethics and protocols for use of the computer system.

The division superintendent ~~shall review and update, as necessary, the Acceptable Computer Systems Use Policy (AUP) at least every two years. is also responsible for reviewing and updating, as necessary, the AUP at least every two years.~~ The AUP shall be approved annually by the School Board. ~~approved annually by the School Board.~~ It is the user's responsibility to know and follow this policy and the guidelines set forth in the AUP.

[The Acceptable Computer Systems Use Policy \(AUP\) includes:](#)

(1) a prohibition against use of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the ~~internet;~~[internet.](#)

(2) provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to:

(a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § ~~2256~~;2256.

(b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and

(c) material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors.

(3) provisions establishing that the technology protection measure is enforced during any use of the Division's ~~computers~~;computers.

(4) provisions establishing that all usage of the computer system may be ~~monitored~~;monitored.

(5) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, social media platforms, in chat rooms, and cyberbullying awareness and ~~response~~;response.

(6) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful online activities~~;~~.

(7) provisions requiring every user to protect the security of information necessary to access the computer system, such as usernames and passwords, and prohibiting the sharing of ~~passwords~~;passwords.

(8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and

(9) a component of internet safety for students that is integrated in the Division's instructional program.

Use of the School Division's computer system shall be consistent with the educational or instructional mission or administrative function of the Division as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

The Division's computer system is not a public forum.

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Users of the division's computer system have no expectation of privacy for use of the division's resources or electronic devices including non-division owned devices while connected to division networks or computer resources.

Software and/or services may not be installed or downloaded on the division's computer system without the prior approval of the division superintendent or division their designee.

Each teacher, administrator, student and parent/guardian of each student shall agree to the terms and sign the ~~Acceptable Computer Systems Use Policy (AUP)~~~~Network Services/Internet Acceptable Use Policy (AUP)~~ found in the appropriate handbook before using the Division's computer system.

No employee or agent of the School Board or person or entity contracting with the School Board may download or use any application, including TikTok or WeChat, or access any website developed by ByteDance Ltd. or Tencent Holdings Ltd. on any device or equipment issued, owned, or leased by the School Board, including mobile phones, desktop computers, laptop computers, tablets, or other devices capable of connecting to the Internet.

The failure of any user to follow the terms of ~~this policy or the Network Services/Internet Acceptable Use Policy (AUP), the Agreement,~~ this policy or ~~accompanying regulation the Acceptable Computer Systems Use Policy (AUP) may~~ result in loss of computer system privileges, disciplinary action, and/or appropriate legal action. Users of the system agree to indemnify the School Board for any losses, costs, or damage relating to or arising out of any violation of this policy or the ~~Acceptable Computer Systems Use Policy (AUP)~~.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board will not be responsible for any unauthorized charges or fees resulting from access to the computer system.

Use of division-owned or personal devices is a privilege, not a right, and is subject to compliance with all Board policies, administrative regulations, the Student Code of Conduct, and applicable laws, including the Children's Online Privacy Protection Act (COPPA) and the Family Educational Rights and Privacy Act (FERPA).

YCSD is not responsible for the loss, theft, damage, or data loss of personally owned devices brought onto school property or connected to YCSD systems.

YCSD reserves the right to monitor, filter, inspect, and restrict network traffic to ensure compliance with policy and law.

There is no expectation of privacy for any school-related activity conducted on personal devices while connected to YCSD network or computing systems.

Only YCSD approved digital tools and services may be accessed using school credentials.

Students and staff may not create personal accounts for online services using YCSD issued credentials unless authorized.

Personal devices may not be used to access services that collect student data for non-educational or commercial purposes.

Students shall not access, share, record, or transmit the education records or Personally Identifiable Information of other students.

Any loss, theft, or compromise of a device containing student information must be reported immediately.

Staff shall take reasonable steps to minimize exposure of student data on personal devices.

Devices must be secured with a password, PIN, or biometric lock.

Devices that pose a security or data privacy risk may be denied network access.

Attempts to bypass security or content filtering are prohibited.

YCSD is not responsible for providing technical support, repair, or maintenance for personally owned devices.

The School Board reviews and amends, if necessary, this policy every two years.

LEGAL REFERENCE	18 U.S.C. §§ 1460, 2256; 47 U.S.C. §§ 54.520, 254; Code of Virginia, 1950, as amended, §§2.2-5514.1 §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-23.3, 22.1-70.2, and 22.1-78
CROSS REFERENCE	ECAB            Vandalism EGAA            Reproduction and Use of Copyrighted Materials GBA/JHFA       Prohibition Against Harassment and Retaliation GCPD            Professional Staff Discipline GCQB            Staff Research and Publishing JFC               Student Conduct

Book	Policy Manual
Section	G - Personnel
Title	Digital Communication Policy
Code	GAD
Status	Active
Adopted	December 16, 2019
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	
Prior Revised Dates	February 22, 2022; May 20, 2024

The School Board recognizes that many employees use multiple forms of digital communications in both their professional and personal lives. Because School Board employees have the unique responsibility within the community to serve as role models, leaders, and caretakers for the school division's students, certain conduct is inconsistent with employment with the School Board. For that reason, employees are expected to exercise proper care when using digital communications. The School Board has the same expectations for employees functioning in this electronic world as are required pursuant to policy GA. ~~Employees are expected to conduct themselves in a professional and ethical manner, practicing exemplary conduct in all personal, social and professional endeavors.~~

For the purposes of this policy, "digital communications" refers to communication methods including, but not limited to, telephone, email, facsimile, text message, instant message, and online platforms such as websites, Learning Management Systems, collaboration sites (e.g. Office 365) and social media networking sites (e.g. Facebook, Twitter, YouTube, Instagram, LinkedIn, blogs, online forums, and Google+, Pinterest, blogs, online letters to the editor, forums, and chat rooms). The absence of, or lack of explicit reference to, a specific site does not limit the extent of the application of this policy.

Employees shall use digital communications in a manner consistent with the educational mission of the school division, applicable law, and School Board policy, including but not limited to policies and regulations addressing professional conduct, harassment, retaliation, confidentiality, accessibility, and acceptable technology use.

Communications with Parents and the Public

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The York County School Division strives to ensure positive relationships with families and encourages parents to communicate with school officials. When utilizing digital communications with parents and/or legal guardians, employees should be cognizant that any restriction applied to a parent and/or legal guardian's communication with division staff could be viewed as retaliatory in some circumstances. Division staff are prohibited from retaliating against any individual asserting a right or privilege pursuant to Section 504 of the Rehabilitation Act, Title II of the Americans with Disability Act ~~as well as or~~ any other ~~f~~Federal ~~or state civil rights law~~, enforced by the Office of Civil Rights, or against anyone who files a complaint, testifies, assists, or participates in a proceeding under a Federal civil rights law enforced by the Office of Civil Rights, or against anyone who files a complaint, testifies, assists, or participates in a proceeding under a Federal civil rights law enforced by the Office of Civil Rights.

Division staff shall not implement a prohibition or restriction on communication with members of the public, including parents and/or legal guardians, except ~~when required by law, court order, or when necessary to protect the rights, safety, or well-being of students or staff in accordance with School Board policy pursuant to a court order or for violations of the law or student/staff rights under School Board Policy~~. In all cases, a restriction on communications shall never be implemented prior to consultation with the Director of the Department of Student Services and the School Board Attorney.

#### Administration

The division superintendent shall take appropriate steps to implement and oversee this policy by promulgating and implementing appropriate ~~r~~Regulations ~~and guidance, including training and expectations for professional digital communication~~.

#### ACCESS TO EMPLOYEE SOCIAL MEDIA ACCOUNTS

##### Access to Employee Social Media Accounts

The York County School Board does not require current or prospective employees to disclose the username or password to the employee's personal social media accounts or to add an employee, supervisor or administrator to the list of contacts associated with the employee's personal social media account.

If the School Board or a School Board employee inadvertently receives an employee's username and password to, or other login information associated with, the employee's personal social media account through the use of an electronic device provided to the employee by the School Board or a program that monitors the School Board's network,

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the Board will not be liable for having the information but will not use the information to gain access to the employee's social media account.

This policy does not prohibit the School Board and its agents from viewing information about a current or prospective employee that is publicly available.

This policy does not prohibit the School Board from requesting an employee to disclose the employee's username and password for the purpose of accessing a personal social media account only if the employee's social media account activity is reasonably believed to be relevant to a formal investigation or related proceeding by the Board of allegations of an employee's violation of federal, state or local laws or regulations or of the Board's written policies. If the Board exercises its rights under this paragraph, the employee's username and password will only be used for the purpose of ~~the a~~ formal investigation or a related proceeding.

Enforcement

Violations of this policy may result in disciplinary action, up to and including termination, in accordance with applicable law and School Board policy. Nothing in this policy is intended to interfere with employee rights under state or federal law.

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LEGAL REFERENCE	Code of Virginia, 1950, as amended, § 40.1-28.7:5; § 22.1-70.2
CROSS REFERENCE	GA Personnel Policies, Goals, Standards and Definitions GAB/IIBEA Acceptable Computer Systems Use

Book	Policy Manual
Section	G - Personnel
Title	Child Abuse and Neglect Reporting
Code	GAE/JHG
Status	Active
Adopted	June 17, 2011
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	April 28, 2014; May 21, 2018
Prior Revised Dates	June 13, 2014; January 22, 2018; February 28, 2022

Reporting Requirements-

Every employee of the York County School Board who, in ~~their his~~ professional or official capacity, has reason to suspect that a child is an abused or neglected child, in

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compliance with the Code of Virginia § 63.2-1509 et seq. shall immediately report the matter to:

1. the local department of social services where the child resides or where the abuse or neglect is believed to have ~~occurred; occurred.~~
2. the Virginia Department of Social Services' toll-free child abuse and neglect hotline; or
- ~~3. the person in charge of the school or department, or his designee, who shall make the report forthwith to the local or state agency. The person making the report to the local or state agency must notify the person making the initial report when the report of suspected abuse or neglect is made to the local or state agency, and of the name of the individual receiving the report, and must forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report. the person in charge of the school or department, or their designee, who shall make the report forthwith to the local or state agency.~~

~~The person making the report to the local or state agency must notify the person making the initial report when the report of suspected abuse or neglect is made to the local or state agency, identify the name of the individual receiving the report, and must forward any communication resulting from the report, including any information about actions taken regarding the report, to the person who made the initial report.~~

#### Notice of Reporting Requirements

The School Board posts in each school a notice that

- any teacher or other person employed there who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report such suspected cases of child abuse or neglect to local or state social services agencies or the person in charge of the relevant school or ~~their his~~ designee; and
- All persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose.

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The notice shall also include the Virginia Department of Social Services' toll-free child abuse and neglect hotline.

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#### COMPLAINTS OF ABUSE AND NEGLECT AGAINST SCHOOL PERSONNEL

##### Complaints of Abuse and Neglect

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The School Board and the local department of social services have adopted a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student. The interagency agreement is based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services. The School Board reports substantial modifications of the agreement to the Board of Education.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-253.13:7.A, 22.1-291.3, 63.2-1509, 63.2-1511.
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CROSS REFERENCE	
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Book	Policy Manual
Section	G - Personnel
Title	Equal Employment Opportunity/Nondiscrimination
Code	GB
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	May 18, 2020;
Prior Revised Dates	January 22, 2018, November 7, 2022

##### Policy Statement

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The York County School Board is an equal opportunity employer, committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, creed, religion, national origin, ancestry, political affiliation, sex, sexual orientation, gender identity, gender, age, pregnancy, marital status, childbirth or related medical conditions, genetic information or disability is prohibited.

~~Personnel decisions shall be based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation. The School Board shall provide facilities, programs and activities that are accessible, usable and available to~~

~~qualified disabled persons. Further, the School Board shall not discriminate against qualified disabled persons in the provision of health, welfare and other social services:~~

Personnel decisions are based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation.

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The statement, "~~York County~~The School Board is an equal opportunity employer," ~~shall be is~~ placed on all employment application forms.

#### Notice of Policy/Prevention

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This policy ~~shall be is~~: (1) posted in prominent areas of each school division building, (2) included in employee handbooks and (3) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination ~~should be is~~ included in employee in-service training.

#### Complaint Procedure

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##### A. File Report

Any person who believes ~~he has they have~~ not received equal employment opportunities should report the alleged discrimination to one of the Compliance Officers designated in this policy. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school division workdays of the occurrence.

Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the Compliance Officers designated in the Employee Handbook~~this policy~~.

The reporting party should use the form, Report of Discrimination, GB-F, to make complaints of discrimination. However, oral reports and other written reports will also be accepted. The complaint must be filed with one of the Compliance Officers designated in the Employee Handbook ~~this policy~~. Any complaint that involves the Compliance Officer shall be reported to the division superintendent.

The complaint and the identity of the complainant and the person or persons allegedly responsible for the discrimination will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. A complainant who wishes to remain anonymous will be advised that anonymity may limit the school division's ability to fully respond to the complaint.

##### B. Investigation

Upon receipt of a report of alleged discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division.

The investigation shall be completed as soon as practicable, which generally should be not later than ~~30 school calendar days~~ fourteen (14) school division workdays after receipt of the report by the Compliance Officer.

Upon receiving the complaint, the Compliance Officer will acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the complainant and the division superintendent.

~~If the Compliance Officer determines that more than 30~~ fourteen (14) school calendar division workdays will be required to investigate the complaint, the complainant and the division superintendent will be notified of the reason for the extended investigation and the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person(s) alleged to have violated the policy and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person(s) responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the division superintendent upon completion of the investigation. If the complaint alleges the division superintendent has violated this policy, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

#### C. Action by Division Superintendent

Within ~~10 school calendar days~~ five (5) school division workdays of receiving the Compliance Officer's report, the division superintendent or designee shall issue a

written decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken.

If the complaint alleges that the division superintendent has violated this policy, the School Board's standing Equal Employment Opportunity/Nondiscrimination Committee shall make the decision and determine what action should be taken.

If the School Board does not have such a standing committee, at its next scheduled meeting it shall appoint a committee consisting of three of its members to handle the matter. The committee shall issue a written decision within 14 ~~calendar school division workdays, of the time the School Board receives the Compliance Officer's report or the time a committee is appointed, if there is no standing committee.~~

~~The written decision shall state (1) whether this policy was violated and (2) what action, if any, should be taken.~~

The written decision must be mailed to or ~~personally~~ delivered to the complainant within ~~10 calendar days, five (5) school division workdays of the issuance, of the decision.~~

If the division superintendent or committee concludes that prohibited discrimination occurred, the York County School Division shall take ~~prompt, prompt~~ appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including dismissal.

#### D. Appeal

~~If the division superintendent or committee determines that no prohibited discrimination occurred, the person who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school calendar days of receiving the decision. Notice of appeal must be filed with the division superintendent, or with a member of the committee which issued the written decision, who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party and the division superintendent, or the committee, whichever issued the written decision, and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to the complainant.~~

~~Employees may choose to pursue their complaints arising under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.~~

~~If no violation is found, the complainant may appeal to the School Board within five (5) school division workdays of receiving the decision. The School Board shall issue a decision within thirty (30) school division workdays.~~

~~Employees may elect to pursue complaints through the applicable grievance procedure instead of this complaint process.~~

~~E. Compliance Officer and Alternate Compliance Officer~~

~~The School Board has designated the Chief Human Resources Officer as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer, the Division's Chief Operations Officer.~~

~~The School Board designates a Compliance Officer responsible for identifying, preventing, and remedying discrimination. The name and contact information for the Compliance Officer are always posted on the division's website. Complaints may also be made to the Alternate Compliance Officer. Generic email addresses shall be maintained and automatically forwarded to the designated officials.~~

The Compliance Officer shall:

- ~~• receive reports or complaints of discrimination;discrimination.~~
- ~~• conduct or oversee the investigation of any alleged discrimination;discrimination.~~
- ~~• assess the training needs of the School Division in connection with this policy;policy.~~
- ~~• arrange necessary training to achieve compliance with this policy; and~~
- ~~• ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity; and opportunity and has the authority to protect the alleged victim and others during the investigation.~~

~~Retaliation~~

~~Retaliation against employees who report discrimination or participate in the related proceedings is prohibited. The School Division shall take appropriate action against any employee who retaliates against another employee or candidate for employment who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.~~

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Retaliation against employees who report discrimination or participate in related proceedings is prohibited. The school division shall take appropriate action against employees who retaliate. The Compliance Officer shall inform participants how to report retaliation.

**Right to Alternative Complaint Procedure**

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~~Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.~~

Nothing in this policy denies any individual the right to pursue other legal remedies, including filing complaints with outside agencies or initiating civil action.

**Prevention and Notice of Policy**

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~~Training to prevent discrimination should be included in employee orientations and in-service training. This policy shall be (1) displayed in prominent areas of each division building in a location accessible to school personnel, and (2) included in employee handbooks. All employees shall be notified annually of the names and contact information of the Compliance Officers.~~

Training to prevent discrimination is included in employee orientations and in-service training. This policy is displayed in prominent locations and included in employee handbooks. All employees are notified annually of the Compliance Officers' names and contact information.

**False Charges**

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Employees who knowingly make false charges of discrimination shall be subject to disciplinary action.

LEGAL REFERENCE	20 U.S.C. § 1681 et seq.; 29 U.S.C. § 701; 42 U.S.C. §§ 6101 et seq., 2000e-2 et seq., 2000ff-1(a) and 12101 et seq. ; Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.
CROSS REFERENCE	AC Nondiscrimination GBA/JFHA Prohibition Against Harassment and Retaliation GBM Professional Staff Grievances GCPD Professional Staff Discipline JB Equal Educational Opportunities/Nondiscrimination

Book	Policy Manual
Section	G - Personnel
Title	Staff Compensation Procedures
Code	GBC
Status	Active
Adopted	June 20, 1988; January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	March 25, 2002; May 22, 2007; November 22, 2010, January 27, 2013; January 22, 2018; February 28, 2022;
Prior Revised Dates	March 15, 1993;

Salary Payment Elections

Employees may choose to have their salaries paid in full according to the division's pay schedule or may annualize their pay. Employees who choose to receive payment of wages beyond the period in which the wages were earned must provide a written election of such deferral prior to the first duty day of the year of deferral on a form provided by the division. ~~Any change will remain in effect until revoked. Any election to defer or any revocation of deferral must be made prior to the first duty day of the fiscal year of the deferral or revocation. Any election to defer compensation or any revocation of a prior election must be made prior to the first duty day of the fiscal year to which the deferral or revocation applies.~~

Pay Plan Adoption and Administration

As soon as ~~practical~~practical, after the Board of Supervisors has approved the operating budget for the next fiscal year, the division superintendent shall submit that fiscal year's Pay Plan for approval by the York County School Board.

~~The Pay Plan shall list all mechanisms approved by the Board for remuneration of employees for services rendered and for reimbursement of employees for authorized costs incurred. Supplements shall be paid for a limited number of selected duties which require extensive work time beyond normal contract hours. The Pay Plan shall be structured to be as competitive in the local labor market as available resources permit.~~

~~The Pay Plan shall:~~

- ~~• list all mechanisms approved by the Board for remuneration of employees for services rendered and reimbursement for authorized expenses.~~

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- provide supplements for a limited number of selected duties requiring extensive work time beyond normal contract hours; and
- be structured to be as competitive in the local labor market as available resources permit.

The division superintendent shall issue the approved Pay Plan as a regulation.

#### Recruitment and Retention Incentives

From time to time, labor market conditions can present challenges either in retaining talented and skilled employees or in hiring such employees. ~~Offers from other public sector or private employers can induce current employees to depart or can prompt prospective employees to decline a position offer in the York County School Division. Such attrition or hiring shortfalls can create serious vacancies in either specific certification categories for licensed employees or specific skill sets for non-licensed support staff. These vacancies have an adverse effect on the quality of instruction provided to students. Consequently, it is in the best interest of the School Board to undertake measures to counteract monetary inducements offered by competing employers to employees or potential employees whose skills are in great demand in the labor market. Such challenges may adversely affect instructional quality or operational effectiveness.~~ Accordingly, the division superintendent, as conditions warrant, will recommend to the School Board:

- ~~retention incentives deemed appropriate for retaining those categories of employees whose certifications or skill sets are in great demand; and~~
- ~~recruiting incentives deemed appropriate for hiring those categories of employees whose certifications or skill sets are in great demand.~~
- retention incentives for employees whose certifications or skill sets are in high demand; and
- recruitment incentives for prospective employees whose certifications or skill sets are in high demand.

Such incentives shall be subject to the availability of funding. Any retention or recruiting incentive shall not affect the structure of the School Board's Pay Plan but shall be paid in addition to regular salary.

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Experience Credit – Professional and Licensed Staff

Professional staff, licensed and/or certified, will be given credit for acceptable work experiences in accordance with the provisions of the Virginia Code Annotated and based on specific division needs and budgetary conditions at the time of employment.

Experience must: ~~be appropriate to the position for which appointment is intended and of a quality similar to that provided by the York County School Division.~~

~~Credit for military service will be computed on the basis of year-for-year credit (maximum three years' credit), if compulsory military service interrupts teaching experience.~~

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~~Credit for military service shall be computed on a year-for-year basis, up to a maximum of three years, when compulsory military service interrupts teaching experience.~~

Credit for trade and industrial experience will be in accordance with state vocational guidelines.

Final determination of such matters shall be the prerogative of the division superintendent.

Administrative and Non-Licensed Staff Experience Credit

Administrators may be allowed experience credit on the administrative salary schedule for previous work that relates to the position for which the person is being considered. Placement on the Pay Plan will be determined by the division superintendent.

Experience credit on the non-licensed salary schedule may be allowed for previous work that relates to the position for which the person is being considered. Placement on the Pay Plan will be determined by the division superintendent.

LEGAL REFERENCE	<u>Code of Virginia, 1950, as amended, § 22.1-78</u>
CROSS REFERENCE	<u>GBC-E1 — Deferred Wage Payment Election Form</u>

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Book	Policy Manual
Section	G - Personnel
Title	Board Staff Communications

Code	GBD/BG
Status	Active
Adopted	June 20, 1988
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	February 26, 2008; February 28, 2011; January 27, 2014; November 17, 2014; January 22, 2018
Prior Revised Dates	April 22, 1991; December 14, 1992; March 27, 1995; December 14, 1998; May 19, 2003; February 28, 2022

The York County School Board ~~supports and~~ encourages ~~open lines of two-way~~ communication with School Board employees. The Board recognizes the need to make clear the proper channels of communication to be utilized in considering employees' views in an orderly and constructive manner.

Accordingly, ~~it should be noted that~~ the division superintendent or ~~his the~~ their designee will act as the official representative of the School Board in its relations with all employees.

All reports and recommendations to the Board from any officer or employee under the division superintendent's direction will be made through the division superintendent's office except when specifically directed by the Board. All Board actions requiring any report will be directed to the division superintendent. ~~This proviso's intent is that the Board will deal only with the division superintendent in respect to all matters for which he is responsible. The intent of this provision is that the Board will work through the division superintendent on matters for which the division superintendent is responsible.~~

#### Employee Communication

Employees are encouraged to communicate their ideas and concerns in an orderly and constructive manner to the school board and/or the division superintendent or division their designee.

~~The School Board welcomes the viewpoints of employees and allows time at its meetings during public comments for employees to be heard, consistent with applicable laws, policies, and procedures.~~

~~The School Board does not discriminate against any employee because of membership in an employee organization or participation in lawful activities of such organization.~~

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Division Superintendent Responsibilities

The School Board further directs the division superintendent or ~~their~~ ~~his~~ designee to:

- ~~1. meet on a timely basis with all classifications of employees to receive suggestions and give appropriate consideration to the views of the employees in matters of concern to them.~~ meet on a timely basis with all classifications of employees to receive suggestions and give appropriate consideration to employee views on matters of concern;
- ~~2. provide for input by all classifications of employees in the formulation of policies which directly affect each classification before the policy is recommended to the Board for adoption.~~ provide for input by all classifications of employees in the formulation of policies that directly affect each classification prior to Board consideration.
- ~~3. arrange for special presentations to the Board by all classifications of employees at their request or when requested by the Board. These presentations may be made at a regular or special meeting of the Board. Such meetings will be scheduled in advance of the formal presentation of the school budget when they pertain to matters that have monetary impact.~~ arrange for special presentations to the Board by employee groups at their request or when requested by the Board, including presentations related to matters with monetary impact in advance of formal budget consideration when practicable;
- ~~4. post on the Division's internal and external web sites information on Board actions, or contemplated actions, and to make available School Board agendas to all interested groups in advance of regularly scheduled School Board meetings.~~ post information regarding Board actions or contemplated actions on the division's internal and external websites and make School Board agendas available in advance of regularly scheduled meetings; and
- ~~5. provide means by which a School Board employee can bring directly to the attention of the division superintendent or chief officer, or a director or a principal, matters of concern regarding School Division operations or pupil instruction.~~ provide means by which a School Board employee may bring matters of concern regarding school division operations or pupil instruction directly to the attention of the division superintendent, a chief officer, a director, or a principal.

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Informal Communication

This policy should not be interpreted as prohibiting teachers or staff from speaking directly with School Board members. It is recognized that informal lines of communication do exist.

~~The intent of the policy is to direct concerns to parties responsible for addressing the issues as soon as possible.~~

The intent of this policy is not to restrict communication, but to promote effective resolution by directing concerns to those responsible for addressing the issues as promptly and appropriately as possible.

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LEGAL REFERENCE	Code of Virginia, 1950, as amended, § 22.1-253.13:7
CROSS REFERENCE	

Book	Policy Manual
Section	G - Personnel
Title	Staff Weapons in School
Code	GBEB
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	
Prior Revised Dates	January 22, 2018; February 28, 2022;
No one may possess or use any firearm or any weapon, as defined in Policy JFCD, on school property (including school vehicles), on that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or on any school bus without authorization of the division superintendent or the division superintendent's designee.	
<u>The division superintendent or their designee may authorize possession of a firearm on school property only by persons expressly authorized by statute to possess a firearm on school property.</u>	
Violation of this policy by an employee will result in appropriate personnel action up to and including dismissal. Violation of this policy by others will result in actions up to and	

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including a prohibition against the violator returning to school property. In addition, illegal conduct will be reported as required by law.	
<del>Illegal conduct will be reported to law enforcement officials.</del>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 18.2-308.1, 22.1-78, 22.1-279.3:1; 22.1-280.2:1, 22.1-208.2:4;8 VAC 20-560-10.
CROSS REFERENCE	GCPD Professional Staff Discipline JFCD Weapons in School KGB Public Conduct on School Property

Book	Policy Manual
Section	G - Personnel
Title	Smoking and Substance Abuse
Code	GBEC
Status	Active
Adopted	June 20, 1988
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	March 25, 2002; May 22, 2007; January 27, 2014
Prior Revised Dates	April 23, 1990; March 15, 1993; January 24, 1994; June 16, 2017; January 22, 2018; February 28, 2022

No persons (staff, contractors, visitors) are permitted to use or distribute any tobacco or nicotine vapor product at any time, including during non-school hours, on school property; and at school-sponsored activities away from school grounds.

For the purposes of this policy, “tobacco product” is defined to include cigarettes, cigars, blunts, bidis, chewing tobacco, snuff, electronic smoking devices, vaporizer pen/vape pen, and any other products containing nicotine, as well as any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and liquids used in electronic smoking devices, whether or not they contain nicotine. “Tobacco use” includes smoking, chewing, dipping, electronic smoking device use, or any other use of tobacco products.

~~Nicotine vapor product” means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic;~~

~~chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.~~

~~"Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means to produce vapor from nicotine in a solution or other form, regardless of shape or size, including electronic cigarettes, cigars, cigarillos, pipes, and cartridges.~~

~~The division superintendent shall develop regulations addressing enforcement for students, employees, and visitors, including possible sanctions and referrals to cessation resources.~~

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For the purposes of this policy: ~~“~~“School property” means:

- in any building, structure, or vehicle owned, leased, or contracted by the division, both on- and off-site.
- on any property surrounding buildings and structures, athletic grounds, parking lots, or any other outdoor property owned, leased, or contracted by the division, both on- and off-site.

Consequences for employees who violate this policy will be in accordance with personnel policies governing employee discipline. Visitors using tobacco or nicotine vapor products will be asked to refrain or leave the premises. ~~A standard operating procedure will be developed for management of non-school related offenders.~~

~~To help promote non-smoking among the staff, smoking cessation programs will be made available on a periodic basis to all employees who desire to participate. Appropriate signage will be posted in buildings and on school property in a manner and location that adequately informs students, staff, and visitors of the policy, including at entrances to school buildings and athletic events.~~

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<p>The possession and consumption of alcoholic beverages, illegal drugs and the possession of other contraband that is in violation of state or federal law or York County School Board policy on School Board property is prohibited. If reasonable suspicion exists, the suspected employee shall be directed to submit to testing. An employee who refuses a drug and/or alcohol test shall be deemed to have a positive test and will be subject to discipline up to and including dismissal. The division superintendent will create a Standard Operating Procedure on the proper handling of these investigations and testing.</p>	
LEGAL REFERENCE	20 U.S.C §§ 6083, 7183; Code of Virginia 195 as amended, §§ 18.2-371.2, 22.1-79.5, 22.1-279.6. <del>Sections 4.1-309; 18.2-250; 18.2-250.1</del>
CROSS REFERENCE	JFCH Tobacco-Free School for Students KG Community Use of School Facilities

Book	Policy Manual
Section	G - Personnel
Title	Staff Gifts and Solicitations
Code	GBI
Status	Active
Adopted	June 20, 1988
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	March 25, 2002; May 22, 2007; January 27, 2014; February 28, 2022
Prior Revised Dates	March 15, 1993; January 22, 2018
<p>The York County School Board prohibits employees and their families from accepting personal gifts (as a result of the employee's relationship with the School Board) from any person, firm, corporation or other entity which is engaged in or endeavoring to engage in procurement activities or business or financial service to the York County School Division. All gifts offered to the School Division must be accepted formally by the School Board. Once accepted, the gifts become the property of the School Board. This policy does not apply to:</p> <ul style="list-style-type: none"> <li>dinner discussions or other instances where the York County School Division's interests are served by employee participation in gatherings sponsored by</li> </ul>	

associations for the discussion of matters of mutual interest by those in ~~attendance;~~attendance.

- gifts of advertising valued at less than ~~\$5.00;~~\$20.00.
- gifts given by students to teachers or employees to each other.

**Exchange of gifts between students and/or parents and staff is discouraged.**

**Solicitation**

No employee of the School Board will engage in the solicitation of funds as a representative of a school or the School Division without the prior consent of ~~the School Board~~the division superintendent.

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**Solicitation of Staff Members**

~~No school division employee shall solicit money, property, goods, or services for personal use or for use by staff or students during school hours or on school property without written authorization from the division superintendent or their designee.~~

Solicitation of staff members for non-school related activities on school grounds or during any school sponsored activities is prohibited except as expressly authorized by the division superintendent.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.
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CROSS REFERENCE	
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Book	Policy Manual
Section	G - Personnel
Title	GBL
Code	Personnel Records
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstated	February 28, 2022
Prior Revised Dates	January 22, 2018

~~Present and past employees shall have access to their personnel files and records which are maintained by the York County School Division. No separate employee files shall be maintained which are not available for that employee's inspection.~~

Present and former employees shall have access to their personnel records maintained by the York County School Division, in accordance with applicable law. No separate or unofficial personnel files shall be maintained that are not available for inspection by the employee, except as permitted by law.

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#### Requests for Employment Information

~~If information relative to employment is requested by banks or other establishments or individuals, written permission from the employee to release such information is required, except to comply with a judicial order, a lawfully issued subpoena, the Virginia Freedom of Information Act (Va. Code § 2.2-3700 et seq.), or other law or court order. The employee will be notified of the request for records:~~

If employment-related information is requested by banks, prospective employers, or other third parties, written authorization from the employee is required except when disclosure is required by a judicial order, lawfully issued subpoena, the Virginia Freedom of Information Act (Va. Code § 2.2-3700 et seq.), or other applicable law. The employee shall be notified of such requests, unless prohibited by law.

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#### Employment Verification

When employment verification of a former employee is requested by another school board, the School Board shall respond within ten (10) school division workdays of receipt of the request, as required by law.

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#### Maintenance of Personnel Records

~~The division superintendent or the superintendent's designee is responsible for maintaining a system of personnel records for all employees of the York County School Board. Personnel files of all School Board employees may be produced and maintained in digital or paper format.~~

The division superintendent or designee is responsible for maintaining an official system of personnel records for all School Board employees. Personnel records may be created, stored, and maintained in electronic and/or paper format in accordance with records retention and data-security requirements.

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Teacher Performance Data

Teacher performance indicators, or other data collected by or for the Department of Education or the School Board or made available to and able to be used to judge the performance or quality of a teacher, maintained in a teacher's personnel file or otherwise is confidential but may be disclosed, in a form that does not personally identify any student or other teacher, (i) pursuant to court order, (ii) for the purposes of a grievance proceeding involving the teacher, or (iii) as otherwise required by state or federal law. Nothing in this policy prohibits the release of or limits the availability of nonidentifying, aggregate teacher performance indicators or other data.

Teacher performance indicators and related evaluation data collected by or for the Department of Education or the School Board are confidential but may be disclosed, in a form that does not personally identify any student or other teacher,

(i) pursuant to court order.

(ii) for purposes of a grievance proceeding involving the teacher; or

(iii) as otherwise required by state or federal law.

This policy does not prohibit the release of non-identifying, aggregate teacher performance data.

Confidentiality of Personnel Records

The division superintendent shall establish procedures to protect the confidentiality of personnel records, personnel references, transcripts of college credits and other similar documents. An employee will have the right, upon request, to review the contents of his personnel file or folder. An employee will also have a right to submit a written answer to material in his file, and his answer will be attached to the file copy:

The division superintendent shall establish procedures to protect the confidentiality, integrity, and security of personnel records, including references, transcripts, and other sensitive documents. Employees have the right, upon request, to review the contents of their personnel records. An employee may submit a written response to information contained in the personnel record, and such response shall be maintained as part of the official record.

LEGAL REFERENCE

Code of Virginia, 1950, as amended, §§ 2.2-3700 et seq.; 3705.1; 2.2-3800 ~~– 3809, et seq.; and 22.1-~~ 295.1; and 22.1-296.5

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CROSS REFERENCE	CBA Qualifications and Duties for the Division superintendent <del>GBLA Third Party Complaints Against Employee</del>
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Book	Policy Manual
Section	G - Personnel
Title	GBLA
Code	Third-Party Complaints Against Employees
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstated	
Prior Revised Dates	October 27, 2014; January 22, 2018; February 28, 2022

Any parent or guardian of a student enrolled in the York County School Division or any resident of York County may file a complaint regarding an employee of the York County School Board. Such complaint should be submitted in writing to the ~~division superintendent, or their Division superintendent designee~~ as soon as possible after the alleged incident, usually within 15 school division workdays.

If the complaint involves allegations that an employee of the York County School Division has abused or neglected a child in the course of his employment, the complaint will be investigated in accordance with Va. Code §§ 63.2-1503, 63.2-1505, and 63.2-1516.1.

Information determined to be unfounded after a reasonable administrative review is not ~~to be maintained in any employee personnel file, but personnel file but~~ may be retained in a separate sealed file by the administration if such information alleges civil or criminal offenses. Any dispute over such unfounded information, exclusive of opinions retained in the personnel file, or in a separate sealed file, notwithstanding the provisions of the Government Data Collection and Dissemination Practices Act, Va. Code §§ 2.2-3800 et seq., is settled through the employee grievance procedure as provided in Va. Code §§ 22.1-306 and 22.1-308 through 22.1-314.

Individuals lodging a complaint are notified in writing that the complaint has been received and is being investigated. The complaint should be filed as soon as possible after the alleged incident, usually within 15 school ~~division workdays~~, and will be processed promptly, usually within ~~30~~ 15 school ~~division workdays~~.

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LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 2.2-3800 et seq., 22.1-70, 22.1-78, 22.1-295.1, <a href="#">22.1-3.6</a> , <a href="#">22.1-308</a> , <a href="#">22.1-309</a> , <a href="#">22.1-311</a> , <a href="#">22.1-313</a> , <a href="#">22.1-314</a> , <a href="#">63.2-1503</a> , <a href="#">63.2-1505</a> , <a href="#">63.2-1516.1</a> .
CROSS REFERENCE	GAE Child Abuse and Neglect Reporting GB Equal Employment Opportunity/Notification GBA/JFHA Prohibition Against Harassment and Retaliation GBL Personnel Records GBM Procedures for Adjusting Employee Grievance JB Equal Educational Opportunities/Nondiscrimination

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Book	Policy Manual
Section	G - Personnel
Title	Staff Hiring Procedures
Code	GBN
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstated	
Prior Revised Dates	January 22, 2018; February 28, 2022
<p>It is the desire of the York County School Board to recruit, hire, and retain the best possible qualified applicants. The division superintendent is responsible for developing procedures for advertising vacancies and new positions. Those procedures will be designed to ensure that all openings are properly advertised to give all interested and qualified parties the opportunity to apply. While most positions will be filled using those procedures, the School Board may, at the request of the division superintendent, fill positions in other ways. For example, the School Board may authorize the filling of a position to accommodate the disability of an employee, to transfer an employee when it is determined to be in the best interest of the School Division, to satisfy the rights of employees returning from leave, to move an employee whose performance is unsuccessful to a position in which the employee might be successful, or to discipline an employee for conduct deficiencies.</p> <p>Current Division employees are given an opportunity to apply for positions for which they are qualified.</p>	

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Vacancies within the Division will be advertised on the school division website and other advertising mediums in accordance with procedures established by the division superintendent.

The applicant determined to be the best qualified shall be selected for a vacant or new position, regardless of whether the applicant is an internal or external candidate.

Application for employment in the York County School Division shall be made ~~on-line via the electronic application system~~ forms or through electronic systems approved by the division superintendent.

It is the responsibility of the applicant to furnish accurate information, and any falsification of either information or credentials is cause for dismissal or refusal to employ.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78
CROSS REFERENCE	AC Nondiscrimination GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect GA <del>Personnel Policies Goals Standards of Professional Conduct and Employee Group Definitions</del>

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Book	Policy Manual
Section	G - Personnel
Title	<del>Retirement</del> <u>Virginia Retirement System</u>
Code	GBO
Status	Active
Adopted	June 20, 1988
Last Revised	TBD
Last Reviewed	TBD
Reinstated	January 27, 2014; January 22, 2018
Prior Revised Dates	March 15, 1993; January 26, 1998; August 28, 2000; March 25, 2002; May 24, 2004; May 25, 2007; November 22, 2010; February 28, 2022; November 7, 2022

Retirement benefits for full-time employees are provided under the provisions of the Virginia Retirement System:

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Employees who retire must provide at least 30 work-day notice as per the annual school board approved employee calendar:

-

The York County School Board offered a Defined Pension Plan and Trust for those full-time employees who, prior to July 1, 1992, were not covered by the VRS. This Plan was frozen on July 1, 1992 when all full-time employees were enrolled in VRS:

-

The School Board will reimburse employees upon retirement at the rate of \$30 per day for up to 100 days of accumulated sick leave.

All eligible school division employees must be members of the Virginia Retirement System. Employee retirement benefits shall be governed by the rules and regulations established by the Virginia Retirement System.

Eligible employees are defined as full-time employees (who are contracted to work a minimum of six hours per day, five days a week).

Reemployment of retired employees receiving VRS retirement benefits shall be conducted in accordance with VRS policies and guidelines.

LEGAL REFERENCE	Code of Virginia, 1950 as amended, §§ 22.1-78, 51.1-135.
CROSS REFERENCE	<del>GBR Voluntary</del> GBR Voluntary Retirement Savings Program

Book	Policy Manual
Section	G - Personnel
Title	Voluntary Retirement Savings Program
Code	GBR
Status	Active
Adopted	March 15, 1993
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014; February 28, 2022
Prior Revised Dates	March 28, 2006; January 22, 2018;

~~Tax-deferred savings plans which comply either with Section 403(b) or Section 457(b) of the Internal Revenue Code will be available to employees. Employee participation is completely voluntary and the employee will bear all costs of the participation. The division superintendent, by competitive procurement procedures established by law, will contract with vendors of “403(b)” tax deferred savings plans to provide appropriate services at competitive rates to York County School Board employees. Employees can enroll in “457(b) plans” through the Virginia Retirement System. Only “403(b) plan” vendors selected by the competitive procurement process are authorized to offer new “403(b)” tax deferred savings plans to School Board employees.~~

~~The County School Board of York County VA offers its employees the opportunity to participate in a defined contribution retirement plan, also known as a tax-sheltered annuity or 403(b) program. This program is maintained and operated pursuant to a plan provider agreement.~~

~~In addition to the traditional pre-tax 403(b) option, employees may elect to participate in a Roth 403(b) account. A Roth 403(b) allows employees to make after-tax contributions, meaning taxes are paid at the time of contribution rather than at distribution. Qualified withdrawals in retirement—those made after age 59½ and at least five years after the first Roth contribution—are tax-free.~~

~~Employees may choose to contribute to a traditional 403(b), a Roth 403(b), or a combination of both, subject to IRS annual contribution limits. Roth 403(b) contributions do not reduce taxable income in the year contributed, but they allow employees to build tax-free retirement income, providing flexibility for retirement planning based on individual tax preferences and long-term financial goals.~~

~~The plan provider agreement contains all the material terms and conditions for eligibility, benefits, applicable limitations, the contracts available under the plan and the time and form under which benefit distributions may be made.~~

~~The plan provider agreement also addresses any optional features, including hardship withdrawal distributions, loans, plan-to-plan or annuity contract-to-annuity contract transfers and acceptance of rollovers to the plan, which are included in the Division’s program.~~

~~The plan provider agreement may~~

- ~~• allocate responsibility for administrative functions, including functions to comply with the requirements of 26 U.S.C. § 403(b) and other tax requirements<sup>(1)</sup>~~

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- assign such responsibilities to parties other than the school division, but not to participants (unless the administration of the plan is a substantial portion of the duties of the participant).
- incorporate by reference other documents which thereupon become part of the plan provider agreement.<sup>[2]</sup>
- address termination of the program.
- Every employee of the school division is notified annually about the program.

In addition, the Virginia Retirement System (VRS) offers employees access to voluntary supplemental retirement savings programs designed to enhance long-term financial security.

Eligible employees may participate in the VRS Deferred Compensation Plan (457 Plan), which allows tax-deferred savings beyond mandatory retirement contributions. For employees enrolled in the VRS Hybrid Retirement Plan, voluntary contributions may also be made to the Hybrid 457 Deferred Compensation Plan, with the employer providing a corresponding match on voluntary contributions, up to a maximum employer match of 2.5% of creditable compensation. [varetire.org]

Hybrid plan members may contribute between 0.5% and 4% in voluntary contributions to the defined contribution component, and these contributions may be adjusted periodically. Voluntary contributions to these VRS programs offer employees an opportunity to accumulate additional retirement savings on a tax-deferred basis.

Employee participation is completely voluntary, and the employee will bear all costs of the participation.

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LEGAL REFERENCE	26 U.S.C. § 403(b); 26 CFR 1.403(b)-1 et seq. 26 CFR 1.403(b)-1 et seq.; Code of Virginia, 1950, as amended, §§ 51.1-1-603, 51.1-603.
CROSS REFERENCE	GBO Virginia Retirement System

Book	Policy Manual
Section	G - Personnel
Title	Post-Retirement Earnings Plan (PREP)
Code	GBZ

Status	Active
Adopted	April 26, 2021
Last Revised	TBD
Last Reviewed	TBD
Reinstatement	
Prior Revised Dates	February 28, 2022

Program Description

The County School Board of York County, Virginia provides eligible employees (after ~~an~~ retirement) an option for post-retirement earnings. The Post Retirement Earnings Plan (PREP) is not a retirement benefit plan. PREP is a post-retirement program available to employees through an application process VRS retirees, who have completed the required break in service, through an application process. No offers, approvals, agreements, or understandings verbal or written will be made prior to an employee's retirement and completion of the VRS – required break in service.

PREP exists only on a year by year basis per inclusion and approval as part of the York County School Board's annual budget. If PREP is not funded in a particular year's budget, then it does not exist for such year, no participants are accepted, and no earnings pursuant to PREP are payable. Since PREP exists on a year by year basis, any changes in the components of PREP will apply to incumbent and new participants, and will be communicated to all participants preceding the new fiscal year.

The Post Retirement Earnings Plan (PREP) is approved on an annual basis as part of the York County School Board's adopted budget. In any fiscal year in which PREP is not funded, the program shall not be implemented, no participants shall be accepted and no compensation under PREP shall be payable. As an annually authorized program, the terms and conditions of PREP are subject to change from year to year and shall apply to both existing and new participants, with notice provided prior to the beginning of each fiscal year.

PREP consists of the following components:

Components

Participation in the Post Retirement Earnings Plan (PREP) is subject to approval by the School Board upon the recommendation of the division superintendent and is contingent upon the availability of program funding. Eligibility is limited to individuals who meet **all** of the following conditions:

1. Eligible Position

The participant must be approved to perform work in an eligible position. Each year, the division superintendent will identify and publish a list of eligible positions based on division needs, including positions designated as critical shortage by the Virginia Department of Education and other positions that are historically difficult to fill.

2. Program Funding

Participation in PREP is subject to the availability of funding as approved in the School Board's annual budget.

3. Retirement Status and Break in Service

The individual must be a Virginia Retirement System (VRS) retiree in good standing and must have completed the required VRS and division-mandated break in service prior to applying for or performing any work under PREP.

4. Application Timing

Applications for PREP are accepted only after retirement and completion of the required break in service. YCSD may establish post-retirement application windows through annual administrative guidance. No applications, offers, approvals, or commitments—verbal or written—may occur prior to retirement or completion of the required break in service.

5. Employment Status During Participation

For the duration of participation in PREP, the individual must:

a. Remain a VRS retiree; and

b. Work only in a non-covered, part-time capacity that does not exceed 80 percent of a comparable full-time equivalent position, when considering all assignments with the York County School Division.

6. Performance and Conduct

Participants must remain in good standing with the York County School Division throughout their participation in PREP. Failure to maintain satisfactory performance or compliance with division policies may result in removal from the program.

7. Disability Retirement Limitation

Payments under PREP shall not be made concurrently with disability retirement benefits. Individuals receiving disability retirement benefits may not perform duties that are the same as or similar to those performed prior to disability retirement. Performance of such duties will result in termination of disability retirement benefits in accordance with VRS requirements.

8. No Retroactive Participation

Retroactive participation in PREP is not permitted. All work must be approved in advance and performed prospectively following eligibility determination.

9. No Position Reclassification

Positions will not be reclassified or designated as non-covered solely to accommodate a retiree's participation in PREP.

4. Eligibility

Participation in PREP is subject to approval of the School Board upon the recommendation of the Superintendent based upon the following conditions:

1. ~~Hold an eligible position. Each year, the superintendent will identify a list of eligible positions. The critical shortage list published each year by the Virginia Department of Education and positions that are historically hard to fill are considered in selecting eligible positions.~~
2. ~~Funding of the Plan is available;~~
3. ~~The employee's last (10) ten years of employment immediately preceding retirement must be full-time with the York County School Division (note: this requires that the employee has worked at least (10) ten years in YCSD prior to retirement);~~
4. ~~The employee must have a minimum of (16) sixteen years coverage under Virginia Retirement System (VRS);~~
5. ~~The employee must be between the ages of 50 and the age for full, unreduced Social Security benefits;~~
6. ~~For the duration of the employee's participation in PREP, the employee must be covered as a retiree under VRS;~~
7. ~~The employee is currently employed and in good standing by the York County School Division and covered by VRS. Good standing means positive evaluation ratings, not under investigation, no prior disciplinary action, and of general good conduct;~~
8. ~~Payments will not be paid concurrently with disability retirement pay;~~
1. ~~The applicant remains in good standing with the York County School Division during participation in PREP;~~
10. ~~The application deadline is March 1 of the current fiscal year. Entrance into PREP is effective July 1. Any exceptions must be approved by the Superintendent, and~~

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~~10. Only active employees may apply for PREP. Retirees may not enter the program retroactively.~~

## ~~2. Formula Compensation and Payment~~

~~Compensation under the Post Retirement Earnings Plan (PREP) is provided solely for work actually performed in approved, non-covered assignments and is subject to all applicable Virginia Retirement System (VRS) return-to-work requirements and the availability of program funding.~~

### ~~1. Method of Payment~~

~~PREP participants shall be compensated at an established hourly or daily rate for approved work assignments, based on documented time worked and submission of approved timesheets. Payments shall be processed through the regular payroll cycle applicable to non-covered employment.~~

### ~~2. Annual Earnings Cap~~

~~Total compensation paid to a PREP participant in any fiscal year shall not exceed sixteen percent (16%) of the participant's final annual VRS creditable compensation, subject to the availability of funds and annual budget approval. This cap represents a maximum allowable amount and does not constitute a guarantee of earnings.~~

### ~~3. Proration and Budget Adjustments~~

~~Annual compensation is subject to proration based on the participant's actual period of eligibility and work performed during the fiscal year. Compensation levels, payment schedules, or participation may be reduced, suspended, or eliminated in any year based on funding availability, operational needs, or discontinuation of PREP.~~

### ~~4. Payment Timing~~

~~Compensation is payable only after approved work is completed and documented. No compensation shall be paid in advance of work performed, nor shall payments be made for periods in which no approved work is completed.~~

### ~~5. Participation Duration~~

~~Subject to annual funding and continued eligibility, participation in PREP is limited to a cumulative maximum of sixty (60) months (five years) or until the participant reaches the age of full, unreduced Social Security benefits, whichever occurs first. Participation is not guaranteed from year to year.~~

## 6. Cost-of-Living Adjustments

Compensation under PREP is not subject to across-the-board cost-of-living increases or automatic adjustments.

### 3) Post Retirement Work & Break in Service (Rewritten – VRS Compliant)

#### Break in Service

York County School Division (YCSD) requires a break in service of three (3) full calendar months from the retiree's VRS retirement date before the retiree may perform any work for YCSD. In addition, VRS requires a bona fide break of at least one full calendar month during a period the employee would normally work; for school divisions, summer periods generally do not count toward the VRS break. The retiree must satisfy both the VRS break and the YCSD three month break before any postretirement work begins.

#### Start Dates.

- First year PREP participation: Work may not begin before the later of (a) October 1 of the fiscal year, or (b) completion of both the VRS and YCSD break in service requirements.
- Subsequent years (incumbent participants): Work may begin on the first day of the approved student calendar, provided the participant remains eligible and compliant with all PREP and VRS requirements.

The formula for PREP will reflect the following:

1. The annual earnings (12 months) for participants in the program will not exceed 16% of their final annual VRS creditable compensation, based upon availability of funds. In the first year, the earnings will be paid in 9 equal monthly installments beginning in October following entrance into the program. In subsequent years, participants will be paid in 10 equal payments beginning in September. Annual earnings are subject to proration based on the number of months the participant is eligible for the program in any fiscal year. Annual earnings in subsequent years are subject to elimination or adjustment based on the availability of funds provided in the annual budget and the continuation of PREP.
2. Based on the availability of funds, participation is limited up to sixty (60) months (5 years) total, or to the age of full, unreduced Social Security benefits, whichever comes first.

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~~3. Participants in PREP will not receive across the board cost-of-living increases.~~

Work Verification, Payments, and Assignments

Compensation under PREP is payable only for approved work actually performed and is contingent upon timely submission of required documentation, including verified timesheets or other evidence of work completed. PREP payments may be withheld if required documentation is not submitted accurately or within established deadlines.

Participants are responsible for reimbursing the York County School Division for any payments made in excess of work performed or otherwise determined to be overpayments at the conclusion of a fiscal year or upon separation from PREP. Failure to complete assigned workdays or to meet program requirements may result in removal from the program and ineligibility for continued participation.

Work assignments under PREP are determined by the operational needs of the school division. Priority may be given to areas of greatest need, including assignments for participants who meet the minimum qualifications for substitute teaching.

3. Work Days

A break in service of three full calendar months from the retiree's retirement date is required before he or she may return to any employment with York County School Division. Additionally, VRS requires a break in service of at least 30 days. Summer breaks do not count towards satisfying the VRS 30-day break in service requirement, but summer breaks do count towards satisfying the York County School Division three-calendar-month break in service requirement. First year PREP participants shall not start before October 1. In subsequent years, incumbent participants may begin working on the first day of the approved student calendar. To remain eligible for the program, participants are required to work 30 days per fiscal year. The division reserves the right to set required work days.

PREP payments will be withheld if evidence of work performed is not submitted or completed in a timely manner. Participants will be liable for payments made that exceed work performed at the end of any fiscal year or at the end of participation in the program. Such overpayments must be reimbursed to the school division. Failure to complete the assigned work days will result in the inability to continue participation in PREP.

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~~Participants will be given work assignments that are based on the needs of the school division. The priority for work assignments will be based on areas of greatest need for those individuals who meet the minimum requirements for substitute teaching.~~

#### ~~4-Revocability~~

~~Participation in the Post Retirement Earnings Plan (PREP) is voluntary and may be discontinued by the participant at any time. Compensation will be prorated based on approved work actually performed through the effective date of withdrawal and any compensation already paid.~~

~~Participants may be required to reimburse the York County School Division for any compensation received that exceeds work performed or that is otherwise determined to be unearned at the time of withdrawal or at the conclusion of participation in PREP.~~

~~Participants who voluntarily withdraw from PREP, or who complete the maximum allowable participation period of sixty (60) cumulative months, are not eligible for further participation in the program.~~

~~Participants in PREP may voluntarily withdraw from the program at any time. Earnings will be prorated based on the number of days worked and compensation already received. Participants may be required to reimburse the school division for money received and not earned. Participants who withdraw from or complete the maximum sixty (60) month program term are not eligible for further participation in PREP.~~

~~Participants may also be removed from the program when found in violation of division policies and other good cause.~~

#### ~~5-Limitations~~

~~Participation in the Post Retirement Earnings Plan (PREP) is subject to annual authorization, funding availability, and continued compliance with all program requirements. PREP does not create a contractual right or guarantee of participation or compensation in any fiscal year.~~

~~Eligibility for PREP is limited to VRS retirees who meet all program requirements at the time of application following retirement and completion of the required break in service. Based on operational needs and the availability of funds, the division may identify additional eligible positions or modify participation criteria in future years.~~

~~Subject to continued eligibility and annual program authorization, an individual may participate in PREP until the earlier of:~~

- ~~• Reaching the age of full, unreduced Social Security benefits; or~~
- ~~• Accumulating a total of five (5) years or sixty (60) cumulative months of participation in PREP.~~
- ~~• The division superintendent, or designee, shall take appropriate steps to administer, implement, and oversee this policy through the development and maintenance of applicable administrative regulations and procedures.~~

~~Effective FY23, all employees who meet the aforementioned requirements at the time of retirement may participate in the PREP program. In future years, based on the availability of funds and division staffing needs, the division will consider additional positions that may qualify for this program. Participants in PREP can continue in the program until they reach the age of full, unreduced Social Security benefits, or they have been in the program for a total of five (5) years or sixty (60) months, whichever occurs first.~~

~~The division superintendent shall take appropriate steps to implement and oversee this policy by promulgating and implementing the appropriate Regulations.~~

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LEGAL REFERENCE	Code of Virginia, 1950, as amended, § 22.1-78
CROSS REFERENCE	GBO Virginia Retirement System

Book	Policy Manual
Section	G - Personnel
Title	Professional Staff
Code	GC
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstatement	
Prior Revised Dates	January 22, 2018; February 28, 2022
No teacher is regularly employed by the School Board or paid from public funds unless such teacher: <ul style="list-style-type: none"><li><del>• holds a license or provisional license issued by the Board of Education</del></li></ul>	

- holds a license issued by the Board of Education, the division superintendent, or the School Board.

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- holds a three-year license to teach high school career and technical education courses in specified subject areas, or
- is hired to teach in a trade and industrial education program and for whom the teacher licensure requirements have been waived by the Virginia Department of Education.

If a teacher employed under a provisional license is activated or deployed for military service within a school year (July 1 - June 30), an additional year will be added to the teacher's provisional license for each school year or portion thereof during which the teacher is activated or deployed. The additional year shall be granted the year following the return of the teacher from deployment or activation.

#### Provisional Teacher License

The Division superintendent may request that the Board of Education extend the three-year provisional license of a teacher for at least one year but no more than two additional years. The request must be accompanied by the division superintendent's recommendation for such extension and satisfactory performance evaluations for the teacher for each year during the original three-year provisional license that such teacher was actually employed and received a filed performance evaluation of the original three-year license.

As specified in Va. Code § 22.1-298.1, the division superintendent may issue a provisional teacher license to any individual the School Board seeks to employ as a career and technical education teacher who is also seeking initial licensure in Virginia with an endorsement in the area of career and technical education, to allow the teacher time to attain the required credentials.

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Upon an individual's completion of a local eligibility license, the School Board may issue a provisional license to such individual upon receiving from the division superintendent (i) a recommendation for such license and (ii) a satisfactory performance evaluation for the individual for the local eligibility licensure period.

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#### Local Eligibility License

In accordance with Va. Code § 22.1-298.1(M) and regulations of the Board of Education, a one-year nonrenewable local eligibility license may be issued to an individual who needs to complete additional coursework but otherwise meets certain conditions for licensure and may be employed by the School Board with the intention that such

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individual, upon satisfying applicable requirements, will receive full licensure with a renewable license.

The division superintendent or School Board may recommend a local eligibility license for an individual who has received a baccalaureate degree from a regionally accredited institution of higher education and who has experience or training in a subject or content area deemed appropriate for the applicable teaching position or endorsement area.

Each local eligibility license is subject to Board of Education regulations and statutory criteria, including but not limited to:

- The number of teachers employed by the School Board who hold local eligibility licenses shall not exceed five percent (5%) of the teachers employed during the preceding school year.
- Local eligibility licenses shall not be issued to individuals seeking to provide instruction in special education or who are eligible for a collegiate or postgraduate professional license.
- Individuals issued a local eligibility license must complete all required training within the one-year licensure period.
- Local eligibility licenses are valid only within the issuing school division.
- Individuals issued a local eligibility license are considered probationary teachers and subject to applicable probationary employment provisions.
- When appropriate, prior to expiration of the local eligibility license, the division superintendent and School Board shall recommend the individual to the Board of Education for issuance of a collegiate professional or postgraduate professional license; and
- Each local eligibility license shall be reviewed by the Department of Education's Office of Licensure within one month of issuance to ensure regulatory compliance.

The Board of Education prescribes, by regulation, the requirements for the licensure for teachers and other school personnel required to hold a license. On recommendation of the division superintendent, the School Board may waive applicable requirements to waive applicable licensing requirements as specified as permitted by Va. Code §22.1-298.1 for any individual the School Board seeks to employ as a career and technical

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education teacher who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education.	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-298.1, 22.1-299 and 22.1-299.5, 22.1.299.6.
CROSS REFERENCE	

Book	Policy Manual
Section	G - Personnel
Title	Professional Staff Contracts
Code	GCB
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	
Reinstatement	January 22, 201;8 February 28, 2022;
<p>The York County School Board enters into written contracts with teachers, principals, assistant principals, and supervisors as defined in 8 VAC 20-441-10 before such employees assume their duties except as noted below. Contracts are in the form permitted by the Board of Education, with special covenants added by the School Board as appropriate. Contracts are signed in duplicate, with a copy furnished to each party.</p> <p>Written contracts are not required with persons who are temporarily employed. A temporarily employed teacher, is 1) <del>an individual one</del> who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or 2) <del>an individual one</del> who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the division superintendent <del>of Public Instruction</del> on a case-by-case basis, during one school year.</p> <p><del>A contract can be terminated only by mutual consent for extraordinary reasons. A request to terminate must be in the form of a written resignation.</del></p> <p><del>Licensed employees who do not intend to continue employment for the following school year will submit a written notice to the division by February 1 or as soon as possible thereafter but no later than June 15.</del></p>	

~~The division superintendent shall establish procedures both for renewing and not renewing contracts of probationary teachers. Such procedures shall comply with Virginia Code Sections 22.1-304 and 22.1-305.~~

Coaching contracts and contracts for extracurricular activity sponsorship assignments where a monetary supplement is paid are separate from the employee's primary contract and ~~are in a form permitted by the Board of Education.~~ Termination of the separate contract does not constitute cause for the termination of the primary contract.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302. 8 VAC 20 – 441 -10; <del>8 VAC 20-441-40.</del>
CROSS REFERENCE	GCBB Supplementary Pay GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect GCE Part-Time and Substitute Professional Staff Employment GCG Professional Staff Probationary Term and Continuing Contract GCPB Resignation of Staff Members GCPD Professional Staff Discipline GCPF Suspension of Staff Members

Book	Policy Manual
Section	G - Personnel
Title	Staff Salary Schedules
Code	GCBA
Status	Active
Adopted	March 15, 1993
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014

Prior Revised Dates	June 26, 2000; January 22, 2018; February 28, 2022
<p><del>The School Board establishes and approves salaries for all school employees. As soon as practical after the Board of Supervisors has approved the operating budget for the next fiscal year, the division superintendent shall submit that fiscal year's Pay Plan for approval by the York County School Board. The Pay Plan shall list all mechanisms approved by the Board for remuneration of employees for services rendered and for reimbursement of employees for authorized costs incurred. Supplements shall be paid for a limited number of selected duties which require extensive work time beyond normal contract hours. The Pay Plan shall be structured to be as competitive in the local labor market as available resources permit. The division superintendent shall issue the approved Pay Plan as a regulation.</del></p> <p>The School Board establishes and approves salaries for all school employees.</p>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended; §§ 22.1-78 and 22.1-313.
CROSS REFERENCE	

Book	Policy Manual
Section	G - Personnel
Title	Supplementary Pay
Code	GCBB
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	January 22, 2018; February 28, 2022
Prior Revised Dates	
<p>The York County School Board approves all athletic coaching and other extracurricular activity sponsorships for which supplemental pay is provided <u>on an annual basis</u>. The Board establishes the amount of compensation for employees who coach or supervise such activities.</p> <p>A separate contract <del>a</del> <u>in a</u> form permitted by the Board of Education is executed by the School Board with an employee who receives supplemental pay for any athletic coaching assignment or extracurricular activity sponsorship assignment. <del>This contract shall be separate and apart from the contract for teaching.</del> All such contracts <del>will</del> require a party</p>	

intending to terminate the contract to give reasonable notice to the other party before ~~termination thereof~~ termination becomes effective.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment ~~requiring responsibility for any student organizations, clubs, or groups, for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups,~~ such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those activities that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

~~Principals may assign extracurricular activities and duties with regard for the work load and interests of the individual teacher. Such assignment will be on an annual basis.~~

LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302, and 22.1-313. <del>8 VAC 20-440-110; 8 VAC 20-440-120</del>
CROSS REFERENCE	GCB Professional Staff Contracts

Book	Policy Manual
Section	G - Personnel
Title	<del>Employee</del> Staff Fringe Benefits
Code	GCBC
Status	Active
Adopted	March 15, 1993
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014; February 28, 2022
Prior Revised Dates	January 22, 2018;

The York County School Board recognizes the need for ~~fringe employee~~ fringe benefits in order to promote the employment and retention of the highest quality personnel and effectively serve the educational needs of students.

~~The York County School Division will accept the transfer of up to ninety (90) days of accumulated sick leave earned by licensed personnel in other Virginia school divisions. It is the responsibility of the new employee to affect the transfer of sick leave into the York County School Division.~~

The School Board is proud of the many accomplishments of its employees. It is the policy of the Board that there be an official program to recognize employees whose quality performance contribute significantly to the advancement of the goals and business of the school division. The division superintendent shall implement this policy by appropriate regulations:

#### **SICK LEAVE BANK**

On occasion a School Board employee may become incapacitated by long term illness or injury which falls outside the Workers Compensation Act and disability retirement policies. In such a case the employee may encounter financial distress when all sick leave, personal business leave, compensatory time and annual leave have been exhausted. To assist employees with financial distress experienced under these circumstances, the School Board authorizes the division superintendent to implement a sick leave bank subject to the following guidelines:

- 1.—The School Board has no financial reserves to permit the Board to act as an insurance company. Consequently, a sick leave bank cannot impose on the School Board financial liabilities which cannot be met within the limits of the personnel accounts and available revenue sources of the annual operating budget. A sick leave bank will have reasonable threshold criteria which will limit the benefit to employees experiencing significant health problems which could create financial distress.
- 2.—The School Board is without authority to use public funds for welfare or charity purposes. Consequently, a sick leave bank, as a human resources management tool, will address only the needs of veteran full time employees who expect to return to work in the School Division if they regain their health.
- 3.—The division superintendent will submit, as a division superintendents Regulation, any implementation plan for a sick leave bank to the School Board for approval. However, before such submission, the Division Superintendent will have verified by an affirmative vote that no less than 60% of employees volunteer to participate in the sick leave bank being proposed.

#### **FULL-TIME EMPLOYEE FRINGE BENEFITS**

##### **HOLIDAYS**

The School Division will observe holidays to be designated annually by the School Board calendar. The School Board can revise the holiday schedule during the year based on unforeseen circumstances. An employee who has an unexcused absence for any part of the workday immediately preceding or following a holiday does not receive holiday pay.

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Schools will be closed on the designated holidays. Holidays occurring on a Saturday generally will be observed on the preceding Friday. Holidays occurring on a Sunday generally will be observed on the succeeding Monday. Licensed twelve-month employees, licensed eleven-month administrators, and twelve-month non-licensed employees on the payroll at the time of a holiday listed above will have these days as paid holidays. If such employees are required to work on a paid holiday, they will be given compensatory time at the rate of one and one-half (1 1/2) days per holiday or paid time and one-half.

#### **INSURANCE**

##### **A. State Group Life Insurance**

All full-time employees of the School Board who are under seventy years of age at the time of initial employment and who are covered under the Virginia Retirement System (VRS) must participate in the State Group Life Insurance provision of the VRS or other employer-sponsored life insurance plan. The employee's share of the cost for this insurance will be paid by the School Board.

##### **B. Medical Insurance Coverage**

Medical Insurance coverage will be made available for full-time eligible employees. The School Board's contribution to an individual monthly premium will be set annually. Retirees may elect to continue their present participation in the group health plan under the provisions of the York County School Division Retiree Health Plan. Retirees' cost of participating in the York County School Division Retiree Health Plan shall be set by Regulation and/or Procedure promulgated by the division superintendent.

##### **C. Dental Insurance**

The School Board will provide dental insurance coverage for full-time eligible employees. The School Board's contribution to an individual monthly premium will be set annually.

##### **D. Disability Insurance**

Insurance for job-related disability is provided under the Worker's Compensation Insurance Plan. Non-job-related disability insurance is provided to employees vested in VRS under the terms of that plan.

##### **E. Liability Insurance**

The Board will purchase liability insurance, subject to availability and funds, covering all school personnel.

##### **F. Unemployment Insurance**

The Board will participate in the unemployment insurance program through the reimbursable method.

#### **DIRECT DEPOSIT OF EMPLOYEES' PAY**

The division superintendent will arrange for direct deposit of salary for any employee who requests such service. All employees (excluding temporary employees) hired after July 1, 2001 are required to use direct deposit.

#### **FLEXIBLE SPENDING ACCOUNTS**

The division superintendent will make available to School Board employees Flexible Spending Accounts (FSA) for health care expenses and dependent care expenses which comply with Section 125 of the Internal Revenue Code.

#### **TUITION REIMBURSEMENT**

Virginia Department of Education licensed employees shall be reimbursed at no more than the actual in-state tuition cost per course for coursework from an accredited college or university when such coursework is required by the division to meet specific endorsement needs within the division. The division superintendent, on an annual basis, shall have the authority to determine whether licensed and/or non-licensed employees may be granted tuition reimbursement under terms and conditions which are broader than those described above.

The School Board approved tuition reimbursement rate will be stated in the Annual Pay Plan.

#### **BENEFITS FOR PART-TIME EMPLOYEES**

##### **INSURANCE**

###### **A. Medical Insurance Coverage**

Medical insurance coverage will be made available for part-time employees on a pro rata basis in accordance with guidelines established in Policy GGBC, Sub-Section C, Paragraph B. The School Board's contribution to an individual monthly premium will be set annually.

###### **B. Dental Insurance**

The School Board will provide dental insurance coverage on a pro rata basis for part-time eligible employees. The School Board's contribution to an individual monthly premium will be set annually.

###### **C. Worker's Compensation Insurance**

Insurance for a job related disability is provided under the Workers' Compensation Insurance Plan.

###### **D. Disability Insurance**

Non-job related disability insurance is available through a voluntary payroll deduction plan.

#### **EMPLOYEE PAY: DIRECT DEPOSIT AND PAY CARDS**

The division superintendent will arrange for direct deposit of salary for any employee who requests such service. For those employees not requesting direct deposit of pay, the

Division Superintendent will establish a pay card program which will establish a debit card account to which employee pay will be deposited.

**FLEXIBLE SPENDING ACCOUNTS**

The division superintendent will make available to School Board employees Flexible Spending Accounts (FSA) for health care expenses and dependent care expenses which comply with Section 125 of the Internal Revenue Code.

**SICK LEAVE BENEFITS**

The division superintendent will make sick leave benefits available to School Board employees. The accumulation of sick leave benefits will be based on a pro-rated formula commensurate with the employees' part-time status. For example, a half-time employee would accumulate one half of the monthly standard sick leave benefits accrued by full-time employees.

Accordingly, employee benefits are provided as established by the School Board and implemented through regulations and procedures promulgated by the division superintendent.

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LEGAL REFERENCE	Code of Virginia, 1950, as amended, § 22.1-85.8; VAC 20-460-10
CROSS REFERENCE	GCBD Staff Leaves and Absences GBO Retirement

Book	Policy Manual
Section	G - Personnel
Title	Staff Leaves and Absences
Code	GCBD
Status	Active
Adopted	June 20, 1988
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	

The School Board is committed to helping employees balance both professional and personal obligations. Therefore, both paid time off and unpaid time off from work are available to employees. All employee leaves and absences are subject to School Board policy and division superintendent regulations. The division superintendent shall establish and maintain any regulations necessary for the application of the division's policies regarding leaves and absences. YCSD offers the following types of leave to employees:

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<ul style="list-style-type: none"> <li>• <u>Sick leave</u></li> <li>• <u>Personal Business Leave</u></li> <li>• <u>Annual Leave</u></li> <li>• <u>Leave without Pay</u></li> <li>• <u>Family &amp; Medical Leave</u></li> <li>• <u>Non-FMLA Leave of Absence</u></li> <li>• <u>Special Leave (including jury duty, court subpoena, military leave, professional development, summer study, sabbatical and administrative)</u></li> <li>• <u>Leave Donation</u></li> </ul>	
<p><u>With regard to the use of all leave, whether paid or unpaid, YCSD requires that:</u></p> <ul style="list-style-type: none"> <li>• <u>Requests for leave be submitted and approved in advance of the need for leave whenever possible, and</u></li> <li>• <u>Timely supporting documentation be provided by employees to demonstrate the need for leave upon request by an administrator or other authorized person.</u></li> </ul>	
<p><u>Separate Regulations for each type of leave offered by YCSD will be maintained and will provide more specific guidance related to eligibility and administration of each type of leave.</u></p>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-78; <u>22.1-296..</u> <u>Code 1950, §§ 22-57.2, 22-72; 1954, c. 289; 1956, Ex. Sess., c. 60; 1959, Ex. Sess., c. 79, § 1; 1966, c. 691; 1968, c. 139; 1970, c. 71; 1971, Ex. Sess., c. 161; 1972, c. 511; 1975, cc. 308, 328; 1980, c. 559; 1998, c. 872; 2003, cc. 531, 557; 2005, c. 486; 2019, cc. 569, 570.</u>
CROSS REFERENCE	GCQA Non-school Employment by Staff Members

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Book	Policy Manual
Section	G - Personnel
Title	Memorials
Code	<del>GCBE</del> /JEF
Status	Active

Adopted	June 14, 2021
Last Revised	
Last Reviewed	TBD
Reinstatements	February 28, 2022
Prior Revised Dates	
Proposing to move this policy as is to section J	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-126, 22.1-131, 22.1-133; 22.1-253.13:4; 8 VAC 20-131-420
CROSS REFERENCE	DGCY Fund Raising Activities Conducted by Schools EB School Crisis, Emergency Management, and Medical Emergency Response Plan FFA School Names GCBD <del>Staff</del> Leaves and Absences <u><a href="#">JKF The Virginia Assessment Program and Graduation Requirements</a></u> IKFD Alternative Paths to Attaining Standard Units of Credit IKFV Commencement Attendance KF Distribution of Information/Materials KG Community Use of School Facilities KGA Sales and Solicitations <del>on School Property in Schools</del> KH Public Gifts to the Schools KJ Advertising in School

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Book	Policy Manual
Section	G - Personnel
Title	Employment of Family Members
Code	GCCB
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	January 22, 2018
Prior Revised Dates	August 24, 2015; February 28, 2022
A. The York County School Board may not employ or pay, and the division superintendent may not recommend for employment, any family member of the division superintendent or of a School Board member, <del>except as authorized herein</del> . This prohibition does not apply to the employment, promotion, or transfer within the school division of any family member who	

- has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or ~~paraeducator teacher's aide~~ by the School Board prior to the taking of office of the division superintendent or any School Board member, or
- has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or ~~paraeducator teacher's aide~~ by the School Board prior to the inception of the family relationship, or
- 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 division superintendent ~~of schools.~~

A family member employed as a substitute teacher may not be employed to any greater extent ~~than they were employed~~ such family member was employed by the School Board in the last full school year prior to the taking of office of such board member or division superintendent or to the inception of such relationship.

~~B. Notwithstanding the rules stated in Section A above, the School Board may employ or pay, and the division superintendent Division superintendent may recommend for employment, any family member of a School Board member provided that~~

- ~~the member certifies that they had no involvement with the hiring decision; and~~
- ~~the division superintendent certifies to the remaining members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the Board had any involvement with the hiring decision.~~

~~C. Notwithstanding the rules stated in Section A above, the School Board may employ or pay any family member of the division superintendent Division superintendent provided that~~

- ~~the division superintendent Division superintendent certifies that he had no involvement with the hiring decision; and the assistant superintendent certifies to the members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that the division superintendent had no involvement with the hiring decision.~~

~~B.D. Except as noted below, no family member 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 is discouraged. no family member 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 is discouraged.~~

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~~In specific situations when the division superintendent believes strict adherence to section B of this policy would constitute a detriment to a given organizational unit of the School Division, and upon unanimous approval of the School Board, family members may be employed or assigned in direct supervisory and/or administrative relationships in accordance with S. Reg. GCCB:~~

Family members are defined as father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, § 2.2-3119.
CROSS REFERENCE	BBFA School Board Members Conflict of Interest and Disclosure of Economic Interests GCI Professional Staff Assignments and Transfers

Book	Policy Manual
Section	G - Personnel
Title	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
Code	GCDA
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	January 22, 2018
Prior Revised Dates	February 28, 2022
<del>Generally</del> GENERALLY	

The York County School Board does not hire or continue the employment of any part-time, full-time, temporary, or permanent personnel who are determined to be unsuited for service by reason of criminal conviction or information appearing in the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

The School Board does not employ any individual who has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of § 19.2-392.02 or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense

#### I. Applicants for Employment

##### A. Criminal Convictions

As a condition of employment for all of its public school employees, whether full-time or part-time, permanent, or temporary, the School Board requires on its application for employment certification of whether that the applicant has been convicted of a any violent felony as set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02; any offense involving the sexual molestation, physical or sexual abuse or rape of a child; or any crime of moral turpitude.

The School Board ~~shall~~ does not employ any individual who has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of § 19.2-392.02 or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense-

The School Board may employ, in extraordinary circumstances, an individual who has been convicted of a felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of § Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, provided that in the case of a felony conviction, such individual's civil rights have been restored by the Governor. Such employment will be determined by the School Board on a case by case basis.

~~The School Board shall also require on its application for employment, as a condition of employment requiring direct contact with students, whether full-time~~

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or part-time, permanent, or temporary, certification that the applicant has not been the subject of a founded case of child abuse and neglect. Any person making a materially false statement regarding a finding of child abuse and neglect shall be guilty of a Class 1 misdemeanor and upon conviction, the fact of said conviction shall be grounds for the Board of Education to revoke such person's license to teach.

As a condition of employment, any applicant who is offered or accepts employment, whether full-time, part-time, permanent or temporary with the School Board shall submit to fingerprinting and provide personal descriptive information. The information and fingerprints shall be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigations for the purpose of obtaining criminal history record information on applicants who are offered or accept employment.

As a condition of employment requiring direct contact with students, whether full-time or part-time, permanent or temporary, the School Board requires certification that the applicant has not been the subject of a founded case of child abuse and neglect. Any person making a materially false statement regarding a finding of child abuse and neglect is guilty of a Class 1 misdemeanor and, upon conviction, such conviction is grounds for the Board of Education to revoke such person's license to teach.

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As a condition of employment, any applicant who is offered or accepts employment, whether full-time, part-time, permanent or temporary, shall submit to fingerprinting and provide personal descriptive information. The information and fingerprints shall be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information.

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To conserve the costs of conducting criminal history record checks to applicants and school boards, upon the written request of the applicant, the School Board shall inform another school board with which reciprocity has been established and to which the applicant also has applied for employment of the results of the criminal history record information conducted within the previous ninety days that it obtained concerning the applicant. Criminal history record information pertaining to an applicant for employment by a school board shall be exchanged only between school boards in the Commonwealth in which a current agreement

~~of reciprocity for the exchange of such information has been established and is in effect. Reciprocity agreements shall provide for the apportionment of the costs of the fingerprinting or criminal records check between the applicant and School Board as provided by statute.~~

~~To conserve the costs of conducting criminal history record checks, upon the written request of the applicant, the School Board shall inform another Virginia school board with which reciprocity has been established and to which the applicant has also applied for employment of the results of criminal history record information obtained within the previous ninety (90) days. Criminal history record information shall be exchanged only between Virginia school boards operating under a current reciprocity agreement.~~

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~~If an applicant is denied employment because of information appearing on the applicant's criminal history record, the School Board provides a copy of the information provided by the Central Criminal Records Exchange to the applicant.~~

~~If an applicant is denied employment because of information appearing on the applicant's criminal history record, the School Board shall provide the applicant a copy of the information received from the Central Criminal Records Exchange.~~

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#### **B. Founded Complaints of Child Abuse or Neglect**

~~The School Board requires, as a condition of employment, that any applicant who is offered or accepts employment requiring direct contact with students, whether full-time or part-time, permanent or temporary, provide written consent and the necessary personal information for the School Board to obtain a search of the registry of founded complaints of child abuse and neglect. The registry is maintained by the Department of Social Services. The School Board ensures that all such searches are requested in conformance with the regulations of the Board of Social Services. In addition, where the applicant has resided in another state within the last five years, the School Board requires as a condition of employment that such applicant provide written consent and the necessary personal information for the School Board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The School Board takes reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. The Department of Social Services shall~~

~~maintain a database of central child abuse and neglect registries in other states that provide access to out-of-state school boards for use by local school boards. The applicant may be required to pay the cost of any search conducted pursuant to this subsection at the discretion of the School Board. From such funds as may be available for this purpose, however, the School Board may pay for the search.~~

~~As a condition of employment, any applicant offered or accepting employment requiring direct contact with students shall provide written consent and the necessary personal information for the School Board to obtain a search of the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.~~

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~~Where the applicant has resided in another state within the previous five (5) years, the applicant shall provide written consent and the necessary personal information to allow the School Board to obtain information from each relevant state regarding founded complaints of child abuse and neglect. The School Board shall take reasonable steps to determine whether the applicant was the subject of a founded complaint in any such state.~~

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If the information obtained pursuant to the preceding paragraph indicates that the applicant is the subject of a founded case of child abuse and neglect, such applicant shall be denied employment, or the employment shall be rescinded.

~~If an applicant is denied employment because of information appearing on the applicant's record in the registry, the School Board provides a copy of the information obtained from the registry to the applicant. The information provided to the School Board by the Department of Social Services is confidential and is not disseminated by the School Board.~~

~~If an applicant is denied employment based on registry information, the School Board shall provide the applicant a copy of the information obtained. All registry information is confidential and shall not be disseminated.~~

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## II. EMPLOYEE CHARGES AND CONVICTIONS

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### A. Criminal Proceedings

An employee who is charged by summons, warrant, indictment, or information with the commission of a felony or a misdemeanor specified in Va. Code § 22.1-315 may be suspended in accordance with Policy GCPF Suspension of Staff Members.

~~If a current employee is suspended or dismissed because of information appearing on the employee's criminal history record, the School Board provides a copy of the information provided by the Central Criminal Records Exchange to the employee.~~

~~If a current employee is suspended or dismissed due to information appearing on the employee's criminal history record, the School Board shall provide the employee a copy of the information received from the Central Criminal Records Exchange.~~

~~The division superintendent shall inform the School Board of any notification of arrest of a school board employee received pursuant to Virginia Code §19.2-83.1. The School Board shall require such employee, whether full-time or part-time; permanent, or temporary, to submit to 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.~~

~~The division superintendent shall inform the School Board of any notification of arrest received pursuant to Va. Code § 19.2-83.1. The School Board shall require the employee to submit fingerprints and personal descriptive information for criminal history review. Such information shall be used solely to implement dismissal, suspension, or probation pursuant to Va. Code §§ 22.1-307 and 22.1-315.~~

#### B. Founded Complaints of Child Abuse or Neglect

~~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~~

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such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, is grounds for the school division to recommend that the Board of Education revoke such person's license to teach.

Any employee shall be dismissed if the employee is or becomes the subject of a founded complaint of child abuse or neglect after all rights to appeal under Va. Code § 63.2-1526 have been exhausted. Such finding constitutes grounds for the school division to recommend revocation of the employee's license to teach.

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**III. FOR PURPOSES OF THIS POLICY, A COURT'S PLACING AN INDIVIDUAL ON PROBATION PURSUANT TO VA. CODE SECTION 18.2-251 SHALL BE TREATED AS A CONVICTION AND AS A FINDING OF GUILT.**

II. Court Ordered Probation

For purposes of this policy, a court's placing an individual on probation pursuant to Va. Code § 18.2-251 is treated as a conviction and a finding of guilt.

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III. Costs of Fingerprinting, Criminal Record and Abuse and Neglect Checks

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The School Board pays for ~~the fingerprinting~~fingerprinting, criminal record check and abuse and neglect check conducted pursuant to this policy.

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LEGAL REFERENCE	Code of Virginia, as amended, §§ 18.2-251, 19.2-83.1, 19.2-389, 22.1-78, 22.1-296.1, 22.1-296.2, 22.1-296.4, 22.1-307, 22.1-315, 63.2-1515.
CROSS REFERENCE	GCPF Suspension of Staff Members GCPD Professional Staff Discipline

Book	Policy Manual
Section	G - Personnel
Title	Part-Time and Substitute Professional Staff Employment
Code	GCE
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Reinstatements	February 28, 2022

Prior Revised Dates	June 13, 2014; January 22, 2018; December 7, 2020
<p>Substitute Teachers</p> <p>Substitute teachers shall:</p> <ol style="list-style-type: none"><li>(1) be at least 18 years old, with preference given to persons 21 years old or <del>older</del>;older.</li><li>(2) possess good moral <del>character</del>;character.</li><li>(3) hold a high school diploma or, have passed a high school equivalency examination approved by the Board of <del>Education</del>;Education.</li><li>(4) have two years of full-time postsecondary education or two years of work experience with children; and</li><li>(5) attend orientation to school policies and procedures.</li></ol> <p>The York County School Board shall seek to employ substitute teachers, especially those engaged as long-term substitutes, who exceed these requirements.</p> <p>A substitute teacher, as used in this section, is (i) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or (ii) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Division superintendent Division superintendent of Public Instruction on a case-by-case basis, during one school year. Substitutes will not be employed for less than a half day's work. <u>However, during the 2023-2024, 2024-2025, 2025-2026, and 2026-2027 school years, the York County School Board may or may have employed a substitute teacher to fill such a vacancy for a period not to exceed 180 days during one school year.</u></p> <p>Homebound Teachers</p> <p>Homebound teachers shall be employed on a part-time, hourly basis. They shall be selected from the active file of applicants in the Personnel Office or from the approved substitute teacher list and shall hold a valid teaching certificate.</p> <p>Part-Time Teachers</p> <p>An employee working less than 180 days per school year or less than six (6) hours per day or who is restricted to temporary or interim employment is considered part-time. Part-time teachers shall meet the certification requirements of the State Board of Education.</p>	



division superintendent considers such evaluations as one factor in making recommendations to the School Board regarding nonrenewal of such teacher's contract.

~~;- provided, however, that upon recommendation of the Division Superintendent, a probationary teacher hired on or after January 28, 2014, may be required to serve up to two additional one year probationary periods before obtaining continuing contract status. A mentor teacher is provided to every first year probationary teacher to assist him or her in achieving excellence in instruction. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the superintendent. Probationary teachers are evaluated at least annually in accordance with policy GCN Evaluation of Professional Staff. A teacher in the first year of the probationary period is evaluated informally at least once during the first semester of the school year. The Division Superintendent shall consider such evaluations as one factor in making recommendations to the School Board regarding the nonrenewal of such teacher's contract. If a probationary teacher's evaluation is not satisfactory, the School Board shall not reemploy the teacher.~~

In order to achieve continuing contract status, every teacher must successfully complete training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. York County School Board provides said training at no cost to teachers it employs. If such training is not offered in a timely manner, no teacher will be denied continuing contract status for failure to obtain such training.

Once a continuing contract status has been attained in a school division in this state, another probationary period need not be served unless such probationary period, not to exceed two years, is made a part of the contract of employment; provided, however, that upon recommendation of the division superintendent, such probationary teacher hired on or after January 28, 2014, may be required to serve an additional one year probationary period before obtaining continuing contract status. If a teacher separates from service and returns to teaching service in Virginia public schools by the beginning of the third year, the person shall be required to begin a new probationary period, not to exceed two years, if made part of the contract.

If a teacher who has not achieved continuing contract status receives notice of re-employment, they must accept or reject in writing within 15 calendar days of receipt of the notice. Unless a conference with the division superintendent is requested as specified in the Code of Virginia, or in the case of reduction in force, written notice of nonrenewal of the probationary contract must be given by the School Board on or before June 15 of each year. If the teacher requests a conference with the division

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superintendent division superintendent, then written notice of non-renewal by the School Board must be given within thirty calendar days after the division superintendent division superintendent notifies the teacher of his intention with respect to the recommendation.

#### Continuing Contract

Teachers employed after completing the probationary period are entitled to continuing contracts during good behavior and competent service and prior to the age at which they are eligible or required to retire. Written notice of noncontinuation of the contract by either party must be given by June 15 of each year; ~~otherwise~~otherwise, the contract continues in effect for the ensuing year.

The School Board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of decrease in enrollment or abolition of particular subjects.

~~Furthermore, nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available.~~

~~Nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available.~~

As soon after June 15 as the school budget is approved by the appropriating body, the school board furnishes each teacher a statement confirming continuation of employment, setting forth assignment and salary.

Within two weeks of the approval of the school budget by the appropriating body, but no later than July 1, the school board will notify any teacher who may be subject to a reduction in force due to a decrease in the school board's budget as approved by the appropriating body.

#### Principals, Assistant Principals, and Supervisors

A person employed as a principal, assistant principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve a probationary term of three years in such position in the same school division before acquiring continuing contract status as a principal, assistant principal or supervisor.

Continuing contract status acquired by a principal, assistant principal or supervisor shall not be construed (i) as prohibiting the School Board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the School Board by June 15 of any year or (ii) as entitling any such principal, assistant principal or supervisor to the salary paid him as principal, assistant principal or supervisor in the case of any such reassignment to a teaching position. No such salary reduction and reassignment, however, shall be made without first providing such principal, assistant principal or supervisor with written notice of the reason for such reduction and reassignment and an opportunity to present his or her position at an informal meeting with the division superintendent, the division superintendent's designee or the School Board. Before recommending such reassignment, the division superintendent shall consider, among other things, the performance evaluations for such principal, assistant principal or supervisor. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the division superintendent, the division superintendent's designee or the School Board. The School Board, division superintendent or division superintendent's designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be at the sole discretion of the School Board.

The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for such salary reduction and reassignment with the division superintendent, the division superintendent's designee or the School Board, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require cause for the salary reduction and reassignment of a principal, assistant principal or supervisor.

As used in this policy, "Supervisor" means a person who holds an instructional supervisory position as specified in the regulations of the Board of Education and who is required to hold a license as prescribed by the Board of Education.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-294, 22.1-303, 22.1-304
CROSS REFERENCE	GBM Procedures for Adjusting Employee Grievances GCB Professional Staff Contracts GCE Part-Time and Substitute Professional Staff Employment GCN Evaluation of Professional Staff GCPA Reduction in Staff Work Force

	GCPB Resignation of Staff Members GCPD Professional Staff Discipline GCPF Suspension of Staff Members
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Book	Policy Manual
Section	G - Personnel
Title	Professional Staff Assignments and Transfers
Code	GCI
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	January 22, 2018; February 28, 2022

Assignments in General

~~The division superintendent assigns employees to positions consistent with their abilities and in accordance with the needs of the Division.~~

~~The division superintendent assigns and may reassign professional staff to positions consistent with their licensure, qualifications, abilities, and the needs of the School Division.~~

Assignment of administrative positions shall be based upon leadership skills, scholarship, character, special abilities or skills, and competence.

~~Opportunities for assignment to an administrative position will be made known and consideration will be given to all qualified applicants. Final selection for recommendation to the York County School Board for assignment to an administrative position is made by the division superintendent.~~

~~Opportunities for assignment or promotion to administrative positions will be communicated, and all qualified applicants will be given consideration. Final recommendations for appointment or assignment are made by the division superintendent and submitted to the School Board for approval, as required by law.~~

~~The division superintendent is authorized to assign to their respective positions in the school wherein they have been placed by the School Board all teachers, principals and assistant principals.~~

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Upon recommendation of the division superintendent, the School Board places employees within the schools and facilities of the School Division. The division superintendent has authority to assign employees to their respective positions within the schools or facilities in which they have been placed.

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Employees of the York County School Board are teachers of students in the York County School Division as a whole. Individual schools are operating units of the organization in which the teachers work. The School Board will assign teachers to particular schools to provide for the effective and efficient operation of the entire School Division. Satisfying the needs of the School Division as a whole is the primary criteria for assigning teachers within the School Division but the morale of individual teachers shall be taken into account whenever transfers are being considered:

All professional staff are employees of the School Board and serve the School Division as a whole. Assignments are made to ensure the effective and efficient operation of the School Division, with the needs of the School Division as the primary consideration. Employee preferences and morale may be considered when practicable but are not controlling.

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#### Assignment by the School Board for the School Year

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For each school year the School Board shall assign each teacher to a particular school in the School Division. Such assignment shall be made upon the recommendation of the division superintendent and shall be effected as soon as possible after the Board of Supervisors approves the next fiscal year's operating budget and the School Board has approved the division superintendent's final operating budget.

For each school year, professional staff assignments shall be made upon the recommendation of the division superintendent and approval of the School Board, consistent with applicable law and budgetary constraints.

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In preparing recommended assignments for the coming school year, when the division superintendent anticipates conditions in the next school year that will require him to recommend transferring teachers from one school building to another, the division superintendent will call for volunteers for transfer from schools expected to be staffed beyond enrollment requirements for the next school year.

When conditions require the transfer of professional staff for the following school year, the division superintendent may first seek volunteers.

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~~When volunteers with the requisite licenses are unavailable teachers will be selected for transfer by the division superintendent on the basis of the needs of the School Division as a whole.~~

~~When sufficient qualified volunteers are unavailable, transfers will be made based on licensure, qualifications, and the needs of the School Division.~~

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~~In cases where two or more teachers have the licenses needed and more than one teacher can satisfy the needs of the School Division as a whole, the teacher who has been employed by the School Board for the least number of years will be recommended for transfer.~~

~~Length of service may be considered when other relevant factors are substantially equal.~~

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~~Individual teachers recommended for transfer to a different school for the next school year will be advised of their status as soon as the recommended assignments list has been prepared for submission to the School Board.~~

~~Employees recommended for transfer will be notified as soon as practicable.~~

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#### ~~Reassignment During the School Year~~

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~~By this policy the School Board resolves to authorize the division superintendent to reassign during a school year any teacher, principal or assistant principal to any school within the School Division as the division superintendent, in the exercise of sound judgment, may deem to be in the best interest of the School Division.~~

~~The School Board authorizes the division superintendent to reassign any professional staff member during the school year when the division superintendent determines such reassignment to be in the best interest of the School Division.~~

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~~Any such transfer shall have no effect on the transferee's salary, including supplements if any, for the balance of that school year.~~

~~No reassignment during the school year shall result in a reduction of the employee's salary for that school year.~~

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~~All such reassignments shall be made under the same guidelines specified for reassignments from one school year to the next.~~

~~Such reassignments shall be made in accordance with applicable law and School Board policy.~~

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~~The teacher, principal or assistant principal so affected shall be notified as soon as possible of the transfer.~~

The affected employee shall be notified as soon as practicable.

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#### Voluntary Transfers

Any professional staff member seeking a transfer to another work location for the following school year must submit a written request to the division superintendent or their designee by a deadline established in regulation. Approved requests shall be considered voluntary transfers.

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#### Assignment Within a School Building

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~~The division superintendent is authorized to delegate to a school principal the authority to specify teaching duties of individual teachers assigned to the school by the School Board or reassigned there by the division superintendent.~~

The division superintendent may delegate to principals or other supervisors the authority to assign specific duties within a school or facility, consistent with licensure, qualifications, and operational needs.

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#### Conflict of Interest

No employee shall be assigned or reassigned to a position in which a family member, as defined in Policy GCCB, would be directly responsible for the employee's supervision.

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LEGAL REFERENCE	Code of Virginia, 1950, as amended, <del>§§ 22.1-294</del> , <u>22.1-293, 22.1-295</u> , 22.1-297.
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CROSS REFERENCE	<u>GCCB – Employment of Family Member</u>
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Book	Policy Manual
Section	G - Personnel
Title	Professional Staff Development
Code	GCL
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD

Prior Revised Dates	February 28, 2022
<p><del>The York County School Board provides a program of high-quality professional development</del></p>	
<p><del>The York County School Board provides a comprehensive program of high-quality professional development aligned with state law, Board of Education requirements, and the instructional and operational needs of the School Division.</del></p>	
<p><del>Core Professional Development Requirements</del></p>	
<p><del>The Board provides high-quality professional development:</del></p>	
<p>(i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom <del>levels;levels.</del></p>	
<p>(ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education;</p>	
<p>(iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the <del>curricula;curricula.</del></p>	
<p>(iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel, and</p>	
<p>(v) designed to educate School Board employees about bullying as defined in Va. Code § 22.1-276.01 and the need to create a bully-free environment.</p>	

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~~In addition, the Board provides teachers and principals with high-quality professional development programs each year in~~

Annual Instructional Focus Areas

~~In addition, the Board provides annual professional development for teachers and principals in:~~

- ~~(i) instructional ~~content;content.~~~~
- ~~(ii) the preparation of tests and other assessment ~~measures;measures.~~~~
- ~~(iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed ~~objectives;objectives.~~~~
- ~~(iv) instruction and remediation techniques in English, mathematics, science and history and social ~~science;science.~~~~
- ~~(v) interpreting test data for instructional ~~purposes;purposes.~~~~
- ~~(vi) technology applications to implement the Standards of Learning; and~~
- ~~(vii) effective classroom management.~~

Science-Based Reading and Literacy Instruction

~~The Board provides high-quality professional development in science-based reading research and evidence-based literacy instruction, consistent with guidance and resources developed by the Virginia Department of Education pursuant to Va. Code § 22.1-253.13:5, or an approved alternative program, for:~~

- ~~• Each elementary school principal and each teacher holding endorsements in early/primary education (PK-3), elementary education (PK-6), special education general curriculum (K-12), special education deaf and hard of hearing (PK-12), special education blindness/visual impairments (PK-12), English as a second language (PK-12), or reading specialist.~~
- ~~• Each teacher with a middle education (6-8) endorsement who teaches English; and~~

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- Each middle school principal and each teacher with a middle education (6-8) endorsement who teaches mathematics, science, or history and social science, to build awareness of evidence-based literacy instruction.

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#### Special Education and Inclusive Instruction

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The Board provides high-quality professional development in:

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- Implementing the Virginia Individualized Education Program (IEP) and required referral, evaluation, reevaluation, and eligibility documentation for teachers holding provisional or endorsed special education licenses; and
- Instructional practices that support specially designed instruction in inclusive settings for:
  - general education teachers,
  - principals,
  - paraeducators or paraprofessionals, and
  - other staff as determined by the School Board.

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#### Participation and Training Requirements

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All instructional personnel are required to participate each year in professional development programs:

All instructional personnel are required to participate annually in professional development programs as required by law and School Board policy.

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No elementary or secondary school teacher shall be required to complete training related to student conduct management or test security more than once every five years, unless additional training is necessary to comply with state or federal law or to remediate misconduct. Teachers completing such training must sign a written attestation acknowledging completion and understanding.

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#### Mental Health Awareness

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Each teacher and other school-based staff that work directly with students employed on a full-time basis, is required to complete a mental health awareness training or similar program:

Each teacher and other school-based staff member who works directly with students and is employed on a full-time basis is required to complete mental health awareness training or a comparable program.

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#### Cultural Competency

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Every employee holding a license issued by the Board of Education is required to complete cultural competency training at least once every two years, consistent with guidance issued by the Board of Education.

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#### Program Review

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The Board annually reviews its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division:

The Board annually reviews its professional development program for quality, effectiveness, participation, and alignment with instructional priorities and student achievement needs.

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LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-23.3, 22.1-253.13:5, 22.1-276.01, 22.1-291.4 and 22.1-298.6, <u>22.1-298.7, and 22.1-298.8.</u>
CROSS REFERENCE	

Book	Policy Manual
Section	G - Personnel
Title	Evaluation of Professional Staff
Code	GCN
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	January 22, 2018; November 22, 2021, February 28, 2022
<u>Every employee of the York County School Board staff is evaluated on a regular basis at least as frequently as required by law.</u>	

Every professional employee of the York County School Board is evaluated on a regular basis, at least as frequently as required by law and Board of Education regulations.

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#### Evaluation Procedures

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The Superintendent assures that cooperatively developed procedures for professional staff evaluations are implemented throughout the division and included in the York County School Board's policy manual. The results of the evaluation are maintained electronically in the school division's employee evaluation database.

The division superintendent ensures that cooperatively developed procedures for professional staff evaluations are implemented throughout the School Division and included in the School Board's policy manual. Evaluation results shall be documented in writing, dated, and acknowledged by the evaluator and the employee, and maintained in the School Division's official electronic evaluation system.

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The primary purposes of evaluation are:

#### Purposes of Evaluation

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- to optimize student learning and ~~growth~~;growth.
- ~~to contribute to the successful achievement of the goals and objectives of the division's educational plan;~~
- support the successful achievement of the School Division's educational goals and objectives.
- ~~to improve the quality of instruction by ensuring accountability for classroom performance and teacher effectiveness;~~
- improve the quality of instruction and leadership through accountability for performance and effectiveness.
- ~~to provide a basis for leadership improvement through productive performance appraisal and professional growth;~~
- provide a basis for professional growth, leadership development, and continuous improvement.
- ~~to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership~~

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~~effectiveness, improvement of overall job performance and improved student outcomes; and~~

- ~~• promote a positive working environment through ongoing communication between the employee and evaluator; and~~
- ~~• encourage self-reflection and improvement of overall professional performance.~~
- ~~• to promote self-growth, instructional effectiveness, and improvement of overall professional performance:~~
- ~~• Teacher, principal, and superintendent evaluations are consistent with the performance standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendent. Evaluations include student academic progress as a significant component and an overall summative rating. Teacher evaluations include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities. Evaluations include an evaluation of cultural competency.~~

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#### Performance Standards and Evaluation Criteria

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Evaluations of teachers, principals, and the division superintendent are conducted in accordance with the performance standards and evaluation criteria established by the Virginia Board of Education.

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Evaluations include student academic progress as a significant component and result in an overall summative rating, as required by law.

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Teacher evaluations include regular observations and evidence that instruction is aligned with the adopted curriculum.

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Evaluations identify individual strengths and areas for improvement and may include recommendations for appropriate professional development activities.

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Evaluations include an assessment of cultural competency, consistent with Board of Education guidance.

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#### Professional Staff Response to Evaluation

~~The evaluations, challenges to the evaluation process and procedures, and/or institution of either a School-Based Action Plan or a Performance Improvement Plan process are~~

~~not grievable under School Board Policy GBM “Procedures for Adjusting Employee Grievances”:~~

~~Professional staff evaluations, evaluation procedures, and the initiation or implementation of a School-Based Action Plan or Performance Improvement Plan are not grievable under School Board Policy GBM.~~

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~~If the employee disagrees with the evaluation or whether or not the actions necessary to improve performance have been accomplished, the employee may submit a written rebuttal statement of disagreement to the evaluator and the Chief Human Resources Officer:~~

~~An employee who disagrees with an evaluation or with a determination regarding improvement of performance may submit a written rebuttal to the evaluator and the Chief Human Resources Officer or designee.~~

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~~The written rebuttal statement must be submitted within ten (10) days after receipt of the evaluation form or within ten (10) days of notification that the employee’s performance has not improved:~~

~~The rebuttal must be submitted within ten (10) calendar days of receipt of the evaluation or notification that performance has not improved.~~

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~~At the request of the employee, the Chief Human Resources Officer or designee shall meet with the employee to discuss the employee’s disagreement with the evaluation or plan:~~

~~At the employee’s request, the Chief Human Resources Officer or designee shall meet with the employee to discuss the concerns raised in the rebuttal.~~

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~~The employee has a right to append the statement of disagreement to the evaluation or plan. The statement is filed with the evaluation in the electronic employee evaluation database:~~

~~The employee’s rebuttal shall be appended to the evaluation or plan and maintained with the official evaluation record.~~

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~~The procedures outlined above are the exclusive means for appeal of professional staff evaluations, School-Based Action Plan process, Performance Improvement Plan process, and all other matters relating to professional staff evaluations:~~

~~The procedures outlined in this policy constitute an exclusive method for responding to or contesting professional staff evaluations and related performance plans.~~

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<p><u>Required Professional Development</u></p> <p>Any teacher whose evaluation indicates deficiencies in managing student conduct may be required to attend professional development activities designed to improve classroom management and discipline skills.</p> <p>Any teacher whose evaluation identifies deficiencies in managing student conduct may be required to participate in professional development designed to improve classroom management and discipline skills.</p>	
LEGAL REFERENCE	<p>Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-294, 22.1-295, 22.1-303, 22.1-253.13:5, 22.1-253.13:7 and 22.1-276.2.</p> <p><u>Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers (Virginia Board of Education).</u></p> <p><u>Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals (Virginia Board of Education).</u></p>
CROSS REFERENCE	<p>CBG – Evaluation of the Superintendent</p> <p>GCG – Professional Staff Probationary Term and Continuing Contract</p> <p>GBA – Prohibition Against Harassment and Retaliation</p>

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Book	Policy Manual
Section	G - Personnel
Title	Reduction in Staff Work Force
Code	GCPA
Status	Active
Adopted	June 20, 1988
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	March 15, 1993; March 25, 2002; January 22, 2018; February 28, 2022

**Licensed Staff**

General Provisions

Declines in enrollment, reductions in revenue and elimination of instructional programs can require the York County School Board to reduce the total number of licensed

~~employees in the School Division in order to ensure expenditures remain within budgetary limits as required by law.~~

A decrease in enrollment, reductions in revenue, program changes, consolidation of schools, or other conditions may require the School Board to reduce the number of staff employed by the School Division in order to remain within budgetary limits as required by law.

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~~Such an eventuality shall be termed a "reduction in force" and is defined as follows: a Division wide reduction in the number of full time licensed employees by removal of designated licensed employees from the School Board's payroll.~~

Such action is referred to as a "reduction in force" (RIF) and is defined as a division-wide reduction in the number of full-time employees through removal of designated positions from the School Board's payroll.

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#### Licensed Staff

~~Both probationary and continuing contract employees may be subject to a reduction in force.~~

Both probationary and continuing contract licensed employees may be subject to a reduction in force.

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~~Employees on Family Medical Leave or other leaves of absence are eligible for a reduction in force as if they were currently an active employee.~~

Employees on approved leave, including Family and Medical Leave, shall be considered for a reduction in force as if actively employed.

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~~Full-time employees will be retained over temporary or part-time employees as long as their qualifications meet the needs of the Division.~~

Full-time employees shall be retained over temporary or part-time employees when qualifications meet the needs of the School Division.

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~~The transfer of licensed employees from one school to another within the School Division to accommodate variations of individual school enrollments is not a reduction in force.~~

The transfer or reassignment of licensed employees within the School Division to address enrollment or programmatic needs does not constitute a reduction in force.

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~~In such a situation, if the employee to be transferred refuses the transfer, he/she will be subject to termination.~~

An employee who refuses a required reassignment may be subject to termination.

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~~When the School Board authorizes a reduction in force the division superintendent shall act to remove the requisite number of licensed employees from the payroll in a timely manner.~~

Upon authorization by the School Board, the division superintendent shall implement the reduction in force in a timely manner.

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~~Whenever possible, reductions shall be realized through attrition from retirements and resignations.~~

Whenever practicable, reductions shall be accomplished through attrition, including retirements and resignations.

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Should requisite reduction in staff be unmet by normal attrition, the division superintendent shall present to the School Board his recommendations for achieving the needed reduction in staff. ~~In preparing his recommendations the division superintendent may give consideration to retaining the most senior School Board employees whose qualifications satisfy the needs of the School Division.~~ In developing recommendations, the division superintendent shall consider the needs of the School Division and may consider seniority when qualifications are substantially equal.

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~~In determining whether an employee's qualifications meet the needs of the Division, the division superintendent may, in addition to seniority, also consider the employee's capacity to add value to the total Division program, including specialized responsibilities, industry certification, AP classes, extra-curricular and co-curricular sponsorships and coaching.~~

In determining qualifications, the division superintendent may consider performance, licensure, endorsements, specialized skills, certifications, instructional assignments, extracurricular responsibilities, and the employee's overall contribution to the School Division.

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In addition, licensure may be considered when determining which staff members may be subject to a reduction in force. A licensed employee whose position is abolished but who is endorsed to teach in another position/field may be retained consistent with the needs of the Division. The division superintendent may consider whether a licensed employee has recent teaching experience in the additional position/field in determining whether

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the employee will be subject to a reduction in force. In addition, licensed employees who have not or will not be able to meet licensure and/or relicensure requirements by June 1 of the year in question will be subject to a reduction in force before other employees.

~~Employees who have received an overall “Unsatisfactory Performance” rating on their most recent summative evaluation may be considered first for a reduction in force.~~

Licensed employees who received an overall “Unsatisfactory” rating on their most recent summative evaluation may be considered for reduction prior to employees with satisfactory performance.

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~~The division superintendent may grant an exception to an employee on a Performance Improvement Plan who is making demonstrated and satisfactory progress toward competent performance.~~

The division superintendent may grant an exception when an employee on a Performance Improvement Plan demonstrates satisfactory progress.

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~~Employees in administrative positions or a position with extra assigned days may be assigned to other positions within their endorsement area, consistent with seniority considerations and the needs of the Division.~~

Licensed employees in administrative positions or positions with additional contract days may be reassigned to other endorsed positions consistent with the needs of the School Division.

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Such reassignment may result in a reduction in pay or contract days.

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~~Such reassignment may result in a reduction in pay and/or extra days. The length of full time continuous employment in the York County School Division defines an employee’s seniority ranking; the longer the term of full time continuous employment the more senior the employee.~~

For purposes of a reduction in force, seniority is defined as the length of continuous full-time employment in the School Division, including approved leaves but excluding temporary or interim service.

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Seniority is division-wide and not limited to a single work location.

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~~Seniority is that period of time (including authorized leaves but excluding employment under temporary or interim contract) commencing with the most recent term of continuous full time service with the Division based on official beginning date of~~

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~~employment.~~ Should a tie in seniority exist, the tie shall be broken in the following order: date of employee's signature on the letter of intent; date of acceptance of offer of employment; date of offer of employment; and selection by lot. ~~Seniority is considered across the entire Division, not within one work location. Seniority is based on length of full time continuous employment in a licensed position, however, a change in licensed position within the Division does not affect seniority.~~

In presenting his recommendations for a reduction in force to the School Board the division superintendent shall identify any employee proposed to be terminated whose qualifications satisfy the requirements of a position being held by another less senior employee. The division superintendent shall state the reasons for the proposed termination of the more senior employee.

~~Upon approval of a reduction in force by the School Board, the division superintendent shall timely notify individual employees in writing of the action.~~

Upon approval of a reduction in force, the division superintendent shall notify affected employees in writing.

~~Further, the division superintendent shall inform full time terminated employees that they will be considered for hire ahead of any other applicants for the next open position for which they are qualified. The terminated employees shall be given this priority during the twelve months immediately following their termination under the reduction in force.~~

Eligible employees shall be placed on a recall list and considered for reemployment for positions for which they are qualified for twelve (12) months following termination. Employees separated due to an overall "Unsatisfactory" performance rating shall not be eligible for recall.

~~A recall list will be maintained for twelve months from the date of termination due to a reduction in force. A letter, informing the employee that they are being considered for recall will be sent by certified mail to the last noted address on record for the employee. It shall be the responsibility of the employee to maintain an accurate address within the Human Resources information system. If the employee does not respond in writing within ten (10) calendar days of receipt of the letter, indicating his/her interest in being considered for recall, any right of consideration for recall will be forfeited. If the notice of consideration for recall is undeliverable because of the actions of the employee, the right to consideration for recall will be forfeited. If an employee is offered a job as a recall and the employee refuses the position, such employee will no longer be eligible for~~

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consideration for recall. In addition, if an employee has accepted a position outside of the School Division and he/she is offered a job as a recall and such employee cannot be released from his/her position within two weeks, such employee will no longer be eligible for consideration for recall.

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An employee who is the subject of a reduction in force due to an overall "Unsatisfactory Performance" rating on their most recent summative evaluation will not be eligible for recall.

ADOPTED: June 20, 1988

REVISED: March 15, 1993

RESTATEMENT: March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014; January 22, 2018; February 28, 2022

#### Non-Licensed Staff

Declines in enrollment, reductions in revenue and elimination of instructional programs can require the School Board to reduce the total number of employees in the School Division in order to ensure expenditures remain within budgetary limits as required by law. Such an eventuality shall be termed a "reduction in force" and is defined as follows: a Division wide reduction in the number of full time employees by removal of designated employees from the School Board's payroll.

Employees on Family Medical Leave or other leaves of absence are eligible for a reduction in force as if they were currently an active employee.

Employees on approved leave, including Family and Medical Leave, shall be considered for a reduction in force as if actively employed.

Full-time employees will be retained over temporary or part-time employees as long as their qualifications meet the needs of the Division.

Full-time employees shall be retained over temporary or part-time employees when qualifications meet the needs of the School Division.

The transfer of non-licensed employees or registered nurses from one school or office to another within the School Division to accommodate variations of individual school enrollments is not a reduction in force.

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~~In such a situation, if the employee to be transferred refuses the transfer, he/she will be subject to termination.~~

An employee who refuses a required reassignment may be subject to termination.

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~~When the School Board authorizes a reduction in force the division shall act to remove the requisite number of employees from the payroll in a timely manner.~~

Upon authorization by the School Board, the division superintendent shall implement the reduction in force in a timely manner.

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~~Whenever possible, reductions shall be realized through attrition from retirements and resignations.~~

Whenever practicable, reductions shall be accomplished through attrition, including retirements and resignations.

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Should requisite reduction in staff be unmet by normal attrition, the division superintendent shall present to the School Board his recommendations for achieving the needed reduction in staff.

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~~In preparing his recommendations the division superintendent may give consideration to retaining the most senior School Board employees whose qualifications satisfy the needs of the School Division.~~

In developing recommendations, the division superintendent shall consider the needs of the School Division and may consider seniority when qualifications are substantially equal.

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Employees who have received a rating of “Needs Improvement” or “Unsatisfactory” in any performance evaluation category on their most recent annual evaluation may be considered first for a reduction in force. The division superintendent may grant an exception to an employee on an improvement plan who is making demonstrated and satisfactory progress toward competent performance.

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The length of full time continuous employment in the York County School Division (including authorized leaves) defines an employee’s seniority ranking; the longer the term of full time continuous employment the more senior the employee. The most recent hire date of an employee, i.e., the first date of full time service, is used to determine the seniority of employees with the same number of years of service. Should a tie in seniority exist, it shall be broken in the following order: date of acceptance of offer of employment;

date of offer of employment; and selection by lot. Seniority is considered across the entire Division, not within one work location.

In presenting his recommendations for a reduction in force to the School Board the division superintendent shall identify any employee proposed to be terminated whose qualifications satisfy the requirements of a position being held by another less senior employee. The division superintendent shall state the reasons for the proposed termination of the more senior employee.

Upon approval of reduction in force by the School Board, the division superintendent shall timely notify individual employees in writing of the action. Further, the division superintendent shall inform full time terminated employees that they may be considered for hire ahead of any other applicants for the next open position for which they are qualified. The terminated employees shall be given this priority during the ~~12~~twelve months immediately following their termination under the reduction in force.

A recall list will be maintained for ~~12~~twelve months from the date of termination due to a reduction in force. A letter, informing the employee that they are being considered for recall will be sent by certified mail to the last noted address on record for the employee. It shall be the responsibility of the employee to maintain an accurate address within the Human Resources information system. If the employee does not respond in writing within ten (10) calendar days of receipt of the letter, indicating his/her interest in being considered for recall, any right of consideration for recall will be forfeited. If the notice of consideration for recall is undeliverable because of the actions of the employee, the right to consideration for recall will be forfeited. If an employee is offered a job as a recall and the employee refuses the position, such employee will no longer be eligible for consideration for recall.

Employees who are recalled to the same position in the same department from which they were originally terminated will be restored to regular employment status and not serve a probationary term. Employees who are recalled but not to the same position in the same department will have their employment status restored to include pay appropriate to the new position, length of employment service and applicable fringe benefits. The employee will be subject to a probationary period of eighteen months in the new position.

An employee who is the subject of a reduction in force due to having received a rating of “Needs Improvement” or “Unsatisfactory” in any performance evaluation category on their most recent annual evaluation will not be eligible for recall.	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-304.
CROSS REFERENCE	GCG Professional Staff Probationary Term and Continuing Contract

Book	Policy Manual
Section	G - Personnel
Title	Resignation of Staff Members
Code	GCPB
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	February 28, 2022

~~The division superintendent is authorized to approve resignations of employees. Any resignation must be in writing.~~  
~~The division superintendent is authorized to accept resignations of employees. Except as provided below, all resignations must be submitted in writing.~~

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Resignation of Teachers

~~A teacher may resign after June 15 of any school year with the approval of the division superintendent. The teacher shall request release from contract at least two weeks in advance of the intended date of resignation. Such request shall be in writing and state the cause of the resignation. The teacher may, within one week, withdraw a request to resign. Upon the expiration of the one week period, the division superintendent shall notify the York County School Board of the decision to accept or reject the resignation. The School Board, within two weeks, may reverse the decision of the division superintendent. In the event that the Board or the division superintendent declines to grant the request for release on the grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action, which may include revocation of the~~

~~teacher's license, may be taken pursuant to regulations prescribed by the Board of Education:~~

~~A teacher may resign after June 15 of any school year only with the approval of the division superintendent, as required by law. A teacher requesting release from contract shall submit a written request at least two (2) weeks prior to the intended effective date of resignation. The request shall state the reason for the requested release. A teacher may withdraw a request for resignation within one (1) week of submission.~~

~~Upon expiration of the withdrawal period, the division superintendent shall notify the School Board of the decision to accept or deny the request. The School Board may reverse the division superintendent's decision within two (2) weeks of notification. If the School Board or division superintendent denies the request due to insufficient or unjustifiable cause and the teacher breaches the contract, disciplinary action may be taken, including written reprimand, suspension, or revocation of the teacher's license, in accordance with regulations of the Board of Education.~~

~~Other employees who wish to terminate their employment must give notice at least ten school days prior to their desired separation date. Notice should be given to the employee's immediate supervisor, who will inform the division superintendent. The division superintendent will inform the School Board of the resignation at its next regular meeting.~~

#### Resignation of Other Employees

~~Employees other than teachers shall provide written notice of resignation at least ten (10) school days prior to the intended separation date. Notice shall be submitted to the employee's immediate supervisor, who shall inform the division superintendent or designee. The division superintendent shall inform the School Board of resignations at the next regular meeting.~~

#### Documentation and Waiver of Notice

~~The supervisor of any employee can document and submit a verbal resignation when there appears to be little likelihood of a written resignation being submitted. The division superintendent has the authority to waive the two-week notice requirement when the division superintendent determines the best interests of the school division will be served by such waiver.~~

~~When an employee fails or refuses to submit a written resignation and circumstances indicate that separation is intended, the supervisor may document the~~

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<u>resignation in writing for administrative purposes. The division superintendent may waive required notice periods.</u>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, § 22.1-304; <del>8-VAC-20-440-160</del>
CROSS REFERENCE	GCPD Professional Staff Discipline GDB Support Staff Employment Status

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Book	Policy Manual
Section	G - Personnel
Title	Professional Staff Discipline
Code	GCPD
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	January 22, 2018

Probation and Dismissal

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~~Teachers may be dismissed for incompetency, immorality, non-compliance with school laws and regulations, disability in accordance with State and federal law, conviction of a felony or a crime of moral turpitude or other good and just cause. "Incompetency" includes, but is not be limited to, consistent failure to meet the endorsement requirements for the position or one or more unsatisfactory performance evaluations. Teachers may be dismissed or placed on probation for incompetency, immorality, noncompliance with applicable laws or School Board policies, disability in accordance with state and federal law, conviction of a felony or a crime of moral turpitude, or other good and just cause. "Incompetency" includes, but is not limited to, a consistent failure to meet endorsement or licensure requirements for the position or one or more unsatisfactory performance evaluations.~~

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~~A teacher shall be dismissed if such teacher is or becomes the subject of a founded complaint of child abuse and neglect, pursuant to Va. Code § 63.2-1505, 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 the York County School Board to recommend that the Board of Education revoke such person's license to teach.~~

~~A teacher shall be dismissed if the teacher is or becomes the subject of a founded complaint of child abuse or neglect pursuant to Va. Code § 63.2-1505, after all rights of appeal provided by Va. Code § 63.2-1526 have been exhausted. Such a finding shall constitute grounds for the School Board to recommend revocation of the individual's license by the Board of Education.~~

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~~In those instances when licensed personnel are dismissed or resign due to a conviction of any felony; any offense involving the sexual molestation, physical or sexual abuse or rape of a child; any offense involving drugs; or due to having become the subject of a founded case of child abuse or neglect, the School Board shall notify the Board of Education within 10 business days of such dismissal or the acceptance of such resignation:~~

~~When licensed personnel are dismissed or resign due to a conviction of a felony; an offense involving sexual molestation, physical or sexual abuse, or rape of a child or the solicitation thereof; an offense involving drugs; or due to becoming the subject of a founded case of child abuse or neglect, the School Board shall notify the Board of Education within ten (10) school division workdays of the dismissal or acceptance of the resignation.~~

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~~If a current employee is dismissed because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee:~~

~~If an employee is dismissed based on information contained in the employee's criminal history record, the School Board shall provide the employee a copy of the information obtained from the Central Criminal Records Exchange.~~

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~~Employees of the School Board who are removed from employment for just cause by the School Board will be ineligible thereafter for employment in any school or duty station within the York County School Division:~~

~~Employees removed from employment for just cause by the School Board shall thereafter be ineligible for employment in any school or duty station within the School Division. -~~

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~~Administrative regulations shall be developed for the dismissal or placing on probation of continuing contract teachers and probationary teachers during the school year:~~

~~Administrative regulations shall be developed to govern the dismissal of or placement on probation of, probationary and continuing contract teachers during the school year.~~

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~~No teacher shall be dismissed or placed on probation solely on the basis of the teachers' refusal to submit to a polygraph examination requested by the School Board.~~

No teacher shall be dismissed or placed on probation solely for refusing to submit to a polygraph examination requested by the School Board.

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#### Suspension

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~~Employees of the School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.~~

Employees of the School Board may be suspended in accordance with Policy GCPF, Suspension of Staff Members.

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#### Failure to Perform Nonemergency Health-Related Services

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~~With the exception of school administrative personnel and employees who have the specific duty to deliver health-related services, no licensed instructional employee, instructional aide, or clerical employee shall be disciplined, placed on probation, or dismissed on the basis of such employee's refusal to~~

Except for school administrative personnel and employees whose assigned duties include delivery of health-related services, no licensed instructional employee, paraeducator, or clerical employee shall be disciplined, placed on probation, or dismissed for refusing to:

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(i) perform nonemergency health-related services for students or

(ii) obtain training in the administration of insulin and glucagon.

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~~However, instructional aides and clerical employees may not refuse to dispense oral medications:~~

Paraeducators and clerical employees may not refuse to dispense oral medications when required by their assigned duties.

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~~"Health-related services" means those activities which, when performed in a health care facility, must be delivered by or under the supervision of a licensed or certified professional:~~

HEALTH-RELATED SERVICES - means activities that, when performed in a health care facility, must be delivered by or under the supervision of a licensed or certified professional.

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Effect of Probation Pursuant to VA. Code §18.2-251	
<del>For purposes of this policy, a court's placing an individual on probation pursuant to VA. Code § 18.2-251 shall be treated as a conviction and as a finding of guilt.</del>	
<u>For purposes of this policy, the court's placement of an individual on probation pursuant to Va. Code § 18.2-251 shall be treated as a conviction and a finding of guilt.</u>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 18.2-251, 22.1-274, 22.1-271.4:1, 22.1-296.2, 22.1-307, 22.1-313, 22.1-315.
CROSS REFERENCE	GBM Professional Staff Grievances GCE Part-Time and Substitute Professional Staff Employment GCG Professional Staff Probationary Term and Continuing Contract GCD A Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect GCPF Suspension of Staff Members JHC Student Health Services and Requirements JHCD Administering Medicines to Students

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Book	Policy Manual
Section	G - Personnel
Title	Suspension from Work or Administrative Leave
Code	GCPF
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	January 22, 2018; February 28, 2022; January 23, 2023

<u>Suspension With or Without Pay</u>	
<del>An employee of the York County School Board, whether full time, part time, permanent or temporary, may receive a suspension with or without pay as discipline as a result of founded misconduct, unsatisfactory work performance, or for other good and just cause.</del>	
<u>Any employee of the York County School Board, whether full-time or part-time, permanent or temporary, may be suspended with or without pay for founded misconduct, unsatisfactory performance, or other good and just cause, in accordance with law.</u>	

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~~Good and just cause includes but is not limited to:~~

~~Good and Just Cause~~

~~Good and just cause includes, but is not limited to, circumstances in which:~~

- ~~• when the safety or welfare of the York County School Division or the students therein is threatened or;~~
- ~~• when the employee has been charged by summons, warrant, indictment or information with the commission of~~
- ~~• a felony; or~~
- ~~• a misdemeanor involving:~~
  - ~~◦ sexual assault as established in Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2, of the Code of Virginia;~~
  - ~~◦ obscenity and related offenses as established in Article 5 (§18.2-372 et seq.) of Chapter 8 of Title 18.2, of the Code of Virginia;~~
  - ~~◦ drugs as established in Article 1 (§18.2-247 et seq.) of Chapter 7 of Title 18.2, of the Code of Virginia;~~
  - ~~◦ moral turpitude; or~~
  - ~~◦ the physical or sexual abuse or neglect of a child~~
  - ~~◦ or an equivalent offense in another state:~~
- ~~• **the safety or welfare of the School Division or its students is threatened.**~~
- ~~• **the employee has been charged by summons, warrant, indictment, or information with:**~~
  - ~~◦ a felony; or~~
  - ~~◦ a misdemeanor involving:~~
    - ~~▪ sexual assault (§ 18.2-61 et seq.),~~
    - ~~▪ obscenity and related offenses (§ 18.2-372 et seq.),~~
    - ~~▪ drug offenses (§ 18.2-247 et seq.),~~
    - ~~▪ moral turpitude, or~~

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- physical or sexual abuse or neglect of a child.

- or an equivalent offense in another state.

#### Nature of Suspension

A suspension without pay means that the employee shall not be allowed to work for a specified period of time, nor be paid for their absence from work during the period of suspension. A suspension with pay means that the employee shall not be allowed to work for a specific period of time, but still receives their then-applicable salary during the period of suspension.

A suspension without pay means the employee is relieved of duty and does not receive pay for the period of suspension.

A suspension with pay means the employee is relieved of duty but continues to receive the employee's then-applicable salary.

#### FLSA Considerations

An employee who is classified as a "non-exempt" employee in accordance with the Fair Labor Standards Act may be suspended without pay for a number of hours or up to five (5) days as recommended by the Chief Human Resources Officer. An employee who is classified as an "exempt" employee in accordance with the Fair Labor Standards Act may only be suspended without pay for an entire workweek or in multiples of a workweek, i.e., one week, two weeks, three weeks, etc. However, if the "exempt" employee is being disciplined for violating a major safety rule, they may be suspended without pay for a number of hours or days.

Any employee suspended because of being charged by summons, warrant, information or indictment with any of the above-listed criminal offenses may be suspended without pay by the division superintendent or appropriate central office designee for any length of time.

Employees classified as non-exempt under the Fair Labor Standards Act (FLSA) may be suspended without pay for partial-day or multi-day periods, as recommended by the Chief Human Resources Officer or designee.

Employees classified as exempt under the FLSA may be suspended without pay only in full-week increments, except for violations of major safety rules, for which partial-day suspensions are permitted.

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Duration and Due Process

Except when an employee is suspended because of being charged by summons, warrant, indictment or information with the commission of any of the above-listed offenses, the division superintendent or appropriate central office designee shall not suspend an employee for longer than sixty (60) days and shall not suspend an employee for a period in excess of five (5) days unless such employee is advised in writing of the reason for the suspension and afforded an opportunity for a hearing before the School Board in accordance with Va. Code §§ 22.1-311 and 22.1-313, if applicable. The employee will continue to receive their then applicable salary unless and until the School Board, after a hearing, determines otherwise. The School Board may place an employee on suspension without pay during an investigation into allegations of employee misconduct. An employee's placement on suspension without pay pending the outcome of an investigation shall not be considered disciplinary in nature.

Except when suspension is based on criminal charges listed above, the division superintendent or designee shall not suspend an employee for more than sixty (60) days, nor for more than five (5) days without first providing written notice of the reasons for suspension and an opportunity for a hearing before the School Board, as required by Va. Code §§ 22.1-311 and 22.1-313, when applicable.

The employee shall continue to receive salary unless and until the School Board determines otherwise following a hearing.

The School Board may place an employee on suspension without pay pending an investigation into alleged misconduct. Such suspension is administrative and not disciplinary in nature.

Escrow of Salary During Criminal Charges

In the event an employee is suspended without pay as a result of being charged with any of the above-listed offenses, an amount equal to the employee's salary while on unpaid suspended status shall be placed in an interest-bearing demand escrow account. Upon being found not guilty of one of the above-listed criminal offenses or upon the dismissal or nolle prosequi of the charge, such 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.

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~~In the event a teacher or employee is found guilty by an appropriate court of one of the offenses, and after all available appeals have been exhausted and the conviction is upheld, all funds in the escrow account shall be repaid to the School Board. The placing of a teacher or an employee on probation by a court pursuant to the terms of Virginia Code § 18.2-251 will be deemed a finding of guilt for the purposes of salary reimbursement.~~

~~If an employee is suspended because of information appearing on the employee's criminal history record, the School Board provides a copy of the information obtained from the Central Criminal Records Exchange to the employee:~~

If an employee is suspended without pay due to criminal charges listed above, an amount equal to the employee's salary during the unpaid suspension shall be placed in an interest-bearing escrow account.

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If the employee is found not guilty, or the charge is dismissed or nolle prosequi, the employee shall be reinstated with all unpaid salary and accrued interest, less interim earnings, not to exceed one (1) year of salary.

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Placement on probation pursuant to Va. Code § 18.2-251 shall be deemed a finding of guilt for purposes of salary reimbursement.

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If suspension is based on information from a criminal history record, the School Board shall provide the employee a copy of the information obtained from the Central Criminal Records Exchange.

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#### Administrative Leave ~~With~~with Pay

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~~An employee of the York County School Board, whether full time, part time, permanent or temporary, may be placed on paid administrative leave during an administrative investigation of misconduct, unsatisfactory work performance or for good and just cause, as defined in subsection A above, by the division superintendent or appropriate central office designee. An employee's placement on paid administrative leave pending the outcome of an investigation shall not be considered disciplinary in nature.~~

~~Administrative leave with pay means that the employee shall be required to be available to work during regular work hours, while still receiving their then applicable salary during the period of administrative leave:~~

~~No determination regarding the alleged misconduct or unsatisfactory performance shall be made until the administrative investigation is concluded and sufficient facts have been gathered:~~

~~An employee may be placed on paid administrative leave during an administrative investigation of alleged misconduct, unsatisfactory performance, or other good and just cause, as defined above. Placement on paid administrative leave is non-disciplinary. During paid administrative leave, the employee remains an employee of the School Division, must be available during regular work hours, and continues to receive salary. No determination regarding the allegations shall be made until the investigation is complete and sufficient facts are gathered.~~

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#### Polygraph Examination

~~No employee shall be suspended solely on the basis of the employee's refusal to submit to a polygraph examination requested by the School Board.~~

~~No employee shall be suspended solely for refusing to submit to a polygraph examination requested by the School Board.~~

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#### Health Insurance

~~No employee will have his insurance benefits suspended or terminated because of suspension in accordance with this policy. However, the employee will be responsible for making the employee portion of premium payments for health benefits coverage.~~

~~No employee's health insurance benefits shall be suspended or terminated due to suspension under this policy; however, the employee remains responsible for the employee portion of benefit premiums.~~

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LEGAL REFERENCE	<del>Code of Virginia § 18.2-251, as amended. Persons charged with first offense may be placed on probation; conditions; screening; assessment and education programs; drug tests; costs and fees; violations; discharge.</del> <del>Code of Virginia § 22.1-315, as amended. Grounds and Procedures for Suspension.</del> <del>Code of Virginia §§ 18.2-251 and 22.1-315.</del>
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CROSS REFERENCE	GBMA Support Staff Grievances GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect GCPD Professional Staff Discipline GDG Support Staff Probationary Period
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Book	Policy Manual
Section	G - Personnel
Title	Nonschool Employment by Staff Members
Code	GCQA
Status	Active
Adopted	June 20, 1988
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	March 15, 1993; January 26, 1998; January 22, 2018, February 28, 202

**Selling Educational Aids**

~~No employee of the York County School Board will take advantage of their position in the school division to promote or to sell any educational aids to York County School Division students or their parents.~~

~~No employee shall use the employee's position with the School Division to promote or sell educational materials, products, or services to students or parents of students enrolled in the School Division.~~

**Selling Within the York County Schools – Prohibited**

Selling or Soliciting on School Property

~~Selling or promoting materials, services or goods by an employee to other employees, students or the public during work hours or on school property at any time is prohibited except that the division superintendent or his designee can authorize exceptions for specific fund-raising activities.~~

~~Selling, soliciting, or promoting materials, services, or goods by an employee to employees, students, parents, or the public during work hours or on School Division property is prohibited, unless expressly authorized by the division superintendent or designee for approved fundraising or School Division activities.~~

**Commissions and Conflicts of Interest**

~~No School Board employee may accept any commission from any person or persons doing business with the School Board.~~

**No employee may accept a commission, referral fee, or other financial benefit from any person or entity doing business with the School Board.**

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## Outside Employment

The School Board considers employment by the School Board to be the School Board employee's primary job. The School Board expects peak performance on the job by its employees. Employees of the School Board may accept outside employment provided that such employment does not interfere with or affect the quality of performance for which the School Board hired the employee. Employees are required to report all outside employment in accordance with procedures established by the division superintendent.

Employment with the School Board is considered the employee's primary employment. Employees may engage in outside employment during non-duty hours, provided such employment does not interfere with assigned duties, performance expectations, work schedules, or the efficient operation of the School Division. Employees shall disclose outside employment in accordance with procedures established by the division superintendent or designee.

### Employment While on Leave

An employee who is on leave from the School Board, in a paid or unpaid status, may not be employed by the School Board or any other employer in any capacity during the period of leave except with the prior written authorization of the division superintendent.

An employee on approved paid or unpaid leave may not be otherwise employed by the School Board or any other employer during the period of leave without prior written authorization of the division superintendent or designee, consistent with applicable law.

### Consulting and Professional Services by Licensed Employees

Licensed employees requested to serve as consultants in other school systems or educational institutions may do so with the permission of the division superintendent. In general, the School Board subscribes to the principle that no employee will be paid twice for the same work period. Licensed personnel serving as consultants may do so only through use of leave time with pay, leave time without pay or such leave, which in the judgment of the division superintendent, is in keeping with this policy:

Licensed employees may provide consulting or professional services to other school systems or educational institutions with prior approval of the division superintendent or designee. Employees shall not receive compensation from more than one employer for the same work period. Such consulting shall occur only through approved leave with pay, leave without pay, or other authorized leave consistent with this policy.

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Non-Endorsement and Liability

~~The School Board does not endorse, support, or assume liability for any activity conducted by School Board employees in which division students or employees participate which is not sponsored by the School Board.~~

~~The School Board does not endorse, support, supervise, or assume liability for any non-School-Division-sponsored activity conducted by employees, even if students or employees participate.~~

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LEGAL REFERENCE	29 C.F.R. 825.216(e); Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.
CROSS REFERENCE	BBFA School Board Members Conflict of Interest and Disclosure of Economic Interests GAA Staff Time Schedules GAH School Employee Conflict of Interest GCBD Staff Leave and Absences GCQAB Tutoring for Pay GCQB Staff Research and Publishing

Book	Policy Manual
Section	G - Personnel
Title	School Bus Drivers
Code	GDQ
Status	Active
Adopted	January 27, 2014
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	January 22, 2018; May 18, 2020; February 28, 2022

Eligibility for Employment

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Any applicant for employment operating a school bus transporting pupils must:

- ~~a. have an annual physical examination of a scope prescribed by the Board of Education and furnish a form prescribed by the Board of Education showing the results of such examination, successfully complete a physical examination of the~~

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scope prescribed by the Board of Education and submit documentation on the form prescribed by the Board of Education;

b.—furnish an annual certification stating that should his or her physical condition change in a manner that could affect their ability to physically perform school bus driver duties, including evacuating school bus passengers during an emergency, at any time during the year, such changes will be reported immediately to the immediate supervisor and the Associate Director of Transportation; annually certify that any change in physical condition that could affect the ability to safely perform school bus driver duties, including emergency evacuation of passengers, will be reported immediately to the immediate supervisor and the Associate Director of Transportation;

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c.—permit the Division to obtain a statement or copy of records from the Department of Motor Vehicles showing that the applicant, within the preceding five years, has not been convicted of a charge of driving under the influence of alcohol or drugs; convicted of a charge of refusing to take a blood or breath test, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to Va. Code § 18.2-271.1 or, within the preceding 12 months, has not been convicted of two or more moving traffic violations or required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to Va. Code § 46.2-498; permit the School Division to obtain records from the Department of Motor Vehicles demonstrating compliance with statutory driving record requirements, including the absence of disqualifying convictions or assignments to driver improvement or alcohol rehabilitation programs, as required by law;

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d.—furnish a statement signed by two reputable persons who reside in the school division or in the applicant's community that the person is of good moral character; furnish statements signed by two reputable persons residing in the School Division or community attesting to the applicant's good moral character;

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e.—exhibit a license showing the person has successfully undertaken the examination prescribed by Va. Code § 46.2-339; hold and maintain the appropriate driver's license and endorsements required by Va. Code § 46.2-339;

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f.—have reached the age of 21 on the first day of the school year; have attained the age required by law to operate a school bus on the first day of the school year;

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~~g. – submit to testing for alcohol and controlled substances as required by state and federal law and regulation. submit to alcohol and controlled substances testing as required by state and federal law and regulation.~~

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~~Persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required are not eligible for employment as a school bus driver.~~

~~Individuals required to register with the Sex Offender and Crimes Against Minors Registry are not eligible for employment as a school bus driver.~~

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~~Persons hired as school bus drivers must annually furnish the documents listed in (a) and (b) above prior to the anniversary date of their employment as a condition of continued employment as a school bus operator:~~

~~School bus drivers must annually furnish required physical examination documentation and certifications as a condition of continued employment.~~

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~~As a condition of employment, school bus drivers must maintain current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR), and use of an automated external defibrillator (AED), as required by the School Division.~~

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#### Drug and Alcohol Testing

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~~The school division has a drug and alcohol testing program for school bus drivers and other employees who are required to hold a commercial driver's license (CDL) by U.S. Department of Transportation Regulations who perform safety-sensitive functions as required by federal and state law and regulations:~~

~~The School Division maintains a drug and alcohol testing program for school bus drivers and other employees required to hold a commercial driver's license (CDL) who perform safety-sensitive functions, in accordance with federal and state law and regulation.~~

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#### Federal Drug & Alcohol Clearinghouse

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~~Prior to employing any driver subject to federal controlled substances and alcohol testing requirements, the School Division shall conduct a pre-employment query of the Federal Drug and Alcohol Clearinghouse. Drivers must provide specific consent for such queries.~~

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The School Division shall conduct at least one annual Clearinghouse query for all covered drivers to determine whether disqualifying information exists.

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No driver may perform safety-sensitive functions if Clearinghouse information indicates a verified positive, adulterated, or substituted drug test; an alcohol confirmation test of 0.04 or greater; a refusal to test; or an employer report of actual knowledge of prohibited alcohol or controlled substance use, unless the driver has completed the return-to-duty process required by federal regulation.

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#### Prohibited Conduct

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Drivers are prohibited from alcohol possession and/or use on the job, use during the four hours before performing safety-sensitive functions, having prohibited concentrations of alcohol in their systems while on duty or performing safety-sensitive functions, and use during eight hours following an accident or until after undergoing a post-accident alcohol test, whichever occurs first:

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No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the driver that the substance does not adversely affect his ability to safely operate a commercial motor vehicle:

Drivers are prohibited from possessing or using alcohol on duty; using alcohol within four (4) hours prior to performing safety-sensitive functions; having prohibited alcohol concentrations while on duty; or using alcohol within eight (8) hours following an accident or until completing a required post-accident alcohol test, whichever occurs first.

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No driver shall report for duty or remain on duty while using any controlled substance, except when prescribed by a licensed medical practitioner who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.

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#### Required Testing

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Drivers are subject to pre-employment/pre-duty drug testing, reasonable suspicion alcohol and drug testing, random alcohol and drug testing, post-accident alcohol and drug testing, return-to-duty and follow-up alcohol and drug testing pursuant to

~~procedures set out in the federal regulations. Pursuant to state law, drivers are subject to pre-employment alcohol testing. Any employee who refuses to submit to a post-accident, random, reasonable suspicion or follow up test shall not perform or continue to perform safety-sensitive functions.~~

Drivers are subject to pre-employment, random, reasonable suspicion, post-accident, return-to-duty, and follow-up alcohol and controlled substances testing in accordance with federal and state regulations.

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A driver who refuses to submit to required testing shall be removed from safety-sensitive functions.

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#### Notification and Education

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~~Each driver receives educational materials that explain the requirements of federal law and regulations together with a copy of the division's policy and procedures for meeting these requirements. Each driver must sign a statement certifying that he/she has received a copy of the above materials and the division maintains this signed copy. Before performing each alcohol or controlled substances test, the division will notify the driver that the test is required by federal law or regulation.~~

The division superintendent or designee shall provide drivers with educational materials explaining federal requirements and School Division policies and procedures.

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Each driver shall sign a statement acknowledging receipt of the materials, which shall be maintained by the School Division.

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Before each alcohol or controlled substances test, the driver shall be notified that the test is required by federal law or regulation.

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#### **Consequences if Testing Indicates Drug or Alcohol Misuse**

##### Consequences of Prohibited Conduct

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~~If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-sensitive functions in accordance with the federal regulations. All drivers shall be advised of resources available and before a driver is re-instated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with negative urine sample.~~

A driver who engages in prohibited conduct or whose test confirms prohibited alcohol concentration levels or the presence of a controlled substance shall be immediately removed from safety-sensitive functions.

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Before returning to duty, if permitted, the driver must complete evaluation and treatment requirements established by a Substance Abuse Professional (SAP), achieve a negative return-to-duty test result, and comply with the SAP-prescribed follow-up testing plan.

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#### Record Retention

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~~The division maintains records in compliance with the federal regulations in a secure location with controlled access. With the driver's consent, the division may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver is entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests:~~

The School Division shall maintain drug and alcohol testing records in a secure location with controlled access, in compliance with federal regulations. Drivers are entitled, upon written request, to obtain copies of records related to their alcohol and controlled substances testing.

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Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.

#### Test Procedure

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The division administers alcohol and controlled substance tests in accordance with federal laws.

LEGAL REFERENCE	49 U.S.C. § 31136; 49 C.F.R. §§ 40.305, 382.101 et seq.; Code of Virginia, 1950, as amended, §§ 22.1-178, 46.2-339, 46.2-340; 8 VAC 20-70-280.
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CROSS REFERENCE	GBEA Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance
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#### Reinstatements

Book	Policy Manual
Section	G - Personnel

Title	School Employee Conflict of Interests
Code	GAH
Status	Active
Adopted	January 22, 2018
Last Revised	February 28, 2022
Last Reviewed	TBD
Prior Revised Dates	
<p>Purpose</p> <p><del>The State and Local Government Conflict of Interests Act (the Act)</del>,<u>The State and Local Government Conflict of Interests Act (the Act)</u> applies to public school employees and officials. The Act creates uniform standards of conduct for all public employees and officials. The Act also defines and prohibits inappropriate conflicts of interest and requires disclosure of economic interests in some circumstances. The purpose of this policy is to provide an introduction to the Act for employees. Additional information regarding the Act may be obtained from Policy BBFA Conflict of Interests and Disclosure of Economic Interests and from the Virginia Conflict of Interest and Ethics Advisory Council (the Ethics Council) which assists with compliance with the Act.</p> <p>Compliance</p> <p>York County School Board employees are required to read and be familiar with the Act. The division superintendent provides employees with information regarding how to access the Act and how to contact the Ethics Council.</p> <p>The Act’s provisions are <del>complex</del><u>complex</u>, and their application is fact-specific. A violation of the Act could result in civil or criminal penalties. Therefore, if an employee has any question whether an interest the employee has in a contract or transaction involving the school division is prohibited under the Act, the employee should contact the division superintendent’s office or the Ethics Council for assistance.</p> <p>Areas of Regulation</p> <p>The Act prohibits school employees from having a “personal interest,” as that term is defined by the Act, in certain contracts and transactions that involve the division and from engaging in other specified conduct related to the schools. The prohibited personal interest also may be that of the school employee’s immediate family (a spouse or any other person who resides in the same household as the employee and who is a dependent of the employee).</p>	

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Under the Act, an employee may be considered to have a prohibited conflict arising from:

- a personal interest in a ~~contract~~;contract.
- a personal interest in a ~~transaction~~;transaction.
- business opportunities tied to official ~~acts~~;acts.
- misuse of confidential information; or
- Receipt or solicitation of certain gifts.

Examples of prohibited conduct include, but are not limited to:

- soliciting or accepting money or other thing of value for services performed within the scope of the employee's official duties, except for the employee's compensation, expenses or other remuneration paid by the ~~division~~;division.
- using for the employee's own economic benefit or that of another party, confidential information that the employee has acquired by reason of the employee's public position and which is not available to the ~~public~~;public.
- accepting any money, loan, gift, favor, service or business or professional opportunity that reasonably tends to influence the employee in the performance of the employee's official ~~duties~~;duties.
- accepting any business or professional opportunity when the employee knows that there is a reasonable likelihood that the opportunity is being afforded to influence the employee in the performance of the employee's official ~~duties~~;duties.
- entering into contracts with the school division under certain ~~circumstances~~;circumstances.
- accepting a gift from a person who has interests that may be substantially affected by the performance of the employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the employee's impartiality in the matter affecting the donor; and
- accepting gifts from sources on a basis so frequent as to raise an appearance of the use of the employee's position for private gain.

Awards to Employees for Exceptional Service

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The Act does not prohibit or apply to the acceptance by a teacher or other employee of the 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 provisions of Section 501(c)(3) of the Internal Revenue Code.

Advisory Opinions

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Employees may seek written opinions regarding application of the Act from the local Commonwealth’s Attorney, the local County Attorney or the Ethics Council. Good faith reliance on a written opinion of the Commonwealth’s Attorney or a formal opinion or written informal advice of the Ethics Council made in response to a written request for such opinion or advice regardless of whether such opinion or advice is later withdrawn, provided that the alleged violation occurred prior to the withdrawal of the opinion or advice, bars prosecution for a knowing violation of the Act provided the opinion or advice was made after a full disclosure of the facts. If the employee relies on written informal advice given by the Ethics Council in a prosecution for a knowing violation of the Act, the record of the request and the written informal advice given shall be a public record and released upon request. An opinion of the local County Attorney may be introduced at trial as evidence that the employee did not knowingly violate the Act.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3121, 2.2-3124 and 30-356.
CROSS REFERENCE	BBFA Conflict of Interests and Disclosure Requirements CBCA Disclosure Statement Required of <b>Superintendent</b> DJG Vendor Relations GCCB Employment of Family Members GCQA Nonschool Employment by Staff Members KGA Sales and Solicitations in Schools <del>KJ Advertising</del> <b>KJ Advertising</b> in the Schools

Book	Policy Manual
Section	G - Personnel
Title	Prohibition Against Abusive Work Environments
Code	GBB
Status	Active
Adopted	February 28, 2022

Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	February 28, 2022

**PROHIBITION OF ABUSIVE WORK ENVIRONMENTS**

The York County School Board prohibits abusive work environments in the school division.

Any School Board employee who contributes to an abusive work environment ~~is~~ shall be appropriately disciplined.

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.

Definitions

As used in this policy,

ABUSIVE CONDUCT - 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 - a workplace in the school division in which abusive conduct occurs.

PHYSICAL HARM - 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 - 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.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, § 22.1-291.4.
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CROSS REFERENCE	
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Book	Policy Manual
Section	G - Personnel
Title	Staff Health
Code	GBE
Status	Active
Adopted	January 27, 2014
Last Revised	
Last Reviewed	TBD
Prior Revised Dates	June 13, 2014; January 22, 2018; February 28, 2022

As a condition of employment every new employee of the York County School Board including teachers, cafeteria workers, janitors and bus drivers, shall submit a certificate signed by a licensed physician, physician assistant, nurse practitioner, or registered nurse stating the employee appears free of communicable tuberculosis. Volunteers may be required to provide such a certificate.

After consulting with the local health director, the School Board may require the submission of such certificates annually, or at such intervals as it deems appropriate, as a condition of continued employment.

Physical Exams for School Bus Drivers

No person shall be employed as a bus driver unless he or she has a physical exam of the scope required by the Board of Education and provides the School ~~Board~~Board with the results of the exam on the form prescribed by the Board of Education. Such exam and report may be provided by a licensed nurse practitioner or physician assistant.

The School Board may also require alcohol and drug testing in accordance with Policy GDQ.

#### Communicable Diseases

The School Board shall provide a healthful environment for all students and employees. The division superintendent shall establish procedures to exclude from work any person with an infectious, transmittable or communicable disease. Such exclusion will be contingent upon an evaluation of each case. The evaluation of each case will be conducted in accordance with administrative regulations and will include a written statement from the employee's physician, from a physician chosen by the Division and from a physician from the local health department that the individual undergoing evaluation does or does not have an infectious, communicable or transmittable disease. If the evaluation indicates that the individual cannot be returned to his regular assignment, an alternative assignment may be considered. All parties involved will respect the rights of the individual regarding confidentiality and their rights to privacy as defined in Public Law 93-380.

#### Lactation Support Program

For up to one year following the birth of a child, any employee who is breastfeeding will be ~~provided~~provided with reasonable break periods to express breast milk for her newborn child. In each school and administrative building in the Division, a lactation room will be provided for such purpose. Such lactation room will be a non-restroom location, will be private and sanitary and will be shielded from public view.

The division superintendent shall take appropriate steps to implement and oversee this Policy by promulgating and implementing appropriate Regulations

LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-178, 22.1 300, 22.1 301, 54.1-2952.2, 54.1-2957.02; 22.1-79.6
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CROSS REFERENCE	EBAB Possible Exposure to Viral Infections EBBB Personnel Training—Viral Infections
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	GDQ School Bus Drivers JHCC Communicable Diseases JHC Student Health Services and Requirements
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Book	Policy Manual
Section	G - Personnel
Title	Unlawful Manufacture, Distribution, Dispensing, Possession or use of a Controlled Substance
Code	GBEA
Status	Active
Adopted	January 27, 2014
Last Revised	February 28, 2022
Last Reviewed	TBD
Prior Revised Dates	June 13, 2014; February 28, 2022

The York County School Board is committed to maintaining a Drug Free Workplace.

#### Prohibited Conduct

Employees may not unlawfully manufacture, distribute, dispense, possess or use a controlled substance on school property, at any school activity, or on any school-sponsored trip. It is a condition of employment that each employee of the School Board will not engage in such prohibited conduct and will notify the School Board of any criminal drug conviction for a violation occurring on school property, at any school activity, or on any school-sponsored trip no later than 5 days after such conviction. An employee who is convicted of criminal drug activity for a violation occurring on school property, at any school activity, or on any school-sponsored trip will be subject to appropriate discipline, up to and including termination, or required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

#### Discipline

Within 30 days of receiving notice from a School Board employee as described above, the division superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found to have engaged in prohibited conduct listed above. Such personnel action will include the imposition of a sanction ~~on, or on or~~ require satisfactory participation in a drug abuse assistance or rehabilitation program

by any employee who is convicted of a violation occurring on school property, at any school activity, or on any school-sponsored trip.

#### Distribution of Policy

All employees are given a copy of this policy.

#### Drug-Free Awareness Program

The York County School Board shall establish a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace, the Board's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs and the penalties that may be imposed upon employees for violations of laws and policies regarding drug abuse.

LEGAL REFERENCE	41 U.S.C. § 8103, 8104; Code of Virginia, 1950, as amended, § 22.1-78
CROSS REFERENCE	GCPD Professional Staff Discipline GDQ School Bus Drivers

Book	Policy Manual
Section	G - Personnel
Title	Staff Participation in Political Activities
Code	GBG
Status	Active
Adopted	January 27, 2014
Last Revised	February 28, 2022
Last Reviewed	TBD
Prior Revised Dates	January 22, 2018; February 28, 2022

The York County School Board recognizes the right of its employees to engage in political activity.

The Board also recognizes that school time and school property should not be used for partisan political purposes. Thus, when engaging in political activities, an employee may not

- use the employee’s position within the school division to further a political ~~cause;cause.~~
- engage in any activity supporting or opposing a candidate or political party while on duty, while on school property during school hours, or while representing the school ~~division;division.~~
- suggest in any manner that the school division or any component of it supports or opposes a candidate for election to any office; or
- use any school division property to engage in any activity supporting or opposing a candidate for public office or a political party.

These restrictions are not intended to limit the rights of school division employees to support or oppose any political candidate or party on their own time. They are intended to minimize distractions from instruction, to ~~assureensure~~ that no public funds are used to support any candidate for public office, and to assure that the public is not given the false impression that the school division supports or opposes any political candidate or party. School division employees who engage in political activities on their own time must make it clear that their views and actions represent their individual positions and do not represent the views of the school division.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, Sections 22.1.70, 22.1-78
CROSS REFERENCE	

Book	Policy Manual
Section	G - Personnel
Title	Meetings of Employee Groups in School Division Facilities
Code	GBGX
Status	Active
Adopted	June 20, 1988
Last Revised	February 28, 2022
Last Reviewed	TBD
Prior Revised Dates	March 25, 2002; January 27, 2014; January 22, 2018; February 28, 2022

Professional organization meetings scheduled during the instructional day must be approved by the principal, if held in schools, or by the Chief Operations Officer if held at the School Board Office building.	
LEGAL REFERENCE	
CROSS REFERENCE	

Book	Policy Manual
Section	G - Personnel
Title	Procedures for Adjusting Employee Grievances
Code	GBM
Status	Active
Adopted	January 27, 2014
Last Revised	February 28, 2022
Last Reviewed	TBD
Prior Revised Dates	January 22, 2018; February 28, 2022
<p>The York County School Board adopts the most recent version of Procedure for Adjusting Grievances promulgated by the Virginia Board of Education based on current statutory provisions.</p> <p>However, grievances concerning dismissal or demotion of permanent non-licensed employees shall be adjusted pursuant to procedures promulgated by the division superintendent.</p>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-253.13:7.C.8, and 22.1 306 et seq. 8 VAC 20-90-10 through 8 VAC 20-90-80 and accompanying forms
CROSS REFERENCE	

Book	Policy Manual
Section	G - Personnel
Title	Emergency Plan Assignment
Code	GCIX
Status	Active
Adopted	March 15, 1993
Last Revised	March 25, 2002

Last Reviewed	TBD
Prior Revised Dates	
Some York County School Board employees are assigned specific duties required by various York County emergency action plans. Performance of such assignment is a condition of employment and failure to carry out such duties is grounds for disciplinary action up to and including dismissal.	
LEGAL REFERENCE	
CROSS REFERENCE	

Book	Policy Manual
Section	G - Personnel
Title	Private Tutoring for Pay
Code	GCQAB
Status	Active
Adopted	June 20, 1988
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	March 15, 1993; January 22, 1996; March 25, 2002; November 22, 2010, May 24, 2021; November 1, 2023
<p>Licensed staff members may privately contract with parents/citizens to tutor or provide therapy for pupils attending any YCSD school including the school to which the employee is assigned. No staff member may be paid to provide private tutoring to students which they directly serve in any capacity or provide therapy for students which they directly serve in any capacity. All recommendations for students to receive individual tutoring or therapy at private expense require review by the building principal or in the absence of the principal, the division superintendent or his designee. In no case may School Division facilities be used for an employee's private tutoring or therapy practice.</p> <p>For purposes of this Section, tutoring shall be defined as the provision of academic assistance or instruction. Therapy shall be defined as the provision of speech, occupational, physical, psychological, or behavioral instruction.</p>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78
CROSS REFERENCE	<del>GCQA</del> GCQA Nonschool Employment by School Staff

Book	Policy Manual
Section	G - Personnel
Title	Staff Research and Publishing
Code	GCQB
Status	Active
Adopted	January 27, 2014
Last Revised	
Last Reviewed	TBD
Prior Revised Dates	
<p>The York County School Board encourages employee innovation in creating and developing high-quality materials to improve student achievement and the efficiency of division operations. The division superintendent shall establish regulations pursuant to which the ownership rights to works produced by employees within the scope of their employment may be assigned.</p> <p>Employees who develop materials, including instructional materials and computer programs, outside the scope of their employment that have a connection to or are related to the school division shall inform the division superintendent in writing of their intent to develop such materials prior to commencing work.</p>	
LEGAL REFERENCE	17 U.S.C. §§ 101, 102, and 201; Code of Virginia 1950, as amended, §§ 22.1-70, 22.1-78
CROSS REFERENCE	EGAA Reproduction of Copyrighted Materials GCQA Nonschool Employment by Staff Members

Book	Policy Manual
Section	G - Personnel
Title	Support Staff
Code	GD
Status	Active
Adopted	June 20, 1988
Last Revised	TBD
Last Reviewed	TBD
Prior Revised Dates	March 15, 1993; August 22, 1994; January 26, 1998; March 25, 2002

Support staff personnel are those employees who need not hold a license issued by the Virginia Board of Education in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative, clerical, maintenance, transportation, food services, and paraprofessional positions.

Non-licensed employees and registered nurses are employees at will unless the employee is party to a duly executed employment contract with the York County School Board.

Except for those employees working under contract, the term of employment will be considered to coincide with the employee's pay period.

All annual salaries, as established in the School Board's Pay Plan, shall be paid in equal monthly or bi-weekly increments for such time as the employee continues as an employee of the School Board. Employees paid on an hourly basis shall be paid based on the number of hours worked in the pay period.

Non-licensed employees and registered nurses shall be hired and assigned to positions established by the division superintendent for the effective and efficient administration and operation of the York County School Division. Annually the division superintendent shall publish his administrative organization and shall affect such other measures as he deems necessary for the efficiency and effectiveness of administrative and support components of the School Division.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, § 22.1-78.
CROSS REFERENCE	GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect GCPB Resignation of Staff Members GCPF Suspension <del>of Staff Members from Work or Administrative Leave-</del> GDB Support Staff Employment Status

Book	Policy Manual
Section	G - Personnel
Title	Support Staff Employment Status
Code	GDB
Status	Active

Adopted	January 27, 2014
Last Revised	
Last Reviewed	TBD
Prior Revised Dates	
<p>Support staff are not issued written contracts unless such contracts are required by law.</p> <p>The employment of support personnel may be terminated with fifteen calendar days' notice. Support personnel may also be subject to immediate dismissal for just cause.</p> <p>Support personnel who are removed from employment for just cause shall be ineligible thereafter for employment by the York County School Board.</p> <p>Employees of the School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.</p>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, § 22.1-78
CROSS REFERENCE	GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect GDG Support Staff Probationary Period GCPF Suspension of Staff Members

Book	Policy Manual
Section	G - Personnel
Title	Support Staff Probationary Period
Code	GDG
Status	Active
Adopted	January 27, 2014
Last Revised	
Last Reviewed	TBD
Prior Revised Dates	
<p>The probationary period for all support staff positions is eighteen months.</p> <p>Employees who have successfully completed the probationary period for one position will serve another probationary period if they move to another position.</p>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79
CROSS REFERENCE	GD Support Staff

	GDB Support Staff Employment Status
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Book	Policy Manual
Section	G - Personnel
Title	Support Staff Assignments and Transfers
Code	GDI
Status	Active
Adopted	January 27, 2014
Last Revised	
Last Reviewed	TBD
Prior Revised Dates	
<p>Support staff shall be assigned to positions for which their qualifications meet the needs of the school division's operations.</p> <p>Support staff personnel may request a transfer to a position within their area of competence and for which they are qualified. Support staff personnel may be transferred to positions for which their qualifications best meet the needs of the school division.</p>	
LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78
CROSS REFERENCE	GA Personnel Policies Goals, Standards and Definitions GD Support Staff GDB Support Staff Employment Status GDG Support Staff Probationary Period

Book	Policy Manual
Section	G - Personnel
Title	Evaluation of Support Staff
Code	GDN
Status	Active
Adopted	January 27, 2014
Last Revised	February 28, 2022
Last Reviewed	TBD
Prior Revised Dates	November 22, 2021, February 28, 2022
<p>Every employee of the York County School Board is evaluated on a regular basis.</p>	

The division superintendent ensures that cooperatively developed procedures for support staff evaluations are implemented within the division. The results of the evaluation are maintained electronically in the school division's employee evaluation database.

The primary purposes of evaluation and assistance are:

- to optimize student learning and ~~growth~~;growth.
- to contribute to the successful achievement of the goals and objectives of the division's educational ~~plan~~;plan.
- to provide a basis for leadership improvement through productive performance appraisal and professional ~~growth~~;growth.
- to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

#### Employee Response to Evaluation

The evaluations and/or institution of the Performance Improvement Plan process are not grievable. If the employee disagrees with the evaluation, the employee may submit a written rebuttal statement of disagreement to the evaluator and the Chief Human Resources Officer. The written rebuttal statement must be submitted within ten days after receipt of the evaluation form. At the request of the employee, the Chief Human Resources Officer or designee shall meet with the employee to discuss the employee's disagreement with the evaluation. The employee has a right to append the statement of disagreement to the evaluation. The statement is filed with the evaluation in the electronic employee evaluation database.

LEGAL REFERENCE	Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-313, 22.1- 253.13:7.
CROSS REFERENCE	CBG Evaluation of the Superintendent GCN Evaluation of the Professional Staff GD Support Staff

	GDB Support Staff Employment Status GDG Support Staff Probationary Period
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