

PERSONNEL

File: GA

PERSONNEL POLICIES GOALS

The superintendent or his/her designee, is responsible for the appropriate recruitment, staffing, and employee relations of personnel of the Charlottesville City School Division subject to the exclusive final authority of the School Board and shall maintain a personnel record system for all employees of the school division.

Adopted: March 20, 2008

Revised: June 17, 2010

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-295, 22.1-313.

Cross References: AC Nondiscrimination
GB Equal Employment Opportunity/Nondiscrimination
GBL Personnel Records
GBN Staff Hiring Procedures

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File: GAA

STAFF TIME SCHEDULES

Work Schedules

The Charlottesville City School Board recognizes the need for establishing daily time schedules for all employees that provide for consistency throughout the school system. The School Board also recognizes the need for daily time schedules to allow for differences in responsibilities and requirements in the variety of positions held by school system employees.

The Superintendent or designee shall be authorized to establish daily time schedules for all classifications of employees that shall be subject to School Board review. In setting such schedules, consideration must be given but not be limited to evening and weekend responsibilities, wage and hour regulations, comparative schedules of employees in other school systems, and schedules established by other employers in the community that provide a generally accepted standard. Elementary school teachers will be provided at least an average of thirty minutes per day during the students' school week as planning time.

Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Work schedules for other employees will be defined by the superintendent or his/her designee, consistent with the Fair Labor Standards Act and the provisions of this policy.

Workweek Defined

Working hours for all employees not exempted under the Fair Labor Standards Act, including secretaries, bus drivers, cafeteria, janitorial and maintenance personnel, will conform to federal and state regulations. The Superintendent will ensure that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors will make every effort to avoid circumstances which will require non-exempt employees to work more than 40 hours each week. For purposes of compliance with the Fair Labor Standards Act, the workweek for school district employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday.

Overtime and Compensatory Time

The Charlottesville City School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of his/her supervisor. All overtime work must be expressly approved in writing by the superintendent or his/her designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or his/her designee. Principals and supervisors will monitor employees' work, will ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and will 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 workweek. For overtime and compensatory time, accurate and complete time sheets of actual hours worked during the workweek will be signed by each employee and submitted to the finance officer. The finance officer will review work records of employees on a regular basis to make an assessment of overtime use.

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In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked, if such compensatory time

- (1) is pursuant to an agreement between the employer and employee reached before overtime work is performed, and
- (2) is authorized by the immediate supervisor.

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

Employees will be provided with a copy of this policy and will be required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy will constitute the written agreement required in this section.

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.

Adopted: February 19, 1998
Revised : March 20, 2008
Revised : June 18, 2009

Legal References.: 29 U.S.C. § 201 et seq.

29 C.F.R § 516.1 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-291.1, 40.1-28.8 et seq.

Cross Reference: IC/ID School Year/School Day

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ACCEPTABLE USE OF TECHNOLOGY POLICY

Charlottesville City Schools (CCS) recognizes that technology enhances learning opportunities. CCS provides technology resources for educational purposes only. Use of CCS technology resources, including the CCS network and access to the Internet, is a privilege, not a right. Inappropriate use may result in immediate termination or suspension of access and other privileges relating to the use of CCS technology resources. Inappropriate use may also result in disciplinary action (up to and including suspension or expulsion for students, or formal reprimand, suspension or dismissal for staff) as well as potential civil or criminal liability and prosecution. CCS reserves the right to monitor the use of CCS technology resources, including e-mail communications and access to the Internet, in order to provide an acceptable level of service to all authorized users and to enforce the terms of this policy. Users of CCS technology resources should be aware that data that resides on CCS technology resources or passes through the CCS network is not private and is subject to review without prior notice. CCS is not responsible for any information that may be lost, damaged, or unavailable due to technical or other difficulties. CCS cannot ensure that electronic transmissions are secure and private and cannot guarantee the accuracy or quality of any information obtained using CCS technology resources.

The Charlottesville City School (CCS) division may capture student images, likeness and/or voice on digital media. CSS reserves the right to use this media for promotional purposes unless a student's parent or guardian has withheld consent by completing the Opt-Out Form for Promotional Activities, however student names must not be used in association with this media.

The school division will:

- Provide access to technology resources for students, staff, and other authorized users (as approved by the Network Administrator or designee) who have agreed to abide by the terms of this policy.
- Provide instruction on proper use of technology resources and Internet safety for all authorized users.
- Implement and monitor Internet Safety instruction and curriculum to meet all federal and state mandates. All students and staff will receive instruction in Internet safety including the following topics: personal safety, cyber bullying, cyber security, intellectual property, and copyright. Policy and implementing procedures will be reviewed every 2 years and revision will be made as needed.
- Supervise and monitor student use of the Internet and make an effort to ensure that students access sites with only age- and topic-appropriate materials specifically:
 - Elementary (K-4) staff will make an effort to bookmark sites or use portals to direct students to pre-selected Internet sites.
 - Upper Elementary (5-6) staff will model skills needed to: search for information within an area of study, filter information for credibility and worth, and recognize inappropriate information sources or sites. Teachers will explore Internet sites before directing students to those sites.
 - Middle School (7-8) staff will supervise student-initiated information search activities and provide support as students begin to assume responsibility for

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becoming independent users of the Internet.

High School (9-12) staff will advise students as they participate in independent Internet use.

- Employ technology protection measures to comply with federal and state mandates to filter or block materials deemed to be harmful to juveniles. However, no known process can control or censor all harmful or inappropriate material that may be available to users of CCS technology resources.
- Provide access to technology resources that allow users to create and post web pages on the CCS network and the Internet. All such web content must follow CCS Web Policy guidelines.
- Provide access to electronic mail for all staff members. Students will not be issued individual e-mail accounts; students should only access e-mail through a teacher-supervised class account. Students may not access personal e-mail or real-time messaging accounts using CCS technology resources unless the student is doing so for an educational purpose and has received explicit permission from a CCS staff member.

Authorized users will:

- Use CCS technology resources in compliance with all local, state, and federal laws including, but not limited to, laws that govern copyright and intellectual property.
- Use CCS technology resources responsibly and with respect for others. Users must leave computers, keyboards, mice, monitors, printers and other peripherals unaltered and in good working condition. Users may not use CCS technology resources to offend, harass, or intimidate others and shall use appropriate language in all communications. Provisions in the student code of conduct will apply to all student interactions with and use of CCS technology resources.
- Use CCS technology resources for educational or job-related purposes only. Users may not use these resources for financial gain, commercial purposes, or political activities unless it is directly related to their job function. Users may not create, distribute, or forward chain letters or hoaxes; nor may users create, distribute, or forward unsolicited bulk electronic communications that are unrelated to the division's educational mission.
- Use only assigned accounts and passwords (where applicable). Users must take appropriate precautions to safeguard account or password information and prevent the use of assigned accounts and passwords by others.
- Maintain the confidentiality and security of protected information. Users may not provide access to confidential information to others who are not authorized to have such information. Users shall be expected to use appropriate judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential. Employees shall not use e-mail for confidential matters or privileged communications, such as student records, unless appropriate security precautions are taken. A confidentiality statement must be attached to all personally identifiable emails.
- Use student images, likenesses, or voice recordings in digital format in accordance with guidelines.

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- Maintain the security and functionality of all CCS technology resources. Users shall not attempt to bypass security measures or gain access to unauthorized resources, including, but not limited to, the use of proxy internet sites. Users may not knowingly create or spread malicious code.
- Access, modify, or delete other user's data only after receiving appropriate permission.
- Use CCS technology resources in a way that does not disrupt resource usage by others or monopolize resources. This includes refraining from the consumption of excessive amounts of: network bandwidth, data storage space, and printer supplies.
- Use only software that has been legally obtained, licensed and authorized for use on CCS computers. Users may not download from the Internet, tamper with, copy, install or use any software that compromises the security or functionality of the CCS network or connected networks.
- Access the CCS network utilizing a personally owned computer or other device only after receiving permission from the Network Administrator or designee.

All violations of this policy or problems with any CCS technology resource shall be reported to a teacher, administrator, or other appropriate source. CCS reserves the right to amend this policy at any time and to enforce such amended policy after giving notice of such amendments.

The School Board will review, amend if necessary, and approve this policy every two years.

Adopted: October 21, 1999
Revised: July 19, 2007
Reviewed: March 20, 2008
Revised: June 17, 2010

Legal References: Code of Virginia, 1950, as amended sections 22.1-78 and 22.1-70.2

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EQUAL EMPLOYMENT OPPORTUNITY/ NONDISCRIMINATION

File: GB

A. Generally

The Charlottesville City School Board is an equal opportunity employer and does not discriminate against an otherwise qualified individual on the basis of race, color, gender, sexual orientation, age, religion, national origin, marital or veteran's status, disability, political affiliation or any classification protected by applicable law. 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.

The statement, *"The Charlottesville City School Board is an Equal Opportunity Employer"* shall be placed on all employment application forms.

B. Notice of Policy/Prevention

This policy shall be (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 included in employee in-service training.

C. Employee Compliance

All Charlottesville City School Board employees are expected to act in a non-discriminatory manner towards other employees and students. Acts of discrimination by employees will not be tolerated and will be the subject of disciplinary action up to and including discharge.

D. Complaint Procedure

A. File Report

Any person who believes he has not received equal employment opportunities should report the alleged discrimination to one of the compliance officers designated in this policy. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall report such conduct to one of the compliance officers designated in this policy.

The reporting party should use the form, 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 this policy. Any complaint that involves the compliance officer shall be reported to the superintendent.

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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 14 calendar days 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 Superintendent. If the compliance officer determines that more than 14 days will be required to investigate the complaint, the complainant and the 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 may also consist of the inspection of any other 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 after a complete and thorough investigation.

The compliance officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint alleges the 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 Superintendent

Within 5 calendar days of receiving the compliance officer's report, the 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 superintendent has violated this policy, the School Board's standing Equal Employment Opportunity/Nondiscrimination Committee

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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 days 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 five calendar days of the issuance of the decision. If the superintendent or committee concludes that prohibited discrimination occurred, the Charlottesville City School Division shall take 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 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 calendar days of receiving the decision. Notice of appeal must be filed with the 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 superintendent, or the committee, whichever issued the written decision, and any other individual the School Board deems relevant.

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.

E. Compliance Officer and Alternate Compliance Officer

The Superintendent will designate an individual to act as the division's Equal Opportunity Compliance Officer. The Compliance Officer will be the Director Human Resources, 1562 Dairy Road, Charlottesville, VA 22901. The Alternate Compliance Officer will be the Assistant Superintendent for Administrative Services also located at 1562 Dairy Road, Charlottesville, VA 22901. Both officers may be contacted at 434 245-2400. All employees will be notified of the name, office address and telephone number of the designee.

The Compliance Officer shall:

- receive reports or complaints of discrimination;
- oversee the investigation of any alleged discrimination;
- assess the training needs of the school division in connection with this policy;

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- arrange necessary training to achieve compliance with this policy; insure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity, including the authority to protect the alleged victim and others during the investigation.

F. 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.

G. Right to Alternative Complaint Procedure

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.

H. False Charges

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

Adopted: February 19, 2000

Revised: August 3, 2000

Revised: March 4, 2004

Revised: April 17, 2008

Legal References:	20 U.S.C. § 1681 et seq. 29 U.S.C. § 701. 42 U.S.C. §§ 6101 et seq., 2000e-2 et seq., and 12101 et seq.
Cross References:	AC Nondiscrimination BCE School Board Committees GBA/JFHA Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion

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File: GBA

HARASSMENT

I. Policy Statement

The Charlottesville City School Division is committed to maintaining a learning/working environment that is free of sexual harassment and harassment based on race, gender, ethnicity, sexual orientation, national origin, disability or religion. Therefore, the Charlottesville City School Division prohibits sexual harassment and harassment based on race, national origin, disability or religion of any school personnel at school or at any school-related activity.

It shall be a violation of this policy for any student or school personnel to harass any school personnel sexually, or based on race, national origin, disability or religion. Further, it shall be a violation of this policy for any school personnel to tolerate sexual harassment or harassment based on a student's or employee's race, national origin, disability or religion by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes school board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the School Division.

The School Division shall: (1) promptly investigate all complaints, written or verbal, of sexual harassment and harassment based on race, national origin, disability or religion; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel.

II. Definitions

A. Sexual Harassment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- (i) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
- (ii) submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
- (iii) that conduct or communication substantially or unreasonably interferes with an individual's employment, or creates an intimidating, hostile or offensive employment environment (i.e. the conduct is sufficiently serious to limit an employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute sexual harassment if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks.
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.
- graphic comments about an individual's body.
- sexual jokes, notes, stories, drawings, gestures or pictures.
- spreading sexual rumors.
- touching an individual's body or clothes in a sexual way.
- displaying sexual objects, pictures, cartoons or posters.
- impeding or blocking movement in a sexually intimidating manner.

B. Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct relating to an individual's race, national origin, disability or religion when the conduct:

- (i) creates an intimidating, hostile or offensive working environment; or
- (ii) substantially or unreasonably interferes with an individual's work; or
- (iii) otherwise is sufficiently serious to limit an individual's employment opportunities.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language.
- name calling, jokes or rumors.
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion.
- hostile acts which are based on another's race, national origin, religion or disability.
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion.

III. Complaint Procedure

The complaint process has both formal and informal procedures for addressing the complaint. Both procedures are described in accompanying regulations, while timelines are prescribed, school officials investigating a complaint will attempt to resolve the issue as soon as possible. Any staff member who wants to file a complaint is able to informally inform a school official at the school or central office who will assist in following the appropriate procedures.

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IV. Retaliation

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The School Division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings.

V. Right to Alternative Complaint Procedure

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

VI. Prevention and Notice of Policy

Training to prevent sexual harassment and harassment based on race, sexual orientation, national origin, disability and religion should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees shall be notified annually of the names and contact information of the compliance officers.

VII. False Charges

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

Adopted: September 21, 2000

Revised: June 19, 2008

Revised: June 16, 2011

Legal References: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7
42 U.S.C. §§ 2000e-2000e-17
34 C.F.R. part 106.

Cross References: AC Nondiscrimination
AD Educational Philosophy
GB Equal Employment Opportunity/Nondiscrimination

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JB	Equal Educational Opportunities/Nondiscrimination
JFC	Student Conduct
JFC-R	Standards of Student Conduct
GCPD	Professional Staff Members: Contract Status and Discipline
GDPD	Support Staff Members: Contract Status and Discipline
JFG	Child Abuse and Neglect Reporting
KKA	Service Animals in Public Schools

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File: GBB

STAFF INVOLVEMENT IN DECISION MAKING

Employees are encouraged to communicate their ideas and concerns in an orderly and constructive manner to the School Board and/or administrative staff. A system of two-way communication shall be established by the superintendent to hear from and respond to all employees.

Adopted: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.1.

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File: GBC

STAFF COMPENSATION PROCEDURES

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 to the selection must be made prior to the first duty day of the fiscal year of the deferment.

Adopted: June 19, 2008

Revised: June 18, 2009

Legal Reference: 26 U.S.C. § 409A

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BOARD-STAFF COMMUNICATIONS

File: GBD
(Also BG)

The Charlottesville City School Board supports and encourages the concept of two-way communication between the Board and employees. The superintendent is the official representative of the School Board as its chief administrative officer in its relations and communications with its employees. A description of the two-way communications system shall be included in this policy manual.

The School Board desires to develop and maintain the best possible working relationship with the employees of the School Division. The Board welcomes the viewpoints of employees, and it shall allow time at its meetings for employees to be heard.

It is the policy of the School Board not to discriminate against any employee by reason of his or her membership in an employee organization, or participation in any lawful activities of the organization.

Adopted: August 6, 1998

Revised: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, section 22.1-253.13:7.C.1.

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STAFF HEALTH

As a condition of employment every new employee of the 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 to 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 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.

Adopted: March 20, 2008
Revised: June 16, 2011

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-178, 22.1-300, 22.1-301, 54.1-2952.2, 54.1-2957.02.

Cross References: EBAB Possible Exposure to Viral Infections
EBBB Personnel Training—Viral Infections
GDQ School Bus Drivers
JHCC Communicable Diseases
JHCCA Blood-Borne Contagious or Infectious Diseases

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UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE

The Charlottesville City 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 is prohibited. It is a condition of employment that each employee of the Charlottesville city School Board will not engage in such prohibited conduct and will notify the Charlottesville city 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.

Discipline

The 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 on school property, at any school activity or on any school-sponsored trip.. Such personnel action will include the imposition of a sanction on, or the requiring of the 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 shall be given a copy of this policy.

Drug-Free Awareness Program

The Charlottesville City 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.

Adopted: February 19, 1998
Revised: March 20, 2008
Revised: June 16, 2011

Legal Reference: 41 U.S.C. § 702.

Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-279.3:1.

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Cross Reference: GCPD Professional Staff members: Contract Status and Discipline
GDPD Support Staff members: Contract Status and Discipline
GDQ School Bus Drivers

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File: GBEB

STAFF WEAPONS IN SCHOOLS

No one, unless otherwise allowed by law, 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 any school bus without authorization of the Superintendent or his designee.

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 including a prohibition against the violator returning to school property. In addition, illegal conduct will be reported as required by law.

Adopted: February 19, 1998
Revised: March 4, 2004
Revised: March 20, 2008
Revised: June 16, 2011

Legal References: Code of Virginia, 1950, as amended, sections 18.2-308.1, 22.1-78, 22.1-279.3:1.

8 VAC 20-560-10.

Cross References. CLA Reporting Acts of Violence and Substance Abuse
JFCD Weapons in School

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File: GBEC

TOBACCO-FREE SCHOOL FOR STAFF

Smoking, chewing or any other use of any tobacco products by staff shall be prohibited on school property.

For purposes of this policy, the following definitions shall apply:

1. "School property" shall mean all property owned, leased, rented or otherwise used by a school including but not limited to the following:
 - a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage;
 - b. Any indoor facility or portion of such facility owned or leased or contracted for and used for the provision of regular or routine health care, day care, or early childhood development services;
 - c. All vehicles used by the division for transporting students, staff, visitors or other persons.
2. "Tobacco" shall include cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. "Tobacco" shall include cloves or any other product packaged for smoking.
3. "Smoking" means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

This policy shall be published in student and employee handbooks, posted on bulletin boards and announced in meetings.

Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria and other dining facility in the school.

Staff and students found to be in violation of this policy shall be subject to appropriate disciplinary action.

The School Board may direct the superintendent to issue regulations designating smoking areas on school grounds outside buildings.

Adopted: July 16, 1998
Revised: June 19, 2008
Revised: June 18, 2009

PERSONNEL

File: GBEC
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Legal Reference: 20 U.S.C. section 6083 (Federal law prohibits smoking in any indoor facility used to provide educational services to children), 7183

Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2827.

Cross References: Code of Virginia, 1950, as amended, section 15.2-2800 et.seq.
GBEC Tobacco-Free School for Staff and Students
KGC Tobacco Use on School Premises

PERSONNEL

File: GBG

STAFF PARTICIPATION IN
POLITICAL ACTIVITIES

The School Board encourages employees to exercise all their rights as citizens including involvement in political activities. However, no employee shall use his/her position in the school division to promote a political cause, and no employee shall attempt to indoctrinate the students by virtue of his/her position while students are under the supervision of the Board. School employees engaging in political activity must make it clear that their views and actions are made as individuals and that they do not represent the views of the school division.

Political posters, announcements and flyers shall not be displayed on school bulletin boards or distributed through mail or messenger facilities. These restrictions shall not apply to classroom bulletin boards and displays being used to supplement instructional units.

Adopted: February 19, 1998
Revised: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78

PERSONNEL

File: GBI

STAFF GIFTS AND SOLICITATIONS

Exchange of gifts between students and staff is discouraged.

No school division employee shall solicit goods or services for personal use or for student use during school hours on school property without written authorization from the superintendent.

Adopted: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

PERSONNEL

File: GBL

PERSONNEL RECORDS

The Superintendent or his/her designee shall maintain a personnel file system for all employees of the Charlottesville City Schools.

Present and past employees shall have access to their personnel files and records, which are maintained by the School Division but may not remove files from the School Board office where they are maintained. No separate file shall be maintained regarding an employee which is not available for that employee's inspection.

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 § 2.2-2700 et seq.), or other law. The employee will be notified of the request for records.

Adopted: February 19, 1998
Revised: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, sections 22.1-295.1, 2.2-3700 et.seq., 2.2-3800 et.seq.

Cross Reference: GBLA Third Party Complaints Against Employees

PERSONNEL

File: GBLA

THIRD PARTY COMPLAINTS
AGAINST EMPLOYEES

Any parent or guardian of a student enrolled in the Charlottesville City Schools or any resident of Charlottesville City may file a complaint regarding an employee of Charlottesville City Schools. Such complaint shall be filed with the superintendent or his/her designee. If the complaint involves allegations that an employee of the Charlottesville City Public Schools has abused or neglected a child in the course of his educational employment, the complaint will be investigated in accordance with Va. Code §§ 63.2-1503 and 63.2-1505.

Information determined to be unfounded after a reasonable administrative review will not be maintained in any employee 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., will be settled through the employee grievance procedure as provided in §§ 22.1-306 and 22.1-308 through 22.1-314.

Individuals logging a complaint shall be sent a letter noting that the complaint has been filed and is in the process of being investigated.

The complaint must be filed within 30 days after the alleged incident and should be processed after a reasonable period of time, normally within 60 days or less.

Adopted: February 19, 1998
Revised: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, sections 2.2-3800 et.seq., 22.1-70, 22.1-78, 22.1-295.1, 63.2-1516.1

Cross References: GB Equal Employment Opportunity/Nondiscrimination
GBA/JFHA Sexual Harassment/Harassment Based on Race,
National Origin, Disability and Religion
JB Equal Educational Opportunities/Nondiscrimination
JHG Child Abuse and Neglect Reporting

PERSONNEL

File: GBM

STAFF GRIEVANCES

The Charlottesville City School Board adopts the most recent version of Procedures for Adjusting Grievances promulgated by the Virginia Board of Education.

Adopted: February 19, 1998

Revised: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, sections 22.1-306 et seq.,
22.1-253.13:7.C.8

8 VAC 20-90-10

PERSONNEL

File: GBMA

SUPPORT STAFF GRIEVANCES

The School Board adopts the attached Procedure for Adjusting Grievances (GBMA-R) in accordance with state law to afford a timely and fair method of resolution of disputes regarding dismissal, or other disciplinary actions arising between the School Board and employees who have completed the probationary period set forth in policy GDG, except the division superintendent and those employees covered under the provisions of Article 2 (§ 22.1-293 et seq.) and Article 3 (§ 22.1-306 et seq.) of Chapter 15 of Title 22.1 of the Code of Virginia. Such procedure does not include a hearing before a fact-finding panel but is otherwise consistent with the State Board of Education's procedure for adjusting grievances.

Adopted: March 20, 2008

Revised: June 18, 2009

Legal Reference: Code of Virginia, 1950, as amended, § 22.1-79(6).

Cross Reference: GDG Support Staff Probation
GBM Professional Staff Grievances

PERSONNEL

STAFF HIRING PROCEDURES

File: GBN

It is the desire of the Charlottesville City School Board to recruit, hire, and retain the best possible qualified applicants. The 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 Superintendent, fill positions in other ways. Current division employees will be given an opportunity to apply for positions for which they are qualified. Vacancies within the division will be advertised on the Internet. 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 Charlottesville City Public Schools shall be made in writing on forms provided by the Human Resources office.

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.

Adopted: February 19, 1998

Reviewed: March 20, 2008

Revised: June 17, 2010

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78.

Cross References: AC Nondiscrimination
GCDA Effect of Criminal Conviction or Founded Complaint of
Child
Abuse or Neglect

PERSONNEL

File: GBO

VIRGINIA RETIREMENT SYSTEM

Charlottesville City School Division employees who are eligible will be members of the Virginia Retirement System. Employee retirement benefits shall be governed by the rules and regulations established by the Virginia Retirement System.

Adopted: February 19, 1998

Reviewed: March 20, 2008

Legal Reference: Code of Virginia, 1950 as amended, sections 22.1-78, 51.124.1 et seq.

PERSONNEL

File: GBR

VOLUNTARY RETIREMENT SAVINGS PROGRAM

The Charlottesville City Schools Division 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 will be maintained and operated pursuant to a written plan.

The written plan will contain 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 written plan will also address any optional features, including hardship withdrawal distributions, loans, plan-to-loan or annuity contract-to-annuity contract transfers, and acceptance of rollovers to the plan, which are included in the Division's program.

The written plan may allocate responsibility for administrative functions, including functions to comply with the requirements of 26 U.S.C. § 403(b) and other tax requirements. The written plan may 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). The written plan may incorporate by reference other documents which thereupon become part of the written plan. The written plan may address termination of the program.

Every employee of the school division will annually be notified about the program.

Adopted: November 2008

Legal References; 26 U.S.C. § 403(b)
26 CFR 1.403(b)-1 et. Seq.

PERSONNEL

File: GC

PROFESSIONAL STAFF

No teacher shall be regularly employed by a school board or paid from public funds unless such teacher holds a local teacher license or a license or provisional license issued by the State Board of Education. If a teacher employees 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 the teacher is activated or deployed. The additional year or years shall be granted the following year or years after the return of the teacher from deployment or from activation. The Virginia Board of Education prescribes, by regulation, the requirements for the licensure for teachers and other school personnel required to hold a license.

Adopted: February 19, 1998
Revised: March 4, 2004
Revised: March 20, 2008
Revised: June 19, 2008
Revised: June 17, 2010

Legal References: Code of Virginia, 1950, as amended, sections 22.1-298 and 22.1-299

8 VAC 20-22-10 et seq.

PERSONNEL

File: GCA

LOCAL LICENSES FOR TEACHERS

The Charlottesville City School Board recognizes that some high-quality teachers may not meet the requirements for a state-issued, Board of Education collegiate or postgraduate professional license. Therefore, to ensure the placement of high-quality teachers, the School Board will offer a three-year nonrenewable local teacher license to qualified individuals who meet the requirements of this policy. If a teacher employed under a local teacher license is activated or deployed for military service within a school year (July 1-June 30), the School Board may provide an additional year to the teacher's local teacher license for each school year or portion thereof the teacher is activated or deployed. The additional year or years shall be granted the following year or years after the return of the teacher from deployment or activation.

Qualifications

To be eligible for a local teaching license, an individual must have the following qualifications:

- a baccalaureate degree from an accredited college or university.
- appropriate experience or training in a relevant subject or content area.

No local teacher license will be issued to teachers providing instruction in:

- special education.
- courses that represent core academic areas as defined by the federal No Child Left Behind Act of 2001, which currently include English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

Individuals eligible for a collegiate professional or postgraduate professional license issued by the state Board of Education shall not be eligible for a local teacher license.

Conditions/Requirements

Teachers employed under a local license shall be considered probationary teachers and shall not be eligible for continuing contract status. During the three-year local license period, teachers shall complete any training specified by the division superintendent, school board or the state Board of Education. Such training shall include curriculum and instruction, education technology, reading and other specific course content relating to the Standards of Learning, differentiation of instruction, classroom/behavior management and human growth and development.

The Board of Education shall issue a collegiate professional or postgraduate professional license to teachers employed under a local license if the following conditions are satisfied:

- the superintendent and school board recommend the teacher for state licensure.

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- the teacher completes three successful years of teaching experience under a local license. The success must be certified by the superintendent and school board.
- the teacher earns a satisfactory score on the professional teacher's examination required by the state Board of Education.
- the teacher completes other standards as may be prescribed by the state Board of Education.

Locally licensed teachers who obtain a state collegiate professional or postgraduate professional license must serve a three year probationary period after attaining such license before being eligible for continuing contract status.

No more than ten percent of teachers employed by the school board may hold a local license. This figure shall be determined based on the number of teachers employed during the preceding year. The local license shall be valid only in the school division that issues the license.

Application Process

Any classroom teacher candidate may apply in writing to the superintendent for a local teaching license. Application for a local license shall include evidence of satisfying the eligibility criteria above. The superintendent or designee shall review each application and decide whether to recommend to the school board that the applicant be granted a local license. Upon recommendation of the superintendent, the school board may issue a local license to satisfactory applicants.

Reporting

The school board shall report information about teachers employed under a local license to the Board of Education.

Adopted: March 20, 2008
Revised: June 19, 2008

Legal References: 20 U.S.C. § 7801(11).
Code of Virginia, as amended, §§ 22.1-298, 22.1-299 and 22.1-299.3.

Cross References: GC Professional Staff
GCG Professional Staff Probation and Continuing Contract
GCPD Professional Staff Members: Contract Status and Discipline

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PERSONNEL

File: GCB

PROFESSIONAL STAFF CONTRACTS

The School Board shall enter into written contracts with professional staff, (teachers, assistant principals, principals, and supervisors) before such employees assume their duties. Written contracts with those who are temporarily employed are not required. A temporarily employed teacher 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 Superintendent of Public Instruction on a case-by-case basis, during one school year. Contracts will be in the form prescribed by the State Board of Education, with special covenants added by the local School Board as appropriate. Contracts shall be signed in duplicate, with a copy furnished to each party.

Coaching contracts and contracts for extra curricular activity sponsorship assignments where a monetary supplement is paid shall be separate and apart from the annual or continuing contract and termination of the contract shall not constitute cause for the termination of the annual or continuing 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 except those activities that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Supervisors and principals shall be given contracts for 200 days, 220 days, 240 days or 260 days as determined by the School Board.

Adopted: March 20, 2008
Revised: June 17, 2010

Legal References.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302.

8 VAC 20-440-10

8 VAC 20-440-30

8 VAC 20-440-110

8 VAC 20-720-110

PERSONNEL

File: GCBA

STAFF SALARY SCHEDULES

The School Board shall annually establish and approve salaries for all school employees.

Adopted: February 19, 1998

Reviewed: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-289.1.

PERSONNEL

File: GCBB

SUPPLEMENTARY PAY PLANS FOR EXEMPT EMPLOYEES

The Charlottesville City School Board may authorize extra pay for the supervision of activities which require at least some special training or experience by one or more certificated employees and which are of such a nature that, although the school program includes these activities, they cannot feasibly be included in the regular school day. The School Board annually shall establish categories and shall determine compensation.

A separate contract in the form prescribed by the Virginia Board of Education shall be executed by the School Board with an employee who is receiving a monetary supplement for any athletic coaching assignment or extra curricular activity sponsorship assignment. This contract shall be separate and apart from the contract for teaching.

For purposes of this policy, "extra curricular activity sponsorship" means an assignment for which a monetary supplement is received requiring responsibility for any student organizations, clubs, or groups except those activities that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Adopted: February 19, 1998
Revised: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-302.
8 VAC 20-440-110
8 VAC 20-440-120

PERSONNEL

File: GCBC

STAFF FRINGE BENEFITS

The Charlottesville City School Board recognizes the need for fringe benefits in order to promote the employment and retention of the highest quality personnel and effectively serve the educational needs of students. All employee fringe benefits shall be subject to Charlottesville City School Board regulations. The Superintendent shall provide for the interpretation and application of the school division's policies and regulations regarding fringe benefits.

Adopted: February 19, 1998

Revised: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-85, 51.124.1_et seq.

Cross Reference: GBO Virginia Retirement System

PERSONNEL

File: GCBD

STAFF LEAVES AND ABSENCES

The Charlottesville City School Board shall endeavor to keep attendance of employees at a maximum and absences at a minimum. The Board recognizes that some absences are unavoidable and, therefore, allows certain absences and absence payments. The Board will establish policies which are meant to maintain the highest possible efficiency.

All employee leaves and absences shall be subject to Charlottesville City School Board policy and regulations. The superintendent shall provide for the interpretation and application of the school division's policies and regulations regarding leaves and absences.

Adopted: February 19, 1998

Reviewed: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, section 22.1-78.

Cross References: GCBE Family and Medical Leave
IC/ID School Year/School Calendar

PERSONNEL

File: GCBE

FAMILY AND MEDICAL LEAVE

A. Eligible Employees

An employee who has worked for the School Board (i) for at least 12 months and (ii) for at least 1,250 hours during the previous 12-months is eligible to apply for the leave provided herein.

B. Definitions

The following definitions shall apply for purposes of this policy:

1. The term "active duty" means duty under a call or order to active duty under a provision of law referred to in 10 U.S.C. § 101(a)(13)(B).
2. The term "covered military member" means a member of the Reserves or a retired member of the Regular Armed Forces or Reserves. A member of the Regular Armed Forces is not a covered military member for purposes of qualifying exigency leave.
3. The term "covered servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
4. The term "next of kin" used with respect to an individual, means the nearest blood relative of that individual.
5. The term "outpatient status," with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to (i) a military medical treatment facility as an outpatient; or (ii) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
6. The term "parent" means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.
7. The term "son or daughter" means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is (i) under 18 years of age or (ii) 18 years of age or older and incapable of self-care because of mental or physical disability. "Incapable of self-care" means that the individual requires active assistance or supervision to provide daily self-care in several of the activities of daily living.

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8. The term "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves
 - (i) inpatient care in a hospital, hospice, or residential medical care facility and any period of incapacity or treatment in connection with inpatient care; or
 - (ii) continuing treatment by a healthcare provider.

9. The term "continuing treatment by a health care provider" means one or more of the following:
 - (i) A period of incapacity lasting more than three full, calendar days, and subsequent period of treatment relating to the same condition that also involves
 - (a) Two or more treatments by a health care provider, one of which occurs within 7 days of the first day of incapacity and both of which occur within 30 days of the first day of incapacity, unless extenuating circumstances exist; or
 - (b) treatment by a healthcare provider on at least one occasion, which must occur within 7 days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the healthcare provider.
 - (ii) Any period of incapacity due to pregnancy or for prenatal care;
 - (iii) Any period of incapacity due to a chronic serious health condition which
 - (a) requires periodic visits of at least twice per year for treatment by a health care provider;
 - (b) continues over an extended period of time; and
 - (c) may cause episodic rather than a continuing period of incapacity.
 - (iv) A period of incapacity which is permanent or long-term due to a condition which for treatment may not be effective and which requires the continuing supervision of a healthcare provider;
 - (v) Any period of absence to receive multiple treatments (including recovery time) by a healthcare provider for:

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- (a) restorative surgery after an accident or injury;
- (b) a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical treatment, such as cancer, severe arthritis, or kidney disease.

(vi) The term "treatment by a health care provider" does not include routine physical examinations, eye examinations, or dental examinations.

Voluntary or cosmetic treatments which are not medically necessary are not serious health conditions, unless inpatient hospital care is required.

- 10. The term "serious injury or illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
- 11. The term "single 12-month period," in the case of Military Caregiver Leave, means the 12-month period measured forward from the date that the employee's first leave to care for the covered service member begins.
- 12. The term "reduced leave schedule" means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

C. Types of FMLA Leave

1. In General

Except as hereinafter provided, an eligible employee shall be entitled to a total of 12 workweeks of unpaid leave during the rolling 12-month period measured backward from the date the employee takes leave for one or more of the following:

- (a) because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
- (b) because of the placement of a son or daughter with the employee for adoption or foster care.
- (c) because the employee is needed to care for his spouse, son, daughter or parent, if such spouse, son, daughter, or parent has a serious health condition.

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- (d) because of a serious health condition that makes the employee unable to perform the functions of his or her position.
- (e) because of any qualifying exigency as defined in Department of Labor regulations, (hereinafter Qualifying Exigency Leave), arising out of the fact that the spouse, or a son, daughter, or parent of the employee is a covered military member on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

2. Military Caregiver Leave.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness shall be entitled to a total of 26 workweeks of leave during a single 12-month period to care for the servicemember. During the single 12-month period, an eligible employee shall be entitled to a combined total of 26 workweeks of leave for any FMLA qualifying reason, no more than 12 weeks of which may be for reasons other than to care for a covered servicemember with a serious injury or illness.

D. Additional Provisions.

1. Husband and Wife Both Employed by School Board.

A husband and wife who are employed by the School Board may only take a combined total of 12 weeks of leave during the school year for the birth or placement of a child or to care for a parent (but not a parent-in-law) with a serious health condition.

- 2. The entitlement to leave for a birth or placement of a son or daughter shall expire 12-months after such birth or placement.

3. Leave taken intermittently or on a reduced schedule

- (a) Leave for the birth or placement of a child shall not be taken by an employee intermittently or on a reduced leave schedule without the written authorization of the Division Superintendent.
- (b) Leave for the serious health condition of an employee, an employee's spouse, parent or child, or a servicemember may be taken intermittently or on a reduced leave schedule when medically necessary. If such leave is foreseeable based on planned medical treatment, the Division Superintendent may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and that

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has equivalent pay and benefits and, in the Division Superintendent's opinion, better accommodates recurring periods of leave than the regular employment position of the employee.

3. Substitution of Paid Leave

- (a) An employee must substitute any accrued paid vacation leave, personal leave or family leave for unpaid leave under paragraphs C 1(a), (b), (c), (e), and C2 above.
- (b) An employee must substitute any accrued paid vacation leave, personal leave, or sick leave for unpaid leave for under paragraph C1(d) above.

E. Foreseeable Leave

1. Notice

In any case in which the necessity for leave is foreseeable based on an expected birth or placement, or planned medical treatment, the employee shall request such leave not less than 30 days before the date leave is to begin, except that if the date of the birth or placement, or medical treatment, requires leave to begin in less than 30 days, the employee shall provide as much notice as is practicable.

If the necessity for leave because of a qualifying exigency arising from the fact that a family member is on active duty or has been notified of an impending call to active duty is foreseeable, the employee shall give such notice to the school division as is reasonable and practicable.

2. Duties of Employee

In any case in which the necessity for leave for the serious health condition of an employee, of an employee's spouse, parent or child, or of a servicemember is foreseeable, based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the School Division.

3. Requests for Leave

Requests for leave shall be made on forms provided by the Division Superintendent.

F. Certification and Other Opinions

1. Certification of Serious Health Condition

- (i) An employee requesting leave for the employee's own serious health condition or to care for a spouse, son, daughter, or parent with a serious health condition must submit a medical certification on the form provided by the Division Superintendent.
- (ii) In any case in which the Division Superintendent has reason to doubt the validity of the certification for leave, he may require, at the School Board's expense, that the employee obtain a second opinion of a provider designated or approved by the Division Superintendent concerning any information in the certification.
- (iii) If the second opinion differs from the original certification, the Division Superintendent may require, at the School Board's expense, that the employee obtain a third opinion of a provider jointly approved by the employee and the Division Superintendent. The third opinion shall be final and binding.
- (iv) The Division Superintendent may require an employee to obtain subsequent certifications on a reasonable basis.

2. Certification for Military Caregiver Leave

- (i) An employee requesting leave to care for a covered servicemember with a serious injury or illness must submit to the Division Superintendent either
 - (a) a medical certification on a form provided by the Division Superintendent; or
 - (b) Initial Travel Orders or Initial Travel Authorizations issued to a family member by the military to join an injured or ill servicemember at his or her bedside, pursuant to the regulations adopted by the Secretary of Labor.

3. Certification for Qualifying Exigency Leave

- (i) An employee requesting Qualifying Exigency Leave may be required to furnish to the Division Superintendent the following

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- (a) a copy of the covered military members active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the active duty service; and
- (b) a Qualifying Exigency Certification on the form provided by the Division Superintendent.

4. Submission of Certifications.

- (a) Certifications required under paragraphs F1-F3 shall be submitted to the Division Superintendent with 15 days of the employee's request for leave.
- (b) The failure of an employee to provide the certification required under paragraphs F1, F2, or F3 will result in denial of the employee's request for FMLA leave.

G. Employment and Benefits Protection

1. An employee who takes leave under this regulation shall, upon return from said leave, be restored to the position he or she left or to an equivalent position.
2. An employee taking leave under this regulation shall not lose any benefits accrued prior to taking leave, but no such employee shall accrue seniority or benefits while on unpaid leave.
3. An employee who takes leave for his own serious health condition shall provide the Division Superintendent with a certification from the health care provider, on the prescribed form, that the employee is able to resume work.
4. The Division Superintendent may require employees on leave under this regulation to report periodically on the status and intention of the employee to return to work.
5. The School Board may recover any premiums that it paid for maintaining benefit coverages for an employee during the period of unpaid leave hereunder if the employee does not return to work after the expiration of the leave, except for health benefit premiums when the employee does not return to work because of the continuation, recurrence, or onset of a serious health condition that entitles the employee to leave under paragraphs C1(c), (d), or C2 above, or other circumstances beyond the employee's control. The Division Superintendent may require the employee to provide a certification from a health care provider if the employee does not return to work because of reasons specified in paragraph

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C1(c), (d) or C2. If the employee fails to provide the requested certification within thirty (30) days of the request, the employee will be obligated to repay all health benefit premiums paid by the School Board.

H. Additional Rules for Instructional Employees

1. In addition to the requirements set forth above, an eligible employee employed principally in an instructional capacity shall comply with the requirements specified in this paragraph.
2. An employee who requests leave under paragraphs C1(c) or (d) that is foreseeable based on planned medical treatment and that would last more than 20 percent of the working days in the following 12-month period must elect either:
 - (i) to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or
 - (ii) to transfer temporarily to an alternative position, if available and offered by the Division Superintendent, for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the regular position.
3. If the employee begins leave for any qualifying reason more than 5 weeks prior to the end of the semester, the Division Superintendent may require the employee to continue taking leave until the end of the semester if:
 - (i) the leave is of at least 3 weeks duration; and

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- (ii) the return to work would occur during the 3-week period before the end of the semester.
- 4. If the employee begins leave under paragraphs C1(a), (b), (c) or C2 during the period that commences 5 weeks prior to the end of the semester, the Division Superintendent may require the employee to continue taking leave until the end of the semester if:
 - (i) the leave is of greater than 2 weeks duration; and
 - (ii) the return to work would occur during the 2-week period before the end of the semester.
- 5. If an employee begins leave under paragraphs C1(a), (b), (c) or C2 during the period that commences 3 weeks prior to the end of the semester and the duration of leave is greater than 5 working days, the Division Superintendent may require the employee to continue to take leave until the end of the semester.

Adopted: February 19, 1998
Revised: April 17, 2008
Revised: June 19, 2008
Revised: June 18, 2009
Revised: September 17, 2009

Legal Reference: 29 U.S.C. §§ 207, 2611, 2612, 2613, 2614, 2618, 2619
29 CFR 825.110, 825.115, 825.124, 825.200, 825.203, 825.207,
825.300, 825.301, 825.302, 825.303, 825.305, 825.306, 825.307,
825.309, 825.310, 825.311, 825.312, 825.600, 825.602, 825.603,
825.800.

Cross Refs.: GCBD Professional Staff Leaves and Absences
GDBD Support Staff Leaves and Absences
GCBEA Leave without Pay

PERSONNEL

File: GCBEA

LEAVE WITHOUT PAY

Employee's Debilitating or Life-Threatening Illness or Injury

A leave of absence, without pay, may be granted to employees of the school division who have a debilitating or life-threatening illness or injury and who are not eligible for Family Medical Leave as described in Policy GCBE because they have not worked for the division for 12 months or have not worked at least 1250 hours according to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq.

Employees with a debilitating or life-threatening illness who are entitled to leave under this policy may take up to thirty (30) days unpaid leave during their first year of employment with the school division. Leave may be taken only in full-day increments. Leave may be taken only when the employee has no other leave (such as sick leave) available.

Employees must submit medical documentation of their need for leave. Whenever possible, documentation must be provided prior to leave being taken.

Prior approval must be obtained prior to leave being taken.

All rights under this policy expire at the end of the employee's first year of service.

Other Work During Leave

Employees who are on unpaid leave pursuant to this policy or any other policy, except those on leave pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) (see Policy GCBE), may not engage in work for which they receive pay or any other type of remuneration without the prior written approval of the Superintendent.

Adopted: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, § 22.1-296.

Cross References: GCBD Professional Staff Leaves and Absences
GCBE Family and Medical Leave
GCBEB Military Leave and Benefits
GDBD Support Staff Leaves and Absences

PERSONNEL

File: GCBEB

MILITARY LEAVE

All employees of the School Board who are members of the organized reserve force of any of the armed services of the United States or of the National Guard shall be entitled to leaves of absence for their respective duties without loss of seniority, accrued leave or efficiency rating on all days when they are engaged in annual active duty or training or when called forth by the Governor. There shall be no loss of pay during these leaves of absence, not to exceed fifteen (15) days per federal fiscal year (October-September).

In addition, full-time employees of the Charlottesville City School Division whose active duty service with the regular armed forces of the United States or the National Guard or other reserve component requires his or her absence from employment will receive supplemental pay in the amount of the difference between the military pay and pay as a Charlottesville City Schools employee if the employee's military compensation is less than the regular salary paid to the employee by the school division.

The employee will be permitted, upon request, to use any vacation, annual, or similar leave that had accrued at the time military leave began.

Except as outlined above, military leave is unpaid.

Benefits

Health Benefits

If the employee so desires, the employee and the employee's dependents may continue to participate in the division's group health plan for up to 24 months while the employee is on military leave. The employee must notify the Director of Human Resources or designee if he or she wants to continue participation in the division's group health plan. Charlottesville City Schools will continue to provide health coverage for the employee and allow the employee to continue with coverage for dependants at the same rate during any deployment and/or military leave.

Retirement Benefits

An employee reemployed after military leave will be treated as not having incurred a break in service. The period of military leave will be considered service to the division for purposes of vesting and benefit accrual. The division is responsible for its pension plan funding obligation. The division is not required to make its contribution until the employee is reemployed.

The employee will be allowed, but not required, to make up his or her contributions to a contributory plan. The employee may repay his or her employee contributions for a period of up to three times the period of military service, but not to exceed five years. If the employee's retirement plan is contributory and the employee does not make up his or

PERSONNEL

File: GCBEB

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her contributions, he or she will not receive the employer match or the accrued benefit attributable to his or her contribution because the employer is required to make contributions that are contingent on the employee's contributions.

The employer and employee contribution will be calculated on the rate of pay the employee would have received but for the absence to serve military duty.

Reemployment

An employee who is entitled to military leave by reason of service in the federal military reserves is entitled to be reemployed by the School Board as long as he or she

- has given advance notice of the need for military leave (unless notice is precluded by military necessity or is otherwise impossible or unreasonable);
- has not been absent from his or her job for more than five years; and
- returns to work as outlined below.

If the employee was absent from work for

- less than 31 days, he or she must report back to work by the beginning of the next regularly scheduled work period after a reasonable amount of time to arrive home, rest and report to work;
- more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days after the completion of service;
- more than 180 days, the employee must submit an application for reemployment within 90 days after the completion of service.

Employees who are entitled to military leave due to service in the Virginia military reserves must make written application for reemployment within (A) 14 days of release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services does not exceed 180 days of (B) 90 days of his release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services exceeds 180 days..

Upon returning from duty, an employee will be restored to the same job he held before leaving or to a comparable job. The School Board is not obligated to reemploy persons returning from military leave in certain unusual situations specified by state and federal law.

Termination after Reemployment

A person who is reemployed after returning from more than 30 days of military duty will not be discharged except for cause

- within one year after the date of reemployment, if the person's period of military service before the reemployment was more than 180 days; or
- within 180 days after the date of reemployment, if the person's period of military service before the reemployment was more than 30 days but less than 181 days.

PERSONNEL

File: GCBEB

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Discrimination Against Members of Military Reserves Prohibited

Members of the military reserves will not be denied initial employment, reemployment, retention in employment, promotion, or any benefit of employment on the basis of that membership.

Adopted: February 19, 1998

Revised: March 4, 2004

Revised: March 20, 2008

Revised: June 17, 2010

Legal References: 38 U.S.C. §§ 4312, 4313, 4316, 4317.

20 C.F.R. §§ 1002.259, 1002.261, 1002.262, 1002.267.

Code of Virginia, 1950, as amended, §§ 22.1-289.2, 44-93, 44-93.1, 44-93.3, 44-93.4, 44-102.1

PERSONNEL

File: GCCA

POSTING OF PROFESSIONAL STAFF VACANCIES

Notices of employment vacancies within the Charlottesville City School Division shall be posted in every school within the system and in the administration office. Where applicable, notice shall be mailed to placement services of colleges and universities and professional publications.

Adopted: March 20, 2008

Legal References.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78

Cross Reference: GBN Application for Positions

PERSONNEL

File: GCCB

EMPLOYMENT OF FAMILY MEMBERS

The Charlottesville City School Board may not employ or pay, and the Superintendent may not recommend for employment, any family member of the Superintendent or of a School Board member.

This prohibition shall not apply to the employment, transfer or promotion of any family member who

- has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of the 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 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 given any greater employment than that obtained in the last full school year prior to the taking of office of the superintendent or a School Board member or to the inception of such relationship.

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. The employee may not be highly involved in the hiring process of the family member and may not be included in the evaluation process.

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

Adopted: February 19, 1998
Revised: March 20, 2008
Revised: June 16, 2011

Legal Reference: Code of Virginia, 1950, as amended, section 2.2-3119

Cross Reference: BBFA School Board Members Conflict of Interest
GCI Professional Staff Assignments and Transfers

PERSONNEL

File: GCDA

EFFECT OF CRIMINAL CONVICTION

The Charlottesville City School Board will not hire or continue the employment of any part-time, full-time, temporary, or permanent personnel who are deemed 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.

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 Charlottesville City School Board shall require on its application for employment certification (i) that the applicant has not been convicted of a felony or any offense involving the sexual molestation, physical or sexual abuse or rape of a child; and (ii) whether the applicant has been convicted of a crime of moral turpitude.

The Charlottesville City School Board shall also require on its application for employment, as a condition of employment requiring direct contact with students, whether full-time 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, all Charlottesville City School Board employees, whether full-time or part-time, permanent or temporary, shall submit to fingerprinting and shall 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 on applicants who are offered or accept employment.

To conserve the costs of conducting criminal history record checks to applicants and school boards, upon the written request of the applicant, the Charlottesville City 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 Charlottesville City School Board as provided by statute.

PERSONNEL

File: GCDA

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If an applicant is denied employment because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information provided by the Central Criminal Records Exchange to the applicant.

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 shall ensure 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 shall take responsible 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.

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 his record in the registry, the School Board shall provide 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 shall be confidential and shall not be disseminated by the School Board.

II. EMPLOYEE CHARGES AND CONVICTIONS

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 policies GCPD and GDPD.

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

PERSONNEL

File: GCDA

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The superintendent shall inform the School Board of any notification of arrest of a School Board employee received pursuant to Virginia Code section 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.

III. For purposes of this policy, a court's placing an individual on probation pursuant to Virginia Code, Section 18.2-251 shall be treated as a conviction and as a finding of guilt.

IV. Cost of Fingerprinting, criminal record and child abuse and neglect checks:

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

Adopted: February 19, 1998
Revised: March 4, 2004
Revised: March 20, 2008
Revised: June 19, 2008
Revised: June 18, 2009

Legal References: Code of Virginia, as amended, sections 18.2-251, 19.2-83.1, 19.2-389, 22.1-78, 22.1-296.1, 22.1-296.2, 22.1-315, 63.2-1515.

Cross References: GCPD Professional Staff Members: Contract Status and Discipline
GDPD Support Staff Members: Contract Status and Discipline

PERSONNEL

File: GCE

PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Substitute Teachers

Persons who meet the requirements of the School Board shall be eligible for substitute teaching. All substitute teachers must have completed a minimum of two years of college study (60 semester hours of course work) and be on the current list approved by the School Board.

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 Superintendent of Public Instruction on a case-by-case basis, during one school year.

Homebound Teachers

Homebound teachers shall be employed on a part-time, hourly basis. They shall be selected from the active file of applicants in the Human Resources office or from the approved substitute teacher list and shall hold, or be eligible for, a valid teaching certificate.

Part-Time Teachers

An employee working less than 180 days or less than seven (7) 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.

Summer School Teachers

Summer school teachers shall meet all certification requirements

Interns

Arrangements for the utilization of interns in the school division should be initiated through the superintendent.

PERSONNEL

File: GCE
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Student Teachers

The school division shall accept student teachers only from accredited institutions. All student teachers shall meet the same health requirements as all other personnel. The Superintendent shall have the responsibility for the assignment and placement of student teachers in the school system.

Adopted: February 19, 1998
Revised: May 17, 2001
Revised: March 4, 2004
Revised: March 20, 2008
Revised: June 17, 2010

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78.
22.1-302

Cross Reference: GCB Professional Staff Contracts

PERSONNEL

PROFESSIONAL STAFF PROBATION AND CONTINUING CONTRACT

File: GCG

A probationary term of service of three years in the Charlottesville City School Division shall be required before a teacher is issued a continuing contract. Service under a local teacher license shall not count towards satisfying this probationary requirement. A mentor teacher shall be 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 shall be evaluated at least annually in accordance with policy GCM and GCN. The superintendent shall consider such evaluations as one factor in making recommendations to the School Board regarding the employment of probationary teachers. If a probationary teacher's evaluation is not satisfactory, the School Board shall not re-employ such teacher.

Any teacher hired on or after July 1, 2001, shall be required, as a condition of achieving continuing contract status, to have successfully completed 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. The Charlottesville City School Division will provide 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 of one year shall be served in the Charlottesville City School Division and shall be made a part of the contract of employment. 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 one year, if made part of the contract.

If a teacher who has not achieved continuing contract status receives notice of re-employment, he/she must accept or reject in writing within 15 calendar days of receipt of the notice. Unless a conference with the Superintendent is requested as specified in the Code of Virginia, written notice of non-renewal of the contract must be given by the board on or before April 15 of each year.

Teachers employed after completing the probationary period shall be 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 April 15 of each year: otherwise the contract continues in effect for the ensuing year. The Charlottesville City 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 Charlottesville City School Board to contract for any financial obligation beyond the period for which funds have been made available.

PERSONNEL

File: GCG

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As soon after April 15 as the school budget is approved by the appropriating body, the school board shall furnish 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 June 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.

Adopted: October 21, 1999

Revised: March 20, 2008

Revised: June 16, 2011

Legal References: Code of Virginia, 1950, as amended, sections 22.1-294, 22.1-303, 22.1-304
8 VAC 20-440-10 et seq.

Cross References: GBM Staff Complaints and Grievances
GCA Local Licenses for Teachers
GCB Professional Staff Contracts and Compensation Plans
GCN Evaluation of Professional Staff
GCP Professional Staff Termination of Employment
GCPA Reduction in Professional Staff Work Force
GCPD Professional Staff Members: Contract Status and Discipline
GDPB Resignation of Professional Staff Members

PERSONNEL

File: GCI

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

Principals and other supervisor personnel may submit recommendations to the Superintendent for the appointment, assignment, promotion, transfer and dismissal of all personnel assigned to their supervision.

On the recommendation of the Superintendent, the Charlottesville City School Board shall employ teachers and other personnel as may be needed for the efficient operation of the schools. The Superintendent shall have the authority to assign such employees to their respective positions within the school or facility wherein they had been placed by the School Board.

The Superintendent may also reassign any such employee for that school to any school or facility within such division, provided no change or reassignment during a school year shall affect the salary of such employee for that school year. However, no one will be employed or re assigned to a situation where a family member, as defined in Policy GCCB, is directly responsible for that employee's supervision.

Any employee seeking a transfer of assignment to another work location for the next school year must make a request in writing to the Superintendent or his/her designee, with copies to the current supervisor, not later than April 1. This type of request, if granted, will be considered a voluntary transfer. A change of assignment within an immediate work station is the responsibility of the immediate supervisor.

Adopted: February 19, 1998

Revised: April 17, 2008

Legal References: Code of Virginia, 1950, as amended, Sections 22.1-293, 22.1-295, 22.1-297

Cross References: GCCB Employment of Family Members

PERSONNEL

File: GCL

PROFESSIONAL STAFF DEVELOPMENT

The goal of the professional development program is to provide better learning experiences in the classroom which result in a positive effect on student performance and attitude. This can be accomplished through the improved awareness and effectiveness of the staff. Utilizing total staff involvement, the professional development process consists of identifying the areas in which improvement is needed; establishing programs that are designed to achieve the desired results and implementing these programs with evaluation and revision as needed.

The Charlottesville City School Board will provide a program of high-quality professional development:

- (1) 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 levels;
- (2) 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.
- (3) In educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula, and
- (4) 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.

In addition, the board will also provide teachers and principals with high-quality professional development programs each year in

- (i) instructional content;
- (ii) the preparation of tests and other assessment 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;
- (iv) instruction and remediation techniques in English, mathematics, science, and history and social science;

PERSONNEL

File: GCL
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- (v) interpreting test data for instructional purposes; and
- (vi) technology applications to implement the Standards of Learning; and
- (vii) effective classroom management

All instructional personnel, including instructional assistants, are required to participate each year in professional development programs.

The board will annually review 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.

Adopted: October 21, 1999
Revised: September 20, 2007
Revised: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-253.13:5.E, 22.1-253.13.5.G

8 VAC 20-450-10

PERSONNEL

SUPERVISION OF THE EVALUATION PROCESS

File: GCM

The Superintendent shall supervise the establishment of a cooperatively developed procedure for adequate and periodic evaluation of the work of each employee and shall maintain suitable records. The evaluation procedure shall allow for personnel evaluation appropriate to tasks performed by those being evaluated. The Board of Education Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators and Superintendents should be consulted during the development of the evaluation procedures.

Principals, Assistant Principals and Supervisors

The Charlottesville City School Board shall establish, for use by the Superintendent, criteria for the performance evaluation of principals, assistant principals and supervisors that are consistent with the performance objectives set forth in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators, and Superintendents. Such criteria shall include (1) and assessment of the administrators skills and knowledge, (2) student academic progress and school gains in student learning, and (3) effectiveness in addressing school safety and enforcing student discipline.

Instructional Personnel

The Charlottesville City School Board shall develop a procedure, for use by the Superintendent and other administrators, for evaluating instructional personnel. Such procedure shall address (1) student academic progress and (2) the skills and knowledge of such personnel, including instructional methodology, classroom management and subject matter knowledge.

Instructional personnel who have achieved continuing contract status will be evaluated not less than once every three years. Any instructional personnel, who has achieved continuing contract status, receiving an unsatisfactory evaluation who continues to be employed by the local school board will be evaluated no later than one year after receiving such unsatisfactory evaluation. The evaluation shall be maintained in the employee's personnel file.

Employment Recommendations

The evaluation process shall be considered when making employment recommendations to the Charlottesville City School Board pursuant to section 22.1-293 or 22.1-305 of the Code of Virginia.

Adopted: October 21, 1999
Revised: March 20, 2008

PERSONNEL

File: GCM
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Legal References: Code of Virginia, 1950, as amended, sections 22.1-294,22.1-295,22.1-253.13:7

Cross References: GCN Evaluation of Professional Staff

PERSONNEL

File: GCN

EVALUATION OF PROFESSIONAL STAFF

Evaluation shall be a requirement for all personnel in the Charlottesville City School division. Evaluation of professional employees shall be a cooperative and continuing process with formal appraisal periodically. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the person being evaluated.

The purpose of evaluation and assistance is:

1. To raise the quality of instruction and educational services to the children of the community.
2. To raise the standards of the division as a whole.
3. To aid the individual to grow and improve.

The superintendent shall assure that cooperatively developed procedures for professional staff evaluations are implemented throughout the division and included in the division's policy manual.

The Board of Education Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators and Superintendents should be consulted during the development of the evaluation procedures.

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.

Adopted: February 19, 1998
Revised: April 15, 1999
Revised: March 4, 2004
Revised: March 20, 2008
Revised: June 16, 2011

Legal References: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78.
22.1-253.13:7 C-7 and 22.1-276.2

The Board of Education Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators and Superintendents, 2000.

Cross Reference: GCN Supervision of the Evaluation Process
© 5/11 VSBA

PERSONNEL

File: GCPA

REDUCTION IN PROFESSIONAL STAFF WORKFORCE

A decrease in enrollment, a budget reduction or adjustment, a consolidation of schools, the phasing out of programs, departments or grade levels and other conditions may cause a reduction in the number of staff needed in a building, program or department, or in the entire school division.

General reduction in total personnel and redistribution of personnel within designated programs shall be done in accordance with regulations established by the administration.

Adopted: February 19, 1998

Revised: March 20, 2008

Legal Reference: Code of Virginia, sections 22.1-70, 22.1-78, 22.1-304, 22.1-305 (G)

Cross Reference: GCC Professional Staff Probation and Continuing Contract

File: GCPB

PERSONNEL

File: GCPB

RESIGNATION OF
PROFESSIONAL STAFF MEMBERS

The superintendent of schools is authorized to acknowledge resignations of employees upon receipt of written notification. A teacher may resign after April 15 of any school year with the approval of the superintendent. A teacher shall request release from contract at least two weeks in advance of intended resignation date. The request shall be in writing setting forth the cause of resignation.

The teacher may, within one week of written request for release from contract, withdraw a request to resign. Upon the expiration of the one-week period, the superintendent shall notify the School Board of the decision to accept or reject the resignation. The School Board, within two weeks, may reverse the decision of the 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. The Board shall be informed at their next scheduled meeting of all resignations and take appropriate action on those resignations.

Each employee who is separating from employment regardless of the length of service, his/her position, or the circumstances of separation, shall be encouraged to participate in an exit interview. The Director of Human Resources/designee will conduct all exit interviews, at a mutually agreeable time.

Adopted: February 19, 1998

Revised: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, section 22.1-304.

PERSONNEL
PROFESSIONAL STAFF MEMBERS:
CONTRACT STATUS AND DISCIPLINE

File: GCPD

Employment Status: Re-employment, Non-Renewal and Dismissal

A. Employment Contracts

All certified personnel in the Charlottesville City Schools shall be issued a written employment contract, except those temporarily employed as substitute teachers, before such employee enters upon his duty. Such contract shall be signed in duplicate, with a copy thereof furnished to both parties.

B. Contractual Status Administrative Staff

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 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 Charlottesville City 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 April 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 superintendent, the superintendent's designee or the Charlottesville City School Board.

The principal, assistant principal or supervisor shall elect whether such meeting shall be with the superintendent, the superintendent's designee or the Charlottesville City School Board. The Charlottesville City School Board, superintendent or 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 Charlottesville City 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 superintendent, his designee or the Charlottesville City 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.

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

C. Probationary Contracts for Teaching Staff

A probationary term of service for three years in the same school division shall be required before a teacher is issued a continuing contract. Once a continuing contract status has been attained in a school division in the Commonwealth, another probationary period need not be served in any other school division unless such probationary period, not to exceed one year, is made a part of the contract of employment. Further, when a teacher has attained continuing contract status in a school division in the Commonwealth, and separates from and returns to teaching service in a school division in Virginia by the beginning of the third year, such teacher shall be required to serve a probationary period not to exceed one year, if made a part of the contract for employment.

Any teacher hired on or after July 1, 2001, shall be required, as a condition of achieving continuing contract status, to have successfully completed 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. Charlottesville City School Division will provide 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.

D. Re-employment of a Probationary Contract Teacher

If a teacher who has not achieved continuing contract status receives notice of re-employment, he/she must accept or reject in writing within 15 days of receipt of such notice. Unless a conference with the superintendent is requested as specified under administrative regulations for non-renewal of probationary contract teachers, written notice on non-renewal of the contract must be given by the Charlottesville City School Board on or before April 15 of each year. If no such notice is given a teacher by April 15, the teachers shall be entitled to a contract for the ensuing year.

E. Continuing Contracts

Teachers employed after completing the probationary period shall be entitled to continuing contracts during good behavior and competent service. Continuing contracts may be executed in behalf of persons holding a valid post graduate, collegiate professional, or vocational certificate.

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F. Probation and Dismissal

Teachers may be dismissed or placed on probation 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 or moral turpitude or other good and just cause. 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 School Board to recommend that the Board of Education revoke such person's license to teach.

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.

Administrative regulations shall be developed for the dismissal or placing on probation of continuing contract teachers and probationary teachers during the school year. No teacher shall be dismissed or placed on probation solely on the basis of the teacher's refusal to submit to a polygraph examination requested by the Charlottesville City School Board.

G. Suspension

A teacher or other city school employee, whether full-time or part-time, permanent or temporary may be suspended for good and just cause when the safety or welfare of the school division or the students therein are threatened or when the teacher or other employee has been charged by summons, warrant, indictment or information with the commission of a felony, a misdemeanor involving (i) sexual assault as established in Article 7 (Section 18.2-61 et seq.) of Chapter 4 of Title 18.2, (ii) obscenity and related offenses as established in Article 5 (Section 18.2-372 et seq.) of Chapter 8 of Title 18.2, (iii) drugs as established in Article 1 (Section 18.2-247 et seq.) of Chapter 7 of Title 18.2. (iv) moral turpitude, or (v) the physical or sexual abuse or neglect of a child; or an equivalent offense in another state. Except when a teacher or other employee is suspended because of being charged by summons, warrant, indictment or, information with the commission of any of the above listed criminal offenses, the superintendent or appropriate central office designee shall not suspend a teacher or other employee for longer than sixty (60) days and shall not suspend a teacher or other employee for a period in excess of five (5) days unless such teacher or other 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 State law.

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Any teacher or other employee so suspended shall continue to receive his/her then applicable salary unless and until the School Board, after a hearing, determines otherwise. No teacher or other employee shall be suspended solely on the basis of the teacher's refusal to submit to a polygraph examination requested by the Charlottesville City School Board.

Any employee suspended because of being charged by summons, warrant, information or indictment with any of the above listed criminal offenses may be suspended with or without pay. In the event an employee is suspended without pay, an amount equal to his/her salary while on suspended status shall be placed in an interest-bearing demand escrow account.

Upon being found not guilty of any 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 earning received by the employee during the period of suspension, but in no event shall such payment exceed one year's salary. In the event an employee is found guilty by an appropriate court of any of the above listed criminal offenses and, after all available appeals have been exhausted and such conviction is upheld, all funds, including interest, in the escrow account shall be repaid to the Charlottesville City School Board. The placing of a school employee on probation pursuant to the terms and conditions of Va. Code sec. 18.2-251 shall be deemed a finding of guilt.

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

No employee shall have his/her insurance benefits suspended or terminated because of such suspension in accordance with this policy.

Nothing in this policy shall be construed to limit the authority of the Charlottesville City School Board to dismiss or place on probation a teacher or other employee pursuant to Chapter 15, Article 3 of Section 22.1-307 of the Code of Virginia, and paragraph F herein.

H. Failure to Perform Non-Emergency Health-Related Services

No licensed instructional employee may be disciplined, placed on probation or dismissed solely for refusing to perform non-emergency health-related services for students except administrative personnel and individuals employed to perform health-related services for students.

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- I. 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.

Adopted: February 19, 1998

Revised: March 20, 2008

Revised: June 19, 2008

Legal References: Code of Virginia, 1950, as amended, sections 18.2-251, 22.1-274(D), 22.1-303, 22.1-304, 22.1-307, 22.1-315

Cross References: GCA Local Licenses for Teachers
GCG Professional Staff Probation and Continuing
Contract
GCDA Effect of Criminal Conviction

PERSONNEL

File: GCQA

NON-SCHOOL EMPLOYMENT
BY PROFESSIONAL STAFF MEMBERS

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 employed the employee, nor shall the outside employment reflect adversely upon the school division. The superintendent may require employees to report all outside employment.

Adopted: February 19, 1998
Revised: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78

PERSONNEL

File: GCQAB

TUTORING FOR PAY

Professional staff members may not be paid for tutoring students enrolled in a class under their direction.

Adopted: February 19, 1998

Reviewed: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78.

PERSONNEL

File: GCQB

PROFESSIONAL STAFF RESEARCH AND PUBLISHING

Ownership of Materials

The Board adopts the "work for hire doctrine," and shall have the copyright of all employees' work produced at the instance and expense of the Board and/or any of its administrative staff.

Works authored by employees on their own time, without expense to the Board, and without instruction, direction, or control of the employees' superiors are the copyright of the employees.

Waiver and Assignment of Proprietary Rights

Copyrights of the Board may be waived in favor of or assigned to the author by the Board upon application submitted to the Board through the Superintendent.

The Board authorizes the superintendent to review materials prepared by employees for which the Board has no copyright, and to waive or assign all or part of any interest or proprietary rights therein which is alleged the Board may have, in favor of the employees producing such works.

Any materials copyrighted under this section shall be made available to Charlottesville City Public Schools at no charge to the system.

Work made for hire is defined as materials prepared by an employee in connection with his or her job duties, and it includes instructional texts, tests, answer sheets, and materials specifically commissioned.

Adopted: March 20, 2008

Legal References: Title 17, Code (P.L. 94-552, 10/19/76) (Copyright law), Code of Virginia, 1950, as amended, § 22.1-78

PERSONNEL

File: GD

SUPPORT STAFF

Support staff personnel are those employees who need not hold a license issued by state education authorities in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative positions, clerical, maintenance, transportation, food services, and aides.

Adopted: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, § 22.1-78

PERSONNEL

File: GDB

SUPPORT STAFF EMPLOYMENT STATUS

Support staff personnel shall be employed on a non-contract basis unless otherwise required by state law.

The school division offers three types of employment to support staff personnel.

Temporary employees shall be hired for short-term needs on a daily basis. These employees shall accrue no benefits and be paid only for hours worked.

Probationary employees shall be fully qualified new employees assigned to authorized positions on a month-to-month basis. These employees are eligible for salary increments and shall accrue sick leave benefits at the rate of one and one-quarter (1.25) day per working month.

Regular employees shall have successfully completed the prescribed probationary period. Regular employees shall be eligible for all employment benefits available under School Board policy. Such employees shall maintain regular employment status while serving a probationary period in a new position following a transfer to a new department or a promotion to a higher position.

Adopted: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, § 22.1-78

PERSONNEL

File: GDBA

SUPPORT STAFF SALARY SCHEDULES

The School Board shall annually approve a salary schedule for support staff personnel.

Adopted: March 20, 2008

Legal Reference: Code of Virginia, 1950, as amended, § 22.1-78

PERSONNEL

File: GDBD

SUPPORT STAFF LEAVES AND ABSENCES

All support staff employee leaves and absences shall be subject to school division policy and regulations. The superintendent shall provide for the interpretation and application of the school division's policies and regulations regarding leaves and absences.

Adopted: March 20, 2008

Legal References.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Reference: GCBE Family and Medical Leave

PERSONNEL

File: GDG

SUPPORT STAFF PROBATION

The probationary period for all support staff shall be eighteen (18) months.

Adopted: February 19, 1998
Revised: March 20, 2008
Revised: June 17, 2010

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-79.6

Cross Reference: GBMA Support Staff Complaints and Grievances
GBMA-R Procedure for Adjusting Grievances for Support
Staff
GDPD Support Staff Members: Contract Status and
Discipline

PERSONNEL

File: GDI

SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

Support staff shall be assigned to positions for which their qualifications meet the needs of the school division's operations.

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.

Adopted: March 20, 2008

Revised: June 17, 2010

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Legal References.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

Cross Reference: GA Personnel Policy Goals

PERSONNEL

File: GDN

EVALUATION OF SUPPORT STAFF

Evaluation shall be a requirement for all personnel in the Charlottesville City Public School Division.

Evaluation of support staff employees shall be a cooperative and continuing process with formal appraisal periodically. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the employee.

The purpose of evaluation and assistance is:

1. To raise the quality of instruction and educational service to the children of the community.
2. To raise the standards of the division as a whole.
3. To aid the individual to grow and improve.

The superintendent shall assure that cooperatively developed procedures for support staff evaluations are implemented within the division and included in the division's regulations manual.

Adopted: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-253.13:7.C.7.

PERSONNEL

File: GDPB

RESIGNATION OF SUPPORT STAFF MEMBERS

Support staff personnel who wish to terminate their employment shall give at least two calendar weeks' (14 days) notice to their immediate supervisor. The request will be forwarded to the superintendent who in turn will notify the School Board at its next regularly scheduled meeting.

Adopted: February 19, 1998

Reviewed: March 20, 2008

Legal References: Code of Virginia, 1950, as amended, §§ 18.2-251, 22.1-70, 22.1-78

PERSONNEL

File: GDPD

SUPPORT STAFF MEMBERS: CONTRACT STATUS AND DISCIPLINE

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.

Support personnel who are removed from employment for just cause shall be ineligible thereafter for employment in the school system.

Support personnel, whether full-time or part-time, permanent or temporary, may be suspended for good and just cause when the safety or welfare of the 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, a misdemeanor involving (i) sexual assault as established in Article 7 (section 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, (ii) obscenity and related offenses as established in Article 5 (section 18.2-372 et seq.) of Chapter 8 of Title 18.2 of the Code of Virginia, (iii) drugs as established in Article 1 (section 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, (iv) moral turpitude, or (v) the physical or sexual abuse or neglect of a child; or an equivalent offense in another state. 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 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 without pay 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. Any employee so suspended shall continue to receive his/her then applicable salary unless and until the School Board, after a hearing, determines otherwise. No support employee shall be suspended solely on the basis of the employee's refusal to submit to a polygraph examination requested by the Charlottesville City School Board.

Any employee suspended because of being charged by summons, warrant, information or indictment with any of the above listed criminal offenses may be suspended with or without pay. In the event an employee is suspended without pay, an amount equal to the employee's salary while on 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 earning 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 an employee is found guilty by an appropriate court of any of the above listed criminal offenses and, after all available appeals have been exhausted and such conviction is upheld, all funds in the escrow account shall be repaid to the Charlottesville City School Board.

No employee will have his insurance benefits suspended or terminated because of suspension in accordance with this policy.

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

With the exception of school administrative personnel and persons who have the specific duty to deliver health-related services, no instructional aide, or clerical employee will be disciplined, placed on probation or dismissed on the basis of such employee's refusal to (s) perform nonemergency health-related services for students or (ii) obtain training in the administration of insulin and glucagons. However, instructional aides and clerical employees may not refuse to dispense oral medications.

Adopted: October 21, 1999
Revised: March 20, 2008
Revised: June 17, 2010

Legal References: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78, 22.1-274(D), 22.1-296.2, 22.1-315

Cross References: GCDA Effect of Criminal Conviction
GDG Support Staff Probationary Period
GBMA Support Staff Grievances
GBMA-R Procedures for Adjusting Grievances for Support Staff

PERSONNEL

File: GDQ

SCHOOL BUS DRIVERS

The school division shall implement 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.

Prohibited conduct

Drivers shall be 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.

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 physician who has advised the driver that the substance does not adversely affect his ability to safely operate a motor vehicle.

Required testing

Drivers shall be 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 shall be 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.

Notification

Each driver shall receive 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 shall sign a statement certifying that he/she has received a copy of the above materials and the division shall maintain 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.

PERSONNEL

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Consequences if testing indicates drug or alcohol misuse

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.

Record retention

The division shall maintain 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 shall be 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.

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

The division shall administer controlled substance tests in accordance with federal laws governing test procedure and testing sites. The division shall take steps to insure proper training and testing procedures are provided.

Adopted: March 20, 2008

Legal References: 49 U.S.C. § 31136

49 CFR § 382.101 et seq.

Code of Virginia, 1950, as amended, § 22.1-178.

8 VAC 20-70-280.

Cross Reference: GBEA Unlawful Manufacture, Distribution, Dispensing,
Possession or Use of a Controlled Substance

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