

SCOTT COUNTY SCHOOL BOARD

MINUTES OF REGULAR MEETING, OCTOBER 6, 2020

The Scott County School Board met for their regular meeting on Tuesday, October 6, 2020 at 6:30 p.m. at the Scott County Career & Technical Center, 387 Broadwater Avenue, Gate City, VA 24251, with the following members present:

David Templeton, Chairman
Lon Stephen "Steve" Sallee, Jr., Vice-Chairman
Gail L. McConnell
Linda Gillenwater
Robin Hood
William "Bill" Houseright

ABSENT: None

OTHERS PRESENT: John I. Ferguson, Division Superintendent; Jason Smith, Assistant Superintendent; William Sturgill, School Board Attorney; Beverly Stidham, Purchasing Agent/Clerk of the Board; Angela Johnson, Deputy Clerk of the Board/School Nutrition Agent/Head Start Payroll Clerk; Kathy Musick, VEA Representative; Robert Sallee, Maintenance Supervisor; Amanda Clark, Heritage TV; Deanna Ward, Retired Teacher, SES and husband, Marty Ward, Vickie Kitts, NEA Representative; Makayla Jaramillo, VEA Representative/Teacher.

CALL TO ORDER/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE: Chairman Templeton called the October 6, 2020 regular meeting of the Scott County School Board to order at 6:30 p.m. and welcomed everyone to the meeting. After welcoming everyone to the meeting, he asked the members of the Board and the audience to observe a moment of silence. After the Moment of Silence, Chairman Templeton led in citing the *Pledge of Allegiance*.

APPROVAL OF AGENDA: On a motion by Mr. Steve Sallee, seconded by Mr. Robin Hood, all members voting aye, the Board approved the agenda as presented.

APPROVAL OF MEETING MINUTES, SEPTEMBER 8, 2020 REGULAR MEETING: On a motion by Mr. Gail McConnell, seconded by Mr. Bill Houseright, all members voting aye, the Board voted to approve the September 8, 2020 regular meeting minutes as written.

APPROVAL OF CLAIMS: On a motion by Mr. Steve Sallee, seconded by Mr. Gail McConnell, all members voting aye, the Board voted to approve the claims as follows:

School operating fund invoices and payroll in the amount of \$795,382.65 as shown by warrants #8131941-8132137 and electronic payroll direct deposit in the amount of \$1,361,262.95 & electronic tax deposits in the amount of \$521,104.43. Cafeteria fund invoices & payroll in the amount of \$189,915.55 as shown by warrants #1019998-1020036; electronic payroll direct deposit for cafeteria in the amount of \$45,414.94; and electronic tax deposits in the amount of \$14,088.28. Head Start invoices totaling \$313,042.42 as shown by warrants #21710-21829.

PUBLIC COMMENT: Kathy Musick, VEA Representative spoke to the Board about grants available to Scott County Educators from the State for classroom supplies and various other registrations for classes. She stressed the importance of getting the application filled out for the money available by the November 15, 2020 deadline and congratulated all of the past winners of grant money and stated to the Board what each recipient had achieved for their classroom or what they were able to do

academically for themselves with this money. She wanted each teacher to know that they are eligible to fill out a grant application whether or not they are a member of the VEA. Ms. Musick also thanked the Board for their support of the Scott County Staff and Teachers.

RECOGNITION OF 2019-2020 RETIREES: Assistant Superintendent Jason Smith, along with Superintendent Ferguson and the Board read aloud the 2019-2020 Retirees and thanked them for their dedication and service to Scott County. There was only one Retiree, Mrs. Deanna Ward, present at the meeting and Mr. Smith gave her an opportunity to speak. Ms. Ward thanked the Board for the opportunity to be a part of the Scott County staff for so many years and stressed what a wonderful experience she had being a teacher. The Board and audience gave Ms. Ward a round of applause and she was awarded a resolution of appreciation. The remaining retirees were read aloud and Mr. Smith individually spoke to the contribution each one had made for the School System and everyone wished them well. The 2019-2020 Retirees were as follows: Sharon Vermillion, Deborah Osborne, Gary Adams, Robin Hall, Randy Laney, Judy Mullins, Sheila King, Darlene Quillen, Cindy Dorton, Teresa Ladd, Karen Hartsock, and Larry Vermillion.

VSBA SCHOOL BOARD ACADEMY AWARDS: Assistant Superintendent Jason Smith presented the Virginia School Board Academy awards for the individuals that had received recognitions and credits earned through participation in VSBA meetings and other Academy sessions; also, through VSBA governance and service activities. Superintendent Ferguson earned the Award of Excellence by receiving 48 credit hours in 2 years; he received a Silver VSBA pin; School Board Chairman David Templeton earned the Award of Achievement receiving 24 credit hours per year; he received a Bronze VSBA pin; Beverly Stidham, Clerk of the Board and Angela Johnson, Deputy Clerk of the Board both received a Certificate of Recognition for earning 15 credit hours per year.

SUPERINTENDENT'S REPORT:

ACKNOWLEDGMENT OF HILTON ELEMENTARY SCHOOL: BLUE RIBBON SCHOOL- (APPENDIX A)- Superintendent Ferguson expressed his appreciation to the staff of Hilton Elementary School and his congratulations for Hilton Elementary being recognized as an Exemplary High Performing School and winning the National Blue-Ribbon School Award for 2020 by the United States Secretary of Education.

The coveted National Blue-Ribbon Schools award affirms the hard work of educators, families, and communities in creating safe and welcoming schools where students master challenging and engaging content.

The 2020 National Blue-Ribbon Schools Awards Ceremony will be held virtually November 12th and 13th. All 317 public and 50 non-public school honorees will receive their plaques and flags via mail.

APPROVAL OF HEAD START FINANCIAL REPORT, DECEMBER 2019 FINAL- (APPENDIX B): On a motion by Mr. Gail McConnell, seconded by Mr. Bill Houseright, all members voting aye, the Board voted to approve the December 2019 (Final) Head Start financial report as presented by Superintendent Ferguson on behalf of Head Start Director Kathy Wilcox.

APPROVAL OF HEAD START FINANCIAL REPORT, AUGUST 2020: -(APPENDIX C): On a motion by Ms. Linda Gillenwater, seconded by Mr. Steve Sallee, all members voting aye, the Board voted to approve the August 2020 Head Start financial report as presented by Superintendent Ferguson on behalf of Head Start Director Kathy Wilcox.

APPROVAL OF EARLY HEAD START FINANCIAL REPORT, AUGUST 2020, PRELIMINARY- (APPENDIX D): On a motion by Mr. Steve Sallee, seconded by Mr. Gail McConnell, all members voting

aye, the Board voted to approve the August 2020 Preliminary Early Head Start Financial Report as presented by Superintendent Ferguson on behalf of Head Start Director Kathy Wilcox.

APPROVAL OF FY 2020 COMMUNITY ASSESSMENT UPDATE: (APPENDIX E)- On a motion by Mr. Bill Houseright, seconded by Ms. Linda Gillenwater, all members voting aye, the Board voted to approve the FY 2020 Head Start Community Assessment Update as presented by Superintendent Ferguson on behalf of Head Start Director Kathy Wilcox.

Superintendent Ferguson presented the September 2020 Head Start Director's Report on behalf of Head Start Director Kathy Wilcox. With no comments or questions raised regarding the report, the next agenda item was presented.

CLOSED MEETING: Mr. Steve Saltee made a motion to enter into closed meeting at 6:55 p.m. to discuss Teaching Assistants, Coaches, Custodians, and Bus drivers as provided in Section 2.2-3711 of the Code of Virginia, as amended, the motion was seconded by Mr. Gail McConnell, all members voting aye.

RETURN FROM CLOSED MEETING: All members present returned from the closed meeting at 7:43 p.m. with a roll call vote being held, and on a motion by Mr. Steve Saltee, seconded by Mr. Gail McConnell, the Board returned to regular session and Mr. Saltee cited the following certification of the closed meeting.

CERTIFICATION OF CLOSED MEETING:

WHEREAS, the Scott County School Board has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Freedom of the Information Act and,

WHEREAS, Section 2.2-3711 of the Code of Virginia requires certification, by this Scott County School Board that such meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Scott County School Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Scott County School Board in the closed meeting

ROLL CALL VOTE:

AYES: David Templeton, Steve Saltee, Linda Gillenwater, Gail McConnell, Bill Houseright, and Robin Hood.

NAYS: None.

ABSENT DURING None.

**FOIA TRAINING FOR SCHOOL BOARD MEMBERS BY SCHOOL BOARD ATTORNEY, WILL STURGILL:
(APPENDIX F):**

School Board Attorney Will Sturgill presented a training for each School Board member and outlined the purpose of the Freedom of Information Act and how it pertains to Virginia's citizens observing how their elected officials conduct public business.

He stated that the basic principle of FOIA is that all meetings are open to the public and all public records and meetings shall be presumed open, unless an exemption is properly invoked and gave the Section under the law that allows this and provides closed sessions from the public to take place.

He explained to the Board how many public officials it takes to constitute a meeting and stated that if three members are gathered and discuss business, then that constitutes a meeting.

Mr. Sturgill provided information about meeting notices which the Clerk of the Board provides meeting notices before each regular meeting and adequate notice before each Special called meeting, Mr. Sturgill gave specifics on advertising requirements and general requirements for notice.

Mr. Sturgill also stated about how minutes should be taken and recorded; also, the public's right to record meetings. Mr. Sturgill also discussed Electronic meetings and circumstances for those.

The Board was informed of Closed Meeting requirements and responses to FOIA requests.

With no questions after the discussion and review of the document, the next agenda item was presented.

ITEMS BY ASSISTANT SUPERINTENDENT, JASON SMITH: PERSONNEL

RESIGNATION:

On a motion by Mr. Gail McConnell, seconded by Mr. Robin Hood, all members voting aye, the Board voted to accept the resignation request of Ashley Kincer, Girls track coach, Rye Cove High School, effective October 6, 2020.

EMPLOYMENT:

On a motion by Mr. Bill Houseright, seconded by Mr. Steve Saltee, all members voting aye, the Board voted to approve the employment of Matthew Reed, Teacher, effective October 1, 2020.

On a motion by Mr. Gail McConnell, seconded by Ms. Linda Gillenwater, all members voting aye, the Board voted to approve the employment of Zach Dorton, bus driver, effective September 30, 2020.

On a motion by Mr. Bill Houseright, seconded by Ms. Linda Gillenwater, all members voting aye, the Board voted to approve the employment of Zach Dorton, custodian, effective October 6, 2020.

On a motion by Ms. Linda Gillenwater, seconded by Mr. Steve Saltee, all members voting aye, the Board voted to approve the employment of Emily Glenn, paraprofessional, effective October 6, 2020.

On a motion by Mr. Gail McConnell, seconded by Mr. Robin Hood, all members voting aye, the Board voted to approve the employment of Lee Bush, non-stipend wrestling coach, Rye Cove High School, effective October 6, 2020.

On a motion by Mr. Steve Saltee, seconded by Ms. Linda Gillenwater, all members voting aye, the Board voted to approve the Mechelle Rhoton, bus aide, effective September 29, 2020.

On a motion by Mr. Gail McConnell, seconded by Mr. Robin Hood, all members voting aye, the Board voted to approve the employment of Heather Peterson, girls track coach, Rye Cove High School, effective October 6, 2020.

TERMINATION:

On a motion by Ms. Linda Gillenwater, seconded by Mr. Steve Saltee, all members voting aye, the Board voted to approve the termination of Travis Kern, bus driver, effective October 6, 2020.

On a motion by Mr. Gail McConnell, seconded by Mr. Steve Saltee, all members voting aye, the Board voted to approve the termination of Amber Kern, bus aide, effective September 29, 2020.

2019-2020 STUDENT-CLASSROOM TEACHER RATIO: (APPENDIX G): Mr. Smith reviewed the student-classroom teacher ratio and inclusion special education teacher-student ratio with the Board

which was based on 10-day enrollment for the 2020-20201 Academic year. For the Board's review, the 2019-2020 student-classroom teacher ratio was attached.

MOU FOR SCHOOL RESOURCE OFFICERS: (APPENDIX H): Mr. Smith reviewed the MOU between the Scott County School Board and the Scott County Sheriff's Office. This Memorandum of Understanding's purpose is intended to facilitate effective, timely communication and coordination of efforts for both parties and to establish a mutually beneficial framework that both schools and law enforcement can work within to achieve shared goals.

On a motion by Mr. Gail McConnell, seconded by Mr. Bill Houseright, all members voting aye, the Board voted to approve the MOU between the Scott County School Board and the Scott County Sheriff's Office.

BOARD MEMBER COMMENTS: Mr. Bill Houseright wished the best to all of the retirees and stated that the group mentioned in tonight's meeting are among the best of Scott County. He added to the group to not be a stranger. Mr. Houseright also wanted to Congratulate Hilton Elementary on being the Blue-Ribbon School and complimented everyone for doing such a great job!

Mr. Gail McConnell stated that he wished to echo all the well wishes that Mr. Houseright stated for the retirees and for Hilton Elementary School.

Mr. Steve Sallee wished everyone good health and Happy Retirement. He wished everyone well at Hilton Elementary School for their great accomplishment for being a Blue-Ribbon School.


Ms. Linda Gillenwater congratulated Mr. Ferguson on his award of Excellence and Chairman Templeton on his award of Achievement with the VSBA.

Chairman Templeton stated that the Board expressed his many thoughts of congratulatory remarks for the Hilton Elementary School, the Retirees, and Superintendent Ferguson.

ADJOURNMENT: With no further business to discuss, the regular meeting of the Scott County School Board was adjourned at 8:23 p.m.



David Templeton, Chairman


Beverly Stridham, Clerk of the Board

Appendix for October 6, 2020 Board Meeting Minutes:

- A.** Acknowledgement of Hilton Elementary School-Blue Ribbon School
- B.** Approval of Head Start Financial Report, December 2019-Final
- C.** Approval of Head Start Financial Report, August 2020
- D.** Approval of Early Head Start Financial Report, August 2020-Preliminary
- E.** Approval of FY2020 Community Assessment Update
- F.** FOIA Training for School Board Members by School Board Attorney, Will Sturgill
- G.** 2019-2020 Student-Classroom Teacher Ratio
- H.** MOU for School Resource Officers

John Ferguson

From: Judy Cercone <jcercone@rmcres.com>
Sent: Thursday, September 24, 2020 3:03 PM
To: John Ferguson
Subject: ***WARNING, External Mail***Congratulations on a 2020 Recognized National Blue Ribbon School



September 24, 2020

Dear Superintendent Ferguson

It is my pleasure to inform you that **Hilton Elementary School in Scott County Public School District** has been recognized as an **Exemplary High Performing Schools National Blue Ribbon School** for 2020 by U. S. Secretary of Education, Betsy DeVos.

The coveted National Blue Ribbon Schools award affirms the hard work of educators, families, and communities in creating safe and welcoming schools where students master challenging and engaging content. Now in its 38th year, the National Blue Ribbon Schools Program has bestowed almost 10,000 awards to more than 9,000 schools, with some schools winning multiple awards. Schools are eligible for nomination after five years.

The Education Department recognizes all schools in one of two performance categories, based on all student scores, student subgroup scores and graduation rates:

- **Exemplary High Performing Schools** – These are among their state’s highest performing schools as measured by state assessments or nationally normed tests.
- **Exemplary Achievement Gap Closing Schools** – These are among their state’s highest performing in closing achievement gaps between a school’s student groups and all students.

Up to 420 schools may be nominated each year. The U.S. Education Department invites National Blue Ribbon School nominations from the top education official in all states, the District of Columbia, Puerto Rico, the Virgin Islands, the Department of Defense Education Activity, and the Bureau of Indian Education. Private schools are nominated by the Council for American Private Education (CAPE).

The 2020 National Blue Ribbon Schools Awards Ceremony will be held virtually Nov. 12 and 13. While we regret not having the opportunity to celebrate in person, given the current situation regarding COVID-19, we will celebrate all 317 public and 50 non-public school honorees in the ways that we are able, and they will each receive their plaques and flags via mail.

School profiles of all 2020 National Blue Ribbon Schools can also be found at <https://nationalblueribbonschools.ed.gov/awardwinners>.

Congratulations and thank you for your commitment to excellence in education for all children.

Sincerely,

A handwritten signature in black ink that reads "Aba Kumi". The signature is fluid and cursive, with the first name "Aba" and last name "Kumi" clearly distinguishable.

Aba S. Kumi

Director

National Blue Ribbon Schools Program

Office of Communications and Outreach

U.S. Department of Education

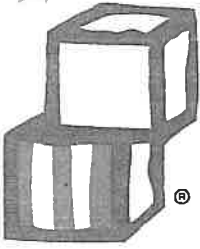
Phone: 202.401.1767

Email: Aba.Kumi@ed.gov

Web: <https://nationalblueribbonschools.ed.gov/>

Follow National Blue Ribbon Schools on

[Facebook](#) & [Twitter](#) or [NBRS Express Newsletter](#)



SCOTT COUNTY PUBLIC SCHOOL HEAD START®

305 LEGION STREET
WEBER CITY, VIRGINIA 24290
PH.: 276-386-6051
FAX: 276-386-7281
Kathy Wilcox, Director

September 22, 2020

Scott County School Board
340 E. Jackson St.
Gate City, VA 24251

RE: #03CH3469-05 – No Cost Extension

To Whom It May Concern,

On September 18, 2019, Scott County Public School Head Start was awarded a supplemental one-time funding grant in the amount of \$398,510 for the 2019 budget period. These funds were obligated for the installation of six playgrounds throughout the service area. Due to the timing of the grant award and the start of the 2019 winter season, construction was delayed until Spring 2020. As a result, the Office of Head Start approved a no cost extension, allowing these funds to extend beyond the original project period end date.

Playground construction was completed in August 2020 and all obligated funds were paid in September 2020. Attached is the final report for the 2019 budget period. Should you have any questions, please feel free to contact me.

Sincerely,

April Carter
HR & Fiscal Officer

SCOTT COUNTY PUBLIC SCHOOL HEAD START

HEAD START FINANCIAL REPORT

GRANT #03CH3469-05 (1/1/19-12/31/19)

FINAL REPORT

DECEMBER 2019

REVENUE	CURRENT MONTH	YTD	APPROVED FUNDING	UNCOLLECTED FUNDING	%
Federal Funds	612,064.37	1,747,094.00	1,747,094.00	-	0%
CACFP	38,312.05	138,475.21	-	-	
Donations, Other Revenue	2,700.00	3,631.42	-	-	
TOTAL	\$ 653,076.42	\$ 1,889,200.63	\$ 1,747,094.00	\$ -	0%

EXPENSES	CURRENT MONTH	YTD	BUDGETED FUNDING	AVAILABLE FUNDING	%
PERSONNEL					
Payroll Expenses	70,795.83	813,033.92	854,943.00	41,909.08	5%
Fringe	23,761.65	298,614.97	326,918.00	28,303.03	9%
TRAVEL					
Out of Town Travel	24.16	271.61	1,500.00	1,228.39	82%
SUPPLIES					
Office Supplies	9,090.19	15,715.32	8,000.00	(7,715.32)	-96%
Postage	94.57	609.46	1,000.00	390.54	39%
Food Supplies	27,042.75	114,975.38	144,945.21	29,969.83	21%
Food Service Supplies	3,092.08	3,838.16	2,000.00	(1,838.16)	-92%
Educational Supplies	43,963.22	62,484.07	41,980.42	(20,503.65)	-49%
Medical & Dental Supplies	871.28	958.67	1,500.00	541.33	36%
Janitorial Supplies	1,975.03	4,365.74	2,000.00	(2,365.74)	-118%
EQUIPMENT					
Classroom/Outdoor Equipment	150,499.58	150,499.58	95,000.00	(55,499.58)	-171%
CONTRACTUAL					
Mental Health Services	1,027.50	2,010.00	2,500.00	490.00	20%
Other Contracts	226,709.59	226,709.59	288,210.00	61,500.41	21%
OTHER					
Rent	-	9,600.00	9,600.00	-	0%
Utilities	4,923.91	19,939.14	21,000.00	1,060.86	5%
Telephone	1,354.75	13,157.98	14,400.00	1,242.02	9%
Child Liability Insurance	-	-	740.00	740.00	100%
Maintenance & Repair	79,698.85	95,031.84	20,000.00	(75,031.84)	-375%
Local Travel	529.18	2,892.24	2,300.00	(592.24)	-26%
Parent Activities	377.12	3,168.80	3,500.00	331.20	9%
Audit Fee (Accounting & Legal)	2,100.00	2,100.00	2,750.00	650.00	24%
Publications, Ads, & Printing	2,900.35	17,038.43	14,500.00	(2,538.43)	-18%
Health Services	300.00	471.24	3,125.00	2,653.76	85%
Field Trips	-	2,525.30	1,000.00	(1,525.30)	-153%
Discretionary Funds	238.13	1,172.76	3,300.00	2,127.24	64%
Health Examinations	-	245.63	250.00	4.37	2%
Assoc. Dues & Fees	138.02	3,464.02	1,840.00	(1,624.02)	-88%
Training	2,426.95	24,306.78	20,399.00	(3,907.78)	-19%
TOTAL	\$ 653,934.69	\$ 1,889,200.63	\$ 1,889,200.63	\$ -	0%

IN-KIND (NON-FEDERAL SHARE)	CURRENT MONTH	YTD	IN-KIND BUDGETED	IN-KIND REMAINING	%
Parents & Volunteer	13,266.33	154,492.73	134,686.00	(19,806.73)	-15%
School District	-	244,680.30	246,379.00	1,698.70	1%
Donations	3,821.11	49,481.34	55,709.00	6,227.66	11%
TOTAL	\$ 17,087.44	\$ 448,654.37	\$ 436,774.00	\$ (11,880.37)	-3%

ADMINISTRATIVE COST	CURRENT MONTH	YTD	ADMIN. COST BUDGETED	ADMIN. COST REMAINING
Personnel	18,761.79	169,428.64	159,915.00	(9,513.64)
Travel	2.66	29.88	165.00	135.12
Supplies	1,134.89	2,190.95	1,300.00	(890.95)
Other	11,326.76	39,802.81	31,796.00	(8,006.81)
TOTAL	\$ 31,226.10	\$ 211,452.28	\$ 193,176.00	(18,276.28)

DEC. ADMIN. COST	2.0%
YTD ADMIN. COST	13.6%

SCOTT COUNTY PUBLIC SCHOOL HEAD START
HEAD START FINANCIAL REPORT
GRANT #03CH011328-01 (1/1/20-12/31/20)

AUGUST 2020

REVENUE	CURRENT MONTH	YTD	APPROVED FUNDING	UNCOLLECTED FUNDING	%
ACF - OHS	143,338.25	898,734.64	1,478,647.00	579,912.36	39%
CACFP	-	30,958.58	-	-	-
Donations, Other Revenue	-	-	-	-	-
TOTAL	\$ 143,338.25	\$ 929,693.22	\$ 1,478,647.00	\$ 579,912.36	39%

EXPENDITURES	CURRENT MONTH	YTD	BUDGETED FUNDING	AVAILABLE FUNDING	%
PERSONNEL: \$800,493					
Payroll Expenses (Full-Time)	68,095.52	482,489.01	800,493.00	318,003.99	40%
PERSONNEL TOTAL	68,095.52	482,489.01	800,493.00	318,003.99	40%
FRINGE: \$321,282					
FICA	5,043.98	39,236.41	67,104.00	27,867.59	42%
Worker's Compensation	-	-	2,456.00	2,456.00	100%
Unemployment	6.16	587.73	3,333.00	2,745.27	82%
Medical/Dental Insurance	10,511.34	72,516.22	112,386.00	39,869.78	35%
Life Insurance	942.54	6,421.48	10,486.00	4,064.52	39%
Retirement	11,432.44	79,704.62	125,517.00	45,812.38	36%
FRINGE TOTAL	27,936.46	198,466.46	321,282.00	122,815.54	38%
TRAVEL: \$2,757 - T&TA: \$4,858					
Out of Town Travel	-	1,080.06	7,615.00	6,534.94	86%
TRAVEL TOTAL	-	1,080.06	7,615.00	6,534.94	86%
SUPPLIES: \$118,891					
Office Supplies	1,070.58	4,780.99	10,444.00	5,663.01	54%
Postage	-	406.85	922.00	515.15	56%
Food Supplies	124.46	28,301.97	45,252.58	16,950.61	37%
Food Service Supplies	1,587.67	2,325.07	5,111.00	2,785.93	55%
Classroom/Ed. Supplies	10,679.80	45,130.26	64,010.00	18,879.74	29%
Medical & Dental Supplies	1,735.08	4,336.37	11,666.00	7,329.63	63%
Transition Supplies	-	-	166.00	166.00	100%
Janitorial Supplies	1,448.66	7,729.63	12,278.00	4,548.37	37%
SUPPLIES TOTAL	16,646.25	93,011.14	149,849.58	56,838.44	38%
CONTRACTUAL: \$14,140					
Mental Health Services	-	382.50	4,140.00	3,757.50	91%
Other Contractual Services	-	-	10,000.00	10,000.00	100%
CONTRACTUAL TOTAL	-	382.50	14,140.00	13,757.50	97%
EQUIPMENT: \$0					
N/A	-	-	-	-	0%
EQUIPMENT TOTAL	-	-	-	-	0%
OTHER: \$200,685 - T&TA: \$15,541					
Rent	419.90	6,819.90	9,600.00	2,780.10	29%
Utilities	767.83	7,502.18	20,400.00	12,897.82	63%
Telephone	1,096.70	8,182.58	13,960.00	5,777.42	41%
Maintenance & Repair	24,125.97	51,110.39	47,534.00	(3,576.39)	-8%
Local Travel	-	284.61	2,265.00	1,980.39	87%
Parent Activities	-	106.86	3,312.00	3,205.14	97%
Audit Fee (Accounting & Legal)	-	-	2,778.00	2,778.00	100%
Publications, Ads, & Printing	1,642.88	11,238.38	13,055.00	1,816.62	14%
Health Services	-	225.00	3,111.00	2,886.00	93%
Field Trips	-	1,070.00	2,200.00	1,130.00	51%
Discretionary Funds	87.40	546.06	3,360.00	2,813.94	84%
Health Examinations (Staff)	319.95	578.52	300.00	(278.52)	-93%

Assoc. Dues & Fees	1,055.39	2,124.63	2,136.00	11.37	1%
Payroll Expenses (Part-Time)	1,144.00	55,270.94	76,674.00	21,403.06	28%
Training	-	8,204.00	15,541.00	7,337.00	47%
OTHER TOTAL	\$ 30,660.02	\$ 153,264.05	\$ 216,226.00	\$ 62,961.95	29%
BUDGET TOTAL	\$ 143,338.25	\$ 928,693.22	\$ 1,509,605.58	\$ 580,912.36	38%

EXPENDITURE DETAIL

Payroll Expenses (Full-Time)	August payroll, full-time staff
Fringe	August fringe benefits, full-time & part-time staff
Supplies	General expenses for program, including shelving/dividers for classrooms
Rent	Storage unit rental fees
Utilities/Telephone	Utility/telephone expenses for centers & HS office
Maintenance & Repair	Routine maintenance expenses, flooring installation, HVAC installation
Publications, Ads, & Printing	Copier contract, August outdoor billboard advertisement fees
Discretionary Funds	Reimbursements made to education staff for the purchase of classroom supplies
Health Examinations (Staff)	COVID-19 symptom app for staff
Assoc. Dues & Fees	VA Head Start Association dues
Payroll Expenses (Part-Time)	August payroll, part-time staff

IN-KIND (NFS)	CURRENT MONTH	YTD	IN-KIND BUDGETED	IN-KIND REMAINING	%
Parents & Volunteer	3,258.75	121,564.16	133,087.00	11,522.84	9%
School District	127,214.30	127,350.39	159,076.00	31,725.61	20%
Donations	22,819.59	26,853.12	44,983.00	18,129.88	40%
TOTAL	\$ 153,292.64	\$ 275,767.67	\$ 337,146.00	\$ 61,378.33	18%

ADMINISTRATIVE COST	CURRENT MONTH	YTD	ADMIN. COST BUDGETED	ADMIN. COST REMAINING
Personnel	13,702.50	79,248.56	118,098.00	38,849.44
Fringe	5,095.16	30,621.84	37,850.00	7,228.16
Travel	-	75.60	686.00	610.40
Supplies	176.35	907.05	958.00	50.95
Other	7,355.84	16,106.83	25,923.00	9,816.17
TOTAL	\$ 26,329.85	\$ 126,959.88	\$ 183,515.00	\$ 56,555.12

AUG. ADMIN. COST

1.8%

YTD ADMIN. COST

8.5%

CREDIT CARD TRANSACTIONS

MEMO	OBJ. CODE	DEBIT	CREDIT	BALANCE
PV Credit Card:				
File organizers #1466	6001	\$ 147.35	\$ -	\$ 147.35
Face masks for children #4883	6004	\$ 675.00	\$ -	\$ 822.35
Storage containers for children's desk #1458	6013	\$ 662.28	\$ -	\$ 1,484.63
BOA Credit Card:				
PO #4902 Dungannon/Weber City	3310	\$ 9.90	\$ -	\$ 9.90
Quickbooks subscription, August 2020	6001	\$ 141.00	\$ -	\$ 150.90
COVID-19 signs #1474	6001	\$ 91.23	\$ -	\$ 242.13
COVID-19 signs, touchless keychains #7896	6001	\$ 590.71	\$ -	\$ 832.84
Face masks for staff #1473	6004	\$ 384.00	\$ -	\$ 1,216.84
Toothpaste, cold packs #4890	6004	\$ 676.08	\$ -	\$ 1,892.92
PO #4902 Dungannon/Weber City	6005	\$ 457.99	\$ -	\$ 2,350.91
PO #4902 Dungannon/Weber City	6013	\$ 51.99	\$ -	\$ 2,402.90
PO #1475	6013	\$ 162.60	\$ -	\$ 2,565.50
Smocks for staff #4887	6013	\$ 635.74	\$ -	\$ 3,201.24
COVID-19 symptom checker app #1480	6018	\$ 319.95	\$ -	\$ 3,521.19
PO #4902 Dungannon/Weber City	6002A	\$ 149.76	\$ -	\$ 3,670.95
Food delivery bags #1487	6002A	\$ 191.27	\$ -	\$ 3,862.22
PO #1475	6002A	\$ 131.94	\$ -	\$ 3,994.16
AC adapter for laptop #2828	6001	\$ 26.29	\$ -	\$ 4,020.45
Carabiner clip pens #2823	6001	\$ 33.98	\$ -	\$ 4,054.43
Backpacks for crisis bags #2835	6004	\$ 43.14	\$ -	\$ 4,097.57
Face masks #2823	6004	\$ 269.10	\$ -	\$ 4,366.67
lanyards for children #1500	6004	\$ 337.80	\$ -	\$ 4,704.47
Push broom #2823	6005	\$ 35.56	\$ -	\$ 4,740.03
SMART subscription, 1 yr. #2837	6013	\$ 114.78	\$ -	\$ 4,854.81
Classroom supplies #2833	6013	\$ 52.63	\$ -	\$ 4,907.44
Classroom supplies #2832	6013	\$ 272.52	\$ -	\$ 5,179.96
Storage totes, pencil boxes #4912	6013	\$ 1,295.19	\$ -	\$ 6,475.15
Mats for children's individual spaces #1499	6013	\$ 392.21	\$ -	\$ 6,867.36
Glue gun #2835	6017	\$ 19.99	\$ -	\$ 6,887.35

**SCOTT COUNTY PUBLIC SCHOOL HEAD START
EARLY HEAD START FINANCIAL REPORT
GRANT #03HP00004903 (9/1/19-8/31/20)**

AUGUST 2020 PRELIMINARY REPORT

REVENUE	CURRENT MONTH	YTD	APPROVED FUNDING	UNCOLLECTED FUNDING	%
ACF - OHS	55,465.04	340,826.00	372,363.00	31,537.00	8%
CACFP	-	14,522.47	-	-	
Donations, Other Revenue	-	521.00	-	-	
TOTAL	\$ 55,465.04	\$ 355,869.47	\$ 372,363.00	\$ 31,537.00	8%

EXPENDITURES	CURRENT MONTH	YTD	BUDGETED FUNDING	AVAILABLE FUNDING	%
PERSONNEL: \$189,334					
Payroll Expenses (Full-Time)	16,862.20	180,043.30	189,334.00	9,290.70	5%
PERSONNEL TOTAL	16,862.20	180,043.30	189,334.00	9,290.70	5%
FRINGE: \$82,425					
FICA	1,409.64	16,424.23	16,667.00	242.77	1%
Worker's Compensation	-	-	610.00	610.00	100%
Unemployment	10.23	137.33	828.00	690.67	83%
Medical/Dental Insurance	1,606.57	21,095.55	32,152.00	11,056.45	34%
Life Insurance	233.43	2,405.05	2,480.00	74.95	3%
Retirement	2,995.58	29,755.18	29,688.00	(67.18)	0%
FRINGE TOTAL	6,255.45	69,817.34	82,425.00	12,607.66	15%
TRAVEL: \$3,024					
Out of Town Travel	-	18.40	3,024.00	3,005.60	99%
TRAVEL TOTAL	-	18.40	3,024.00	3,005.60	99%
SUPPLIES: \$31,591					
Office Supplies	4,368.20	4,756.74	3,000.00	(1,756.74)	-59%
Postage	495.00	495.00	100.00	(395.00)	-395%
Food Supplies	153.87	14,603.23	22,151.47	7,548.24	34%
Food Service Supplies	48.14	839.08	1,000.00	160.92	16%
Classroom/Ed. Supplies	17,733.94	23,948.76	17,383.00	(6,565.76)	-38%
Medical & Dental Supplies	406.77	1,284.65	1,000.00	(284.65)	-28%
Transition Supplies	-	-	500.00	500.00	100%
Janitorial Supplies	1,050.04	3,282.03	1,500.00	(1,782.03)	-119%
SUPPLIES TOTAL	24,255.96	49,209.49	46,634.47	(2,575.02)	-6%
CONTRACTUAL: \$1,620					
Mental Health Services	-	255.00	1,620.00	1,365.00	84%
CONTRACTUAL TOTAL	-	255.00	1,620.00	1,365.00	84%
EQUIPMENT: \$0					
N/A	-	-	-	-	0%
EQUIPMENT TOTAL	-	-	-	-	0%
OTHER: \$55,662 - T&TA: \$8,707					
Rent	-	-	-	-	0%
Utilities	135.09	1,970.86	4,500.00	2,529.14	56%
Telephone	159.62	2,328.45	3,000.00	671.55	22%
Maintenance & Repair	5,100.18	5,657.41	7,193.00	1,535.59	21%
Local Travel	100.68	219.23	660.00	440.77	67%
Parent Activities	-	-	600.00	600.00	100%
Audit Fee (Accounting & Legal)	-	700.00	1,000.00	300.00	30%
Publications, Ads, & Printing	-	-	500.00	500.00	100%
Health Services	-	75.00	1,000.00	925.00	93%
Field Trips	-	299.25	4,067.00	3,767.75	93%
Discretionary Funds	-	166.75	1,800.00	1,633.25	91%
Health Examinations (Staff)	85.05	85.05	300.00	214.95	72%
Assoc. Dues & Fees	177.81	881.24	2,500.00	1,618.76	65%
Other Payroll Expenses (Part-Time)	1,828.00	39,578.38	28,542.00	(11,036.38)	-39%
Training	505.00	4,564.32	8,707.00	4,142.68	48%
OTHER TOTAL	8,091.43	56,525.94	64,369.00	7,843.06	12%
BUDGET TOTAL	\$ 55,465.04	\$ 355,869.47	\$ 387,406.47	\$ 31,537.00	8%

EXPENDITURE DETAIL

Payroll Expenses (Full-Time)	August payroll, full-time staff
Fringe	Fringe benefits, full-time & part-time staff
Supplies	General supplies for program including tables, sneeze guards, & partitions
Utilities/Telephone	Utility/telephone expenses for centers
Maintenance & Repair	Routine maintenance expenses for facilities & replacing flooring at DEHS
Local Travel	Gasoline purchased for program vehicles
Health Examinations (Staff)	COVID-19 symptom checker for staff
Assoc. Dues, & Fees	VA Head Start Association dues, Pre-employment fees
Other Payroll Expenses (Part-Time)	August payroll, part-time staff
Training	Kindermusik & shaken baby syndrome training

IN-KIND (NFS)	CURRENT MONTH	YTD	IN-KIND BUDGETED	IN-KIND REMAINING	%
Parents & Volunteer	4,179.71	77,206.38	68,271.00	(8,935.38)	-13%
School District	221.78	9,158.06	9,205.00	46.94	1%
Donations	4,771.33	23,718.20	15,615.00	(8,103.20)	-52%
TOTAL \$	9,172.82	\$ 110,082.64	\$ 93,091.00	\$ (16,991.64)	-18%

ADMINISTRATIVE COST	CURRENT MONTH	YTD	ADMIN. COST BUDGETED	ADMIN. COST REMAINING
Personnel	1,591.55	24,862.87	21,700.00	(3,162.87)
Fringe	445.87	6,084.28	7,078.00	993.72
Travel	-	2.94	484.00	481.06
Supplies	413.93	567.65	496.00	(71.65)
Other	1,226.26	5,761.23	6,993.00	1,231.77
TOTAL \$	3,677.61	\$ 37,278.97	\$ 36,751.00	(527.97)

AUG. ADMIN. COST	0.9%
YTD ADMIN. COST	8.7%

CREDIT CARD TRANSACTIONS

MEMO	OBJ. CODE	DEBIT	CREDIT	BALANCE
PV Credit Card:				
Shaken baby syndrome training #1438	20-3800	\$ 5.00	\$ -	\$ 5.00
Batteries/tape measure #1445	3310	\$ 175.69	\$ -	\$ 180.69
Entrance way gate #1451	6001	\$ 105.29	\$ -	\$ 285.98
Desktop computer #4876	6001	\$ 1,432.06	\$ -	\$ 1,718.04
Sneeze guard #1447	6001	\$ 342.20	\$ -	\$ 2,060.24
First aid books #1457	6004	\$ 63.00	\$ -	\$ 2,123.24
Medical/dental supplies #1449	6004	\$ 145.15	\$ -	\$ 2,268.39
Janitorial supplies #1449	6005	\$ 255.84	\$ -	\$ 2,524.23
Smocks for education staff #4867	6013	\$ 962.59	\$ -	\$ 3,486.82
Scrub tops for staff	6013	\$ 334.07	\$ -	\$ 3,820.89
BOA Credit Card:				
Paint brushes #1448	3310	\$ 22.44	\$ -	\$ 22.44
Ink pens with carabiner clip #1489	6001	\$ 53.67	\$ -	\$ 76.11
Office chair #1439	6001	\$ 76.86	\$ -	\$ 152.97
COVID-19 signs, touchless keychains	6001	\$ 96.16	\$ -	\$ 249.13
Toothpaste, face masks	6004	\$ 198.62	\$ -	\$ 447.75
Baskets for classrooms #4898	6013	\$ 714.24	\$ -	\$ 1,161.99
Scrub tops for staff #4899	6013	\$ 602.26	\$ -	\$ 1,764.25
Sneeze guards for tables #4879	6013	\$ 3,000.00	\$ -	\$ 4,764.25
Books for classrooms #4877	6013	\$ 557.73	\$ -	\$ 5,321.98
Baskets for classrooms #1464	6013	\$ 129.24	\$ -	\$ 5,451.22
COVID-19 symptom checker app for staff	6018	\$ 85.05	\$ -	\$ 5,536.27
Food delivery bags	6002A	\$ 31.14	\$ -	\$ 5,567.41

SCOTT COUNTY PUBLIC SCHOOL HEAD START

FY2020 Community Assessment Update

During the COVID-19 pandemic, more than 670,000 Virginia residents have filed for unemployment. According to June 2020 statistics from the Virginia Employment Commission, the federal unemployment rate was 11.2%, a 7.4% increase from June 2019. On the state level, Virginia reported an unemployment rate of 8.5% which was a 5.6% increase from June 2019. Locally, Scott County's unemployment rate was reported at 6.7%, a 3.2% increase from June 2019. Many Scott County residents work in the labor force sector of the Tri-Cities area in Tennessee, which saw an unemployment rate of 8.0% in June 2020. This was a 3.5% increase from the unemployment rate reported in June 2019.

According to results collected from the program's Family Resource Specialists, at least 15 of the program's families were laid off due to COVID-19. Some of the families have either returned back to work or are now working two jobs to meet the changing needs of their families. At least four families remain unemployed at this time. The local health department's quarantine requirements for potential COVID-19 exposure has also affected the program's working families. Companies exempt from the emergency paid leave requirements set forth in the CARES Act aren't required to provide paid sick leave to employees during quarantine. In addition, families working multiple part-time jobs may be ineligible to receive company paid sick leave.

The lack of affordable childcare within the service area continues to be a concern within the community. As a result of COVID-19, the public school system, including Head Start, altered their program operating hours. With this change, many families had to modify their work

**FREEDOM OF INFORMATION ACT TRAINING
SCOTT COUNTY SCHOOL BOARD
MEETING**

OCTOBER 6th, 2020

WILLIAM J. STURGILL

STURGILL LAW OFFICE

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WISE, VA. 24293

PURPOSE

FOIA generally determines how local public bodies must conduct their meetings, from school boards to committees comprised of more than 2 school board members. The act also regulates the public's access to local government records. The guiding principle of FOIA is openness. The act aims to "ensure the people of the Commonwealth ready access to records in the custody of public officials and free entry to meetings of public bodies wherein the business of the people is being conducted." § 2.2- 3700.B. The section further declares that "the affairs of government are not intended to be conducted in an atmosphere of secrecy since at all times the public is to be the beneficiary of any action taken at any level of government." Id. Thus, FOIA attempts to ensure that Virginia's citizens have the ability to observe how their elected public officials are conducting public business.

I. Meetings.

The basic principle of FOIA is that all meetings of public bodies are open to the public. Section 2.2- 3700.B makes this clear: **All public records and meetings shall be presumed open, unless an exemption is properly invoked.** The provisions of this chapter shall be liberally construed to promote an increased awareness by all persons of governmental activities and afford every opportunity to citizens to witness the operations of government. Any exemption shall be narrowly construed and any meeting may not be closed to the public unless specifically made exempt pursuant to this chapter or other specific provision of law. Nevertheless, the act contains numerous exceptions to the open meeting requirement. Some issues may be discussed in a meeting closed to the public. For instance, public bodies may hold a closed meeting if an open discussion will lead to the release of information that certain other state laws require to be kept secret. See § 2.2-3711.A. 26, 33, 34. Still, the fact that a meeting may be closed does not mean that it must be or even should be closed. Furthermore, any exceptions are to be narrowly construed.

A. Public body.

The open meeting requirements apply whenever a public body holds or participates in a meeting. The definition of "public body" is very broad. See § 2.2- 3701. School boards and committees and corresponding records are subject to the Act.

B. **What is a meeting?** Like the definition of public body, the definition of meeting is broadly construed under § 2.2-3701, intending to capture any meeting where public business is transacted or discussed. A school board work session is also a meeting, as is **any other “informal assemblage” of as many as three members of a public body (or a quorum if less than three members exist) where public business of the locality is discussed.** FOIA typically applies to public body gatherings irrespective of the meeting’s location. It doesn’t matter if a meeting is held in or out of the locality. A gathering of the school board does not create a meeting if public business is not discussed or carried out and the gathering was not called for the purpose of doing public business. § 2.2-3707. This section is aimed at allowing participation in community events or parties. Without this section, a citizen could criticize a school board for holding a meeting if three members of the school board show up at a community forum. Similarly, attending a public forum, debate, or candidate’s forum does not count as a meeting if the gathering is held to inform the electorate and no public business is being transacted. Finally, a meeting of employees for business purposes also does not constitute a meeting, under the § 2.2-3701 definition.

C. **Number of public officials needed to constitute a meeting?**

Obviously, any meeting of a school board qualifies as a public meeting. For the purposes of the act, such a **school board meeting is created if a majority of the school board, or three members, regardless of how many are needed for a majority get together. § 2.2-3701.** Therefore, if three members of a school board meet to discuss or act on government business, that creates a school board meeting for purposes of FOIA.

In contrast, if the three members are on a committee and meet as the committee, that meeting is a committee meeting, not a school board meeting. If additional school board members attend a school board committee meeting, that does not necessarily convert the meeting to a school board meeting. This was established in a Winchester Circuit Court opinion in *Shenandoah Publishing House, Inc. v. Winchester City Council*, 37 Va. Cir 149 (1995). However, the Notice provisions would apply for the discussion of public business by at least 3 school board members.

Notice provisions

General notice requirements that are spelled out in the act must be followed in order to hold any meeting of a public body. The state code also contains numerous specific notice and

advertising requirements for particular types of public business. In all cases, the more general requirements in FOIA need to be followed in addition to any other requirements. The state code's specific, subject matter requirements apply only if the public body is discussing the relevant type of public business. For all meetings of a school board, notice must be posted on the body's public bulletin board. § 2.2-3707.C. **The notice must state the date, time and location of the meeting and must be posted at least three days before the date the meeting is to take place. For regular meetings, a simple way to comply with this requirement is to post a single notice listing the information for all meetings of the next year.** This way, nobody will forget to give notice of a regularly scheduled meeting.

For special or emergency meetings, the notice must be reasonable given the circumstances. The notice must be given to the public no later than when it is given to the members being called to attend. § 2.2-3707.

Any person may file an annual request for notice of all meetings. In that case, the public body must notify the person making the request of all meetings. Sending the annual schedule of all regular meetings will assist in complying with this obligation. If the requester supplies an e-mail address, all notices may be sent via e-mail, unless the person objects. § 2.2-3707.E.

Meeting minutes

Minutes of council meetings must be taken at all open meetings. § 2.2-3707(H). Minutes must be written and include the meeting's date, time, and location, along with attendance, a summary of discussed matters, and any votes taken. Minutes of council committee meetings are required to be taken only if a majority of the members of the council serve on the committee. Draft minutes and any audio or video recording made of a meeting are available to the public for inspection and copying. § 2.2-3707(H). This means that draft minutes must be disclosed if requested. The agenda packet and all materials furnished to the members of the council (except documents that are exempt from disclosure, such as advice of the town or city attorney) must be made available for public inspection at the same time it is distributed to the members. § 2.2-3707(F).

Recording meetings

Citizens have an absolute right to photograph and make video or audiotapes of public meetings. While the council may establish rules for where the equipment may be set up so meetings are not disrupted, the recording equipment may not be excluded altogether. § 2.2-3707(G). Council may not meet in a location where recordings are prohibited. If a courtroom, for

example, has a standing order forbidding any form of recordation, public body meetings must be held elsewhere. § 2.2-3707(G).

Electronic meetings

Generally, council may not hold a meeting via electronic media, including a conference call, pursuant to §§ 2.2-3707 & 3708.2.

There are **two exceptions**:

First, if the governor declares an emergency, the council may hold an electronic meeting, where members phone in or participate by other electronic means, to address the emergency. The School Board must give notice to the public to the extent possible and must provide public access to the meeting. § 2.2-3708.2(3). Also, all the facts that justify the emergency electronic meeting should be reflected in the meeting minutes.

Second, a member of council may participate electronically if he or she cannot attend due to a temporary or permanent disability, other medical condition, or due to an emergency or personal matter and the public records document that fact. The remote location of the council member need not be open to the public. The minutes should record the reason for the member's absence and the remote location from which the member participated. The remote participant must be heard by all persons at the primary meeting location as well. Each public body must develop a written policy regulating electronic participation by its members. Once this policy is adopted, it must be applied uniformly to all members. A member's participation from a remote location may be disapproved if it violates the established policy. The disapproval must be noted in the body's minutes. An individual may participate electronically in no more than two meetings per year if your reason is an emergency or personal matter. **The body must maintain a physical quorum for the meeting. § 2.2-3708.2(C)(2).**

In addition to these exceptions, school board members have some flexibility in communicating through e-mail. A 2004 Virginia Supreme Court opinion, *Beck v. Shelton*, 267 Va. 482; 593 S.E.2d 195, ruled that council members e-mailing each other did not create a meeting for purposes of FOIA. In *Beck*, multiple e-mails were sent by an individual council member to all other members; some e-mails were in a reply to all members, and in one or two of the e-mails, the reply was made more than 24 hours after the e-mail to which it replied. The court found that no meeting had occurred, although the opinion noted that the outcome may have been different had the e-mails been part of instant messaging or a chat room discussion.

The Virginia Supreme Court reinforced its *Beck* reasoning in *Hill v. Fairfax County School Board*, No. 111805 (June 7, 2012). *Hill* involved e-mails between members of a school board that were exchanged over an even shorter interval than in *Beck*. Back-and-forth communications

only occurred between two board members (not the three required for a meeting under FOIA). Any e-mail that was received by three or more members was found to be of an informational or unilateral nature and did not create any discussion among members. Following Beck, the court reiterated that e-mails between council members must be sufficiently simultaneous to create a meeting for the purposes of FOIA. Hill affirmed the lower court's finding that the school board members' communications did not create a meeting because the e-mails did not show the simultaneity or group discussion required under FOIA. Thus, responsive e-mails between at least three council members must occur within quick succession to constitute an assembly of members (though the precise responsive speed that would be necessary is unclear). Beck and Hill indicate that e-mail communication between more than two council members may comprise a meeting under FOIA if consisting of mutual discussion within a time frame short enough to be considered an assemblage.

Voting

All votes must be made publicly. Secret ballots are not allowed, unless permitted by some other provision of law. § 2.2-3710(A). This section, however, specifically authorizes each member of council to contact other members of a council or other body "for the purpose of ascertaining a member's position" on public business without making the position public. § 2.2-3710(B). Further, nonbinding votes may be taken in closed session.

Closed meetings

A closed meeting is a meeting of a council or other public body from which the public is excluded. It may be held only for specific reasons, which are delineated in the act. Closed meetings must be entered into during an open meeting of the public body (the specific procedures are described below). After the closed portion of a meeting, the School Board must reconvene in open session to certify that the closed meeting portion was carried out legally. There are exceptions to the requirement that a closed meeting be held as a part of an open meeting.

Purposes for closed meetings

Section §2.2-3711 sets out many reasons for holding a closed meeting.

A school board will generally hold a closed meeting for:

- Personnel matters - subsection 1;

- Real property - subsection 3;
 - Consultation with legal counsel pertaining to actual or probable litigation- subsection 7;
 - Consultation with legal counsel regarding specific legal matters- subdivision 8; and
 - Award of a public contract involving the expenditure of public funds- subsection 29
- It is important to be as specific as possible for reasons to go into closed meeting to give the public notice of the reason for the closed meeting. Such specificity is dependent on all relevant circumstances for the closed meeting.

Coming out of closed meeting

At the conclusion of each closed meeting, the public body must certify in open session that it complied with the act by a roll call vote. The vote must confirm that the meeting was held for purposes allowed by the act and that while in the closed session, only those matters identified in the motion to hold a closed meeting were discussed. If a member disagrees, he must state how the closed meeting did not satisfy the requirements of the act before the vote is taken. § 2.2-3712(D). A record of the vote must be kept in the public body's records.

Records.

A major purpose of FOIA is to set out the rules for public record disclosure. The general rule in FOIA concerning records is that they are open to public inspection and copying. However, many categories of records are exempt from public access. Most of these categories do not apply to local governments. The fact that a record may be exempt from disclosure does not require it to be withheld. Each exemption section states in the opening sentence that the records "may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law."

Responding to disclosure requests Custodian of records.

The records provisions of the act use the term "custodian of the records" as the person who has the responsibility to respond. Some sections mention the obligation of the public body, but the responsibility is clearly with the custodian. If suit is brought over a violation, however, the public body can expect to be named as a defendant. One temptation is to deny a request because it was made to the wrong public official. If another public official who works in the same local government has the records, the request should not be denied just because it was directed to the wrong official if the recipient knows or should know that the records are available from another official. In this case, the official should respond to the request with the contact information for

the other public body or just work with the other official to provide the records. § 2.2-3704(B)(3).

Types of responses

There are three possible responses to a request:

1. Provide the records;
2. Obtain seven additional days to respond; or,
3. Claim an exemption to all or a portion of the request. The initial response must be made within five business days of the receipt of the request, pursuant to § 2.2-3704, regardless of which response is used. If the custodian fails to respond within the times required, § 2.2-3704 considers that to be a denial of the request and makes it a violation of the act. In counting the five days, if you receive the request on a Monday, day one is Tuesday and then the five days would expire the next Monday. Notably, the custodian is not required to create records if they do not exist. § 2.2-3704(D).

Subsection D does encourage public bodies to abstract or summarize information in a manner agreed to with the requester.

1. Provide the records. The first response, providing the records, is straightforward. The custodian simply makes them available. If the individual asks to receive copies, the copies need to be made within the five days, if possible, or at such time the custodian and requester agree.
2. Obtain seven additional days to respond. Similarly, if it is “not practically possible to provide the ... records or to determine whether they are available,” § 2.2-3704(B)(4), within the five days, the custodian may send a written response to the person explaining the conditions that make the response impractical. Upon compliance with this requirement, the custodian will have an additional seven business days to respond. The added seven days does not begin until the end of the fifth day of the initial period. For example, if the custodian sends a letter on the second day after receipt of the request, he or she will still have a total of 12 workdays to respond.
3. Claim a partial or full exemption to the request. If one or more of the many exemptions apply, the custodian may, within the five-workday limit, send the requester a written explanation of why all or some of the records are exempt. The explanation must identify the subject matter of the records (example: performance evaluations) and must cite the section of FOIA that authorizes the exemption. § 2.2-3704(B)(2). If only a portion of the requested records is exempt, the non-exempt parts must be made available within the five days, unless additional time is properly invoked.

Charges for responding to a request

The public body may charge the requester for searching and copying records. The costs must be reasonable, not to exceed the actual cost "incurred in accessing, duplicating, supplying, or searching for the requested records." § 2.2-3704(F). A public body may not charge for overhead items, such as utilities, debt payments and the like. The hourly salary rate of any local employee who spends time researching and assembling records for the request may be charged, as may actual copying costs. If the custodian determines that the cost of responding will be more than \$200, he may demand the requester to agree to pay a deposit in the amount of the projected costs before any information is disclosed. The time limits are tolled until payment of the deposit. The custodian is not required to send the estimate in writing, though providing a written estimate is the better practice, in order to avoid a claim by the individual that no deposit was requested. § 2.2-3704(H).

Exemptions list.

The list of records that may be held exempt from disclosure by the custodian is set out in seven separate, lengthy sections. Fortunately, the sections are arranged by subject area in order to make it easier to find the exemptions that may apply.

The current sections are:

- Exclusions of general application to public bodies: § 2.2-3705.1.
- Exclusions; records relating to public safety: § 2.2- 3705.2.
- Exclusions; records relating to administrative investigations: § 2.2-3705.3.
- Exclusions; educational records and certain records of educational institutions: § 2.2-3705.4.
- Exclusions; health and social services records: §2.2-3705.5. • Exclusions; proprietary records and trade secrets: §2.2-3705.6.
- Exclusions; records of specific public bodies and certain other limited exemptions: § 2.2-3705.7.

Most school boards will utilize:

§ 2.2-3705.7(1). • "Personnel records containing information concerning identifiable individuals, except that access shall not be denied to the person who is the subject thereof." § 2.2-3705.1.(1). Any adult subject may waive confidentiality, in which case the government may release information on the person.

- "Written advice of legal counsel to state, regional or local public bodies or public officials, and any other records protected by the attorney client privilege." § 2.2-3705.1(2).

- “Legal memoranda and other work product compiled specifically for use in litigation or for use in an active administrative investigation concerning a matter which is properly the subject of a closed meeting under § 2.2-3711.” § 2.2-3705.1(3). Subsections 2 and 3 of § 2.2-3705.1 are the attorney client and attorney’s work product rules.

Enforcement provisions

Any person who feels a public body or public official has violated the act may file suit in the general district or circuit court of the locality where the body or official operates. § 2.2-3713(A). A FOIA action may commence in the name of a person, even if the plaintiff’s attorney, acting on his or her behalf, made the original FOIA request. The case must be heard within seven days of filing. § 2.2-3713(C).

The petitioner must state a claim of a violation with reasonable specificity, pursuant to subsection D. Even though a suit is filed by the complaining citizen, the public body must put on its evidence first and must prove that it has complied with the act. It is not the petitioner’s obligation to prove the violation. § 2.2-3713(E).

The court may award an injunction against repeated violations, or even for a single occurrence of noncompliance. Further, if the petitioner wins the case, he may be awarded attorney’s fees by the court. If the court determines that an official willfully or knowingly violated the law, it is required to impose a civil penalty against him or her in an amount between \$500 and \$2,000 for a first offense and \$2,000 to \$5,000 for subsequent offenses. The penalties are to be paid into the Literary Fund. § 2.2-3714.

2020-2021 Classroom Student-Teacher Ratio
Elementary/Intermediate
Based on 10 Day Enrollment

School	DPS	DIS	FBP	HES	NES	RCI	SES	WCES	YES	Division
Number of students	248	62	73	129	225	183	491	314	187	1,912
Number of teachers	15	4	6	9	15	8	25	17	11	110
Teacher: Student Ratio	16.5 To 1	15.5 To 1	12.2 To 1	14.3 To 1	15 To 1	22.9 To 1	19.6 To 1	18.4 To 1	17 To 1	19.1 To 1
(School)										
K-3 students	197	N/A	73	71	108	N/A	267	187	108	1,011
K-3 teachers	12	N/A	6	5	8	N/A	15	11	6	63
K-3 Teacher: Student Ratio	16.4 To 1	N/A	12.2 To 1	14.2 To 1	13.5 To 1	N/A	17.8 To 1	17 To 1	18 To 1	16 To 1

2020-2021 Classroom Student-Teacher Ratio Middle/High

Based on 10 Day Enrollment

School	GCMS	GCMS	RGHS	TSMS	Division
Number of students	964		269	224	1,457
Number of teachers	58		21	19	102
Teacher: Student Ratio (School)	16.6 To 1		12.8 To 1	11.7 To 1	14.2 To 1

2020-2021 Classroom Special Education Student-Inclusion Teacher Ratio

Based on 10 Day Enrollment

School	DIS	DPS	FBP	HES	NES	RCI	SES	WCES	YES	Division
Number of students	12	36	11	11	22	21	63	29	7	212
Number of teachers	1	3	1	1	2	1.5	4	2	1	16.5
Teacher: Student Ratio (School)	12 To 1	12 To 1	11 To 1	11 To 1	11 To 1	14 To 1	15.7 To 1	14.5 To 1	7 To 1	12.8 To 1

School	GCMS	GCHS	RCHS	TSHS	Division
Number of students	33		45	28	172
Number of teachers	2.5		2.5	2	10.5
Teacher: Student Ratio (School)	16.5 To 1		18 To 1	14 To 1	16.3 To 1

2019-2020 Classroom Student-Teacher Ratio **Elementary/Intermediate** **Based on 10 Day Enrollment**

School	DPS	DIS	FBP	HES	NES	RCI	SES	WCES	YES	Division
Number of students	270	68	80	114	238	167	523	342	164	1,966
Number of teachers	15	4	6	8	14	8	27	17	11	110
Teacher: Student Ratio (School)	18 To 1	17 To 1	13.3 To 1	14.25 To 1	17 To 1	20.9 To 1	19.4 To 1	20.1 To 1	14.9 To 1	17.9 To 1
K-3 students	212	N/A	80	60	120	N/A	290	191	99	1,052
K-3 teachers	12	N/A	6	4	8	N/A	15	11	7	63
K-3 Teacher: Student Ratio	17.7 To 1	N/A	13.3 To 1	15 To 1	15 To 1	N/A	19.3 To 1	17.4 To 1	14.1 To 1	16.7 To 1

2019-2020 Classroom Student-Teacher Ratio Middle/High

Based on 10 Day Enrollment

School	GCMS	GCHS	RGHS	TSHS	Division
Number of students	957		258	231	1,446
Number of teachers	54		19	19	92
Teacher: Student Ratio (School)	17.7 To 1		13.4 To 1	12.2 To 1	15.7 To 1

2019-2020 Classroom Special Education Student-Inclusion Teacher Ratio

Based on 10 Day Enrollment

School Number of students Number of teachers Teacher: Student Ratio (School)	DIS	DPS	FBP	HES	NES	RCI	SES	WCES	YES	Division
	12	36	11	11	22	21	63	29	7	212
	1	3	1	1	2	1.5	4	2	1	16.5
	12 To 1	12 To 1	11 To 1	11 To 1	11 To 1	14 To 1	15.7 To 1	14.5 To 1	7 To 1	12.8 To 1

School Number of students Number of teachers Teacher: Student Ratio (School)	GCMS	GCHS	RCHS	TSHS	Division
	33		45	28	172
	66				
	2.5		2.5	2	10.5
	3.5				
	16.5		18	14	16.3
	To		To	To	To
	1		1	1	1

MEMORANDUM OF UNDERSTANDING
between
THE SCOTT COUNTY SCHOOL BOARD and
THE SCOTT COUNTY SHERIFF'S OFFICE

School-Law Enforcement Partnership (SLEP)

_____ (Date)

PREAMBLE

The Scott County School Board, hereinafter referred to as "School Board," and the Scott County Sheriff's Office, hereinafter referred to as "Sheriff's Office," enter into the School-Law Enforcement Partnership (SLEP) to foster relations of mutual respect and understanding in order to build a positive and safe school environment. The parties agree the vast majority of student misconduct can be best addressed through classroom and in-school strategies. The parties acknowledge that students are generally less mature and responsible than adults; they often lack the maturity, experience, perspective, and judgment to recognize and avoid choices that could be detrimental to them; and they are more susceptible to outside pressures than adults.

All responses to school misconduct should be reasonable, consistent, and fair, with appropriate consideration of mitigating factors and of the nature and severity of the incident. Students should receive appropriate redirection and support from in-school and community resources prior to the consideration of suspension, expulsion, involvement of law enforcement, or referral to court. This document is meant to be an accompaniment to the School and Law Enforcement Partnership Guide.

PURPOSE

The partnership is intended to facilitate effective, timely, communication and coordination of efforts for both parties – the School Board and Sheriff's Office. The purpose of this Memorandum of Understanding (MOU) is to establish a mutually beneficial framework that both schools and law enforcement can work within to achieve shared goals.

GOALS

The primary goals of the SLEP are 1) to promote positive and supportive school climates and 2) to create and maintain safe and secure school environments.

To promote positive and supportive school climates, the partnership will collaborate to increase law-related education, expand school safety and crime prevention efforts, reduce conflict, and support effective interventions for students.

To create and maintain safe and secure school environments, the partnership will collaborate to reduce and prevent crime, violence, victimization, and fear in and around schools, and minimize student involvement with the juvenile and criminal justice systems.

EVALUATION OF THE SCHOOL-LAW ENFORCEMENT PARTNERSHIP

Measurable objectives of the SLEP should be developed jointly using school discipline, crime, and violence data, school climate survey data, and other data deemed to be relevant. Progress towards achieving objectives shall be jointly reviewed at least annually by the School Board and Sheriff's Office designees and shall be publicly available.

ROLES AND RESPONSIBILITIES OF PARTNER ORGANIZATIONS

Sheriff's Office Responsibilities

The Sheriff's Office will designate a direct point of contact between the Sheriff's Office and the School Board. The point of contact will address any operational and administrative issues and will serve as a consultant for school safety and security issues including assessments and critical incident response planning. The designee will maintain a working knowledge of school rules, regulations, and laws regarding student safety and conduct. The designee will establish and maintain effective relationships with school personnel at the division and school levels.

Selection, assignment, scheduling, training, supervision, and evaluation of school resource officers (SROs) will be the responsibility of the Sheriff's Office. However, each of these actions will take into account the input of school personnel and identified needs and conditions of schools. The SRO shall remain at all times under the control, through the chain of command, of the law enforcement agency.

In developing and implementing law enforcement policies and practices that may affect schools, the Sheriff's Office will consult with and take into consideration the views of the School Board and the school community.

The Sheriff's Office will ensure the SRO receives relevant training prior to or within 60 days of assignment in a school and ongoing joint training with school administrators. The training should be aligned with the SLEP and DCJS curriculum and in consultation with the School Board.

School Division Responsibilities

The School Board will designate a primary division-level point of contact to implement the partnership and to maintain ongoing communications with Sheriff's Office officials. It is the responsibility of school administrators to facilitate effective communication between the SRO and school staff and to support the goals of the partnership.

Each school with an assigned SRO will provide work area(s) for the SRO that allow access to technologies, private interviewing of several persons, and locking storage space for securing physical evidence.

The School Board will handle discipline within the school disciplinary process. School Board policies, administrative guidance, training, and ongoing oversight will clearly communicate the disciplinary process for the school division. The school division is responsible for communicating the goals and role of the SRO to all school administration, staff, and students.

The School Board will ensure that school administrators with an assigned SRO will receive relevant training and/or instruction prior to or within 60 days of the SRO's assignment in a school and ongoing joint training or instruction with SROs. The training should be aligned with the SLEP and DCJS curriculum and in consultation with the Sheriff's Office.

SRO Roles and Responsibilities

SROs will be considered active members of their assigned schools. The SRO facilitates the effective delivery of law enforcement services and assists with matters related to safety, security, and the exchange of information.

As a general practice, unless there is a clear and imminent threat to safety, requests from school staff for SRO or other law enforcement assistance are to be channeled through a school administrator.

SROs' duty schedules should be organized to provide coverage throughout the school day, which may vary by school. SROs provide a visible deterrent to crime and shall be visible patrolling the exterior and interior grounds. The SRO should wear the regulation uniform and operate a marked police vehicle while on duty unless otherwise authorized by the SRO's supervisor for a specific purpose.

Additionally, SROs should assist school administrators in developing school crisis, emergency management, and response plans. They will work with administrators in problem-solving to prevent crime and promote safety in the school environment.

SROs are expected to collaborate with school administrators and other school personnel to support positive school climates that focus on resolving conflicts and reducing student engagement with the juvenile and criminal justice systems.

SROs serve multiple roles in schools. The roles are interrelated but all are carried out with the aim to contribute to school safety and security and to promote positive and supportive school climates.

Key roles are:

Law enforcement officer

As sworn law enforcement officers, SROs' primary role in schools is as a law enforcement officer. SROs assume primary responsibility for responding to requests for assistance from administrators and coordinating the response of other law enforcement resources to the school. SROs should work with school administrators in problem solving to prevent crime and promote safety in the school environment. SROs should also collaborate with school personnel to reduce student engagement with the juvenile justice systems and divert students from the courts when possible.

Law-related educator

As resources permit, SROs should strive to assist with presentations for school personnel on law-related topics such as law enforcement practices, changes in relevant laws, crime trends, crime prevention, school safety strategies, and crisis response procedures. SROs may also deliver law-related education with students using lessons/curricula approved in advance by the SRO Supervisor. In all cases, responding to incidents or conducting investigations will take precedence over delivery of presentations.

Informal mentor and role model

Students often seek approval, direction, and guidance from adults in the school setting about various problems. Through formal and informal interaction with students, SROs serve as informal mentors and role models. SROs are expected to communicate clearly to students about acceptable and unacceptable behavior, to set a positive example in handling stressful situations and resolving conflicts, to show respect and consideration of others, and to express high expectations for student behavior. Students who may need additional assistance shall be referred to a school based resource.

School Administrator Roles and Responsibilities

Consistent with Virginia Standards of Accreditation (2000), Section 8 VAC 20-131-210, "the school administrator is recognized as the instructional leader of the school and is responsible for effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources." (Section A). "The school administrator also ensures that the school division's student code of conduct is enforced and seeks to maintain a safe and secure school environment. " (Section B.2) Additionally, consistent with Section 8 VAC 20-131-260.C.3., the school administration ensures "a written procedure, in accordance with guidelines established by the local board, for responding to violent, disruptive or illegal activities by students on school property or during a school-sponsored activity." School administrators should review the SLEP MOU with SROs and establish school-specific operational and communications procedures to support goals of the SLEP.

OPERATIONAL PROCEDURES

Differentiating Disciplinary Misconduct from Criminal Offenses

School administrators and teachers are responsible for school discipline. Although SROs are expected to be familiar with the school division code of student conduct, the rules of individual schools, and their application in day-to-day practice, SROs should not be involved with the enforcement of school rules or disciplinary infractions that are not violations of law unless needed for school safety.

Consequences of student misconduct should be effective, developmentally appropriate, and fair. Interventions and school sanctions should help students learn from their mistakes and address root causes of misconduct. School administrators will consider alternatives to suspensions and law enforcement officials will consider alternatives to referrals to juvenile court services and arrests for student violations of law. The SLEP shall operate in a manner to ensure children with disabilities receive appropriate behavioral interventions and supports.

Information Sharing

The release of student records is governed by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g. "School officials" may access and disclose student records only as authorized by FERPA.

When appropriate, and to the extent the law allows, the school district should notify SROs of any special needs of a student involved in a school-based infraction that is not routine discipline, in order to assist the SRO in recognizing and accommodating behaviors that may be manifestations of the student's disability.

Consent access

An SRO or other law enforcement officer may have access to a student's education records with written consent of the student's parent or of the student if the student is age 18 or older.

SRO access

For purposes of access to student records, SROs are considered "school officials" and may be provided student information as needed to carry out their duties related to the school environment. SROs may have access to directory information for all students in the school division. SROs may have access to information on students in their assigned schools that include directory information and additional items needed to carry out their duties, such as class schedules, as approved by the school administrator.

Health and Safety Emergency Exception

In the event of a significant and articulable threat to health or safety, school officials may disclose any information from student records to appropriate parties, including law enforcement officials, whose knowledge of the information is needed to protect the health and safety of a student or another individual.

SRO disclosure of law enforcement records

SROs may disclose only law enforcement records created and maintained by the SRO for the purpose of ensuring the physical safety and security of people and property in schools and/or enforcement of laws. Because law enforcement records are not student records, they are not subject to the disclosure restrictions of FERPA.

Investigation and Questioning

SROs have the authority to question students who may have information about criminal activity. As sworn law enforcement officers, SROs have authority to stop, question, interview, and take law enforcement action without prior authorization of the school administrator or contacting parents. However, the investigation and questioning of students during school hours or at school events should be limited to situations where the investigation is related to suspected criminal activity. Investigations and questioning of students for offenses not related to the operation of or occurring at the school should take place at school only when delay might result in danger to any person, destruction of evidence, or flight from the jurisdiction by the person suspected of a crime.

The interviewing of students – whether suspects, victims, or witnesses – should be conducted privately in an office setting. SROs will take steps to ensure minimal intrusion into the educational experience of students being questioned in the school setting. Recognizing that a reasonable child subjected to police questioning will sometimes feel pressured to submit when a reasonable adult would feel free to go, as a general rule, the student should not be arrested or placed in custody during the initial interview or interrogation. The student will be informed generally of the purpose of the investigation, warned against self-incrimination in a developmentally appropriate manner, and given an opportunity to present informally his or her knowledge of the facts. If the student wishes to remain silent, to contact his or her parents or an attorney, or to end the interview, the questioning should cease and the student's request should be granted unless detaining the student is lawful and reasonable under the circumstances.

SROs are responsible to lead the investigation and questioning of students related to suspected violations of criminal law. SROs shall not be included in questioning students about student code of conduct violations that do not involve any criminal activity or risk of harm to self or others. School administrators are responsible for the questioning of students about violations of the code of conduct.

Searches

All searches shall be conducted in accordance with federal and state laws, and applicable school board and sheriff's office policies and guidelines, including the principles embodied in this memorandum of understanding.

School administrator searches

School officials may conduct searches of student's property and person under their jurisdiction when reasonable suspicion exists that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. The standard for search by a school official is reasonable suspicion.

SRO searches

Any search initiated by SROs or other law enforcement officer shall be based upon probable cause and, when required, a search warrant should be obtained. All searches should be reasonable in scope. All searches should occur outside the presence of students and school staff, with the exception of school administrators, unless there is a clear and immediate threat to physical safety.

SROs shall not become involved in administrative (school related) searches and at no time shall SROs request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent.

Arrests

Whenever practical, arrests of a student or staff member should be accomplished outside of school hours in order to not disrupt the educational process or school setting. Arrests that must occur during school hours or on school grounds should be coordinated through the school administrator to minimize potential disruption. When circumstances do not allow for prior coordination through the school administrator, arrests will be reported to the school administrator as soon as possible. In addition to any required notification of parents and legal guardians by the SRO taking a student into custody, school administrators or their designees are also responsible for an additional notification to parents and legal guardians upon a school-based arrest of their child.

Physical Restraint by School Personnel

Physical restraint is a personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does not include a physical escort. Physical escort means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.

Physical restraint by school personnel is used in accordance with Virginia Board of Education policies and guidelines on seclusion and restraint and related local school board policies. Every effort should be made by school personnel to prevent the need for the use of restraint. Physical restraint should not be used except by school personnel trained in the use of physical restraint required by the school division.

School staff will act to deescalate situations that are, or have the potential to cause, disruptions to the school environment and are violations of the student code of conduct. If physical intervention is necessary, the action should be reported promptly to the school administrator and the rationale for the action must be fully documented.

Physical Intervention by School Resource Officers

A SRO should not be involved in the physical restraint of a student unless there is imminent danger of serious physical harm to self or others. As sworn law enforcement officers, SROs may intervene to deescalate situations.

Physical intervention by SROs is undertaken in accordance with policies and operational procedures of their local law enforcement agency. If an SRO is involved in the use of restraint or physical intervention, the action must be reported to the school principal and the SRO's supervisor and the rationale for the action must be fully documented.

SROs should be aware of the Virginia Board of Education's policies and guidelines on seclusion and restraint and related local school board policies and will attend training offered by the local school system on their use of seclusion and restraint by school employees. SROs, however, must continue to operate by their own department's policies and state law regarding physical intervention and use of force. Additionally, the school division and SRO will coordinate to ensure that reasonable effort is made to inform the parents on the day of the incident.

KEY STATUTORY RESPONSIBILITIES

Crime Reporting

Pursuant to §22.1-279.3:1.B, Code of Virginia, law enforcement agencies are required to notify a division superintendent, a principal, or a designee when a student in their school commits certain offenses that would be a felony if committed by an adult and the release status of the student. School superintendents who receive such reports are required to report the information to the principal of the school in which the students is enrolled. As a general practice, SROs should notify the principal as soon as practical of any significant law enforcement events occurring at or in association with the school (e.g., at a school bus stop or off-campus activity, during or outside school hours) whether or not the offense would be a felony if committed by an adult.

Pursuant to §22.1-279.3:1.D, Code of Virginia, certain types of criminal activity that come to the attention of the principal or school staff shall be reported immediately to the Sheriff's office as specified in School Board policy. No SRO or school administrator shall be required to file delinquency charges. After such notification is made to the SRO, the school division will ascertain the disposition of the incident made by the SRO in order to complete the School/Law Enforcement Reporting form. Schools and SROs shall be encouraged to deal with school-based offenses through graduated sanctions or educational programming before a delinquency charge is filed with the juvenile court.

Threat Assessment

Threat assessments shall be conducted in accordance with local school board policies adopted as required by §22.1-79.4., Code of Virginia and consistent with model procedures and guidelines published by the Virginia Department of Criminal Justice Services.

SROs may serve as members of threat assessment teams and assist in monitoring of subject students as well as determining the need, if any, for law enforcement action.

School Safety Audits

School safety audits will be conducted annually as required by law to assess school safety conditions in schools. SROs, in collaboration with school administrators, will conduct school inspection walkthroughs using a prescribed checklist and will collaborate in other school safety audit mandates including school crisis and emergency management and response planning and preparation.

REVIEW OF MOU

This MOU should be reviewed annually and amended as necessary to meet the needs and enhance the partnership of the two signatory organizations. Meetings should be conducted as needed between the school division and sheriff's office to support successful implementation of the partnership.

This MOU remains in force until such time as either party, with 45 days notice, withdraws from the agreement by delivering a written notification of such rescission to the other party.

This MOU is accepted and agreed to by the parties as evidenced by the signatures below.

Jeff Edds, Sheriff, Scott County, Va.

Date

John I. Ferguson, Superintendent
Scott County Public Schools

Date