

ORGANIZATION, PHILOSOPHY, AND GOALS
School Board Bylaws
School Board Code of Conduct, Standards and Protocols

This is a new policy.

I. PURPOSE

The Fairfax County School Board is committed to conducting its responsibilities as a steward of the school system in a professional manner that addresses goal setting, monitoring compliance, and a focus on continuous improvement. It has adopted a Strategic Governance Manual that clearly states the expectations of its members. The purpose of this policy is to summarize those expectations and the protocols regarding working with and supervising School Board staff, by which the School Board will ensure that they are met. Certain other School Board policies and the VSBA Code of Conduct are incorporated by reference,

II. PROFESSIONAL STANDARDS

School Board members will:

1. Adhere to the professional standards of conduct expected of all Fairfax County Public Schools (FCPS) employees and as provided in School Board Strategic Governance Manual, [B.3](#) - Board Member Code of Conduct; Policy 1450 - Nondiscrimination; and Regulations 4950 (Sexual Harassment); 4951 (Bullying and Abusive Work Environment) and 4952 (Discrimination and Harassment).
2. Understand that, as provided by Virginia law, individual School Board members have no authority except that which is assigned to them by the School Board acting as a whole, or through duly adopted School Board policies. School Board members will, therefore, refrain from representing their personal views as those of the School Board or FCPS, and refrain from communicating or appearing to communicate on behalf of the School Board or FCPS without the express consent of the School Board.
3. Comply with all applicable laws and School Board policies.
4. Participate in professional development and trainings upon assuming office, and thereafter annually, as required by the Code of Virginia and Strategic Governance Manual Bylaws, Appendix A(II)(C).
5. Evaluate staff in accordance with FCPS policy and regulation 4440.
6. Maintain the confidentiality of any complaint submitted pursuant to Section III of this policy to the extent permitted by law. Any report under this Policy and all related information will only be shared with those FCPS employees and Board members who need to know in order to assist in the active review, investigation and/or resolution of the complaint.

III. COMPLAINT PROCESS

A. Complaint Submission and Review

1. An employee in the School Board office may file complaints of discrimination, harassment, or bullying using the online complaint forms ([Discrimination/Harassment](#), [Bullying](#)) provided by the Office of Equity & Employee Relations.
2. Any such complaint will be referred to the Office of Division Counsel. If an investigation is necessary after initial review, the Office of Division Counsel will engage an independent, outside investigator.
3. Complaints may also be addressed through an informal resolution process.

B. Notice of Complaint

1. To maintain the integrity of an investigation if a complaint is submitted, only the Chair and Vice Chair will be informed by Division Counsel, who will maintain confidentiality.
2. If a complaint is made against Chair or Vice Chair, only the Board leader without a complaint will be informed during the process.
3. The Division Counsel, at the appropriate time, will inform the Board member who is the subject of the investigation. Based upon the severity of the conduct alleged, the Division Counsel may recommend expedited notice to the full School Board.

C. Complaint Investigation

1. At the conclusion of the investigation the Investigator will draft a written report that includes a summary of the allegations, evidence reviewed, findings of fact, analysis of those facts, and a conclusion stating whether the Board member violated FCPS nondiscrimination policies and regulations.
2. The report will include a recommendation regarding any findings of noncompliance with FCPS policies and regulations, and any associated remedial measures. Even when noncompliance is not found, training or other remediation may be recommended when appropriate
3. The outside investigation will be reviewed by Division Counsel and the Chair and/or Vice-Chair (excluding any complaints lodged against either the Chair or Vice-Chair).
4. The outside investigator will review the findings with the employee and the school board member, to include information about the specific allegations, the scope of the investigation and the basis for the findings, along with the recommendations for remedial or corrective action.

5. Following review, the full School Board will be briefed on the complaint and any findings and recommendations, and then implement recommendations.

IV. Retaliation

Retaliation against a person who files a complaint or who provides information as a witness in an investigation is strictly prohibited. Complaints of retaliation should be reported immediately to the Office of Division Counsel.

V. REMEDIES

- A. Failure to adhere to the professional standards expected of FCPS employees, this policy, and/or any provision of the Strategic Governance Manual will result in the remedies provided in Strategic Governance Manual B.11.
- B. Actions taken for noncompliance include:
 1. Conversation in a private setting between the member in question and the Board chair or another individual member
 2. Discussion between the member in question and the full Board
 3. Potential removal from any leadership or committee positions to which the member in question has been appointed or elected
 4. Public statement regarding noncompliance with School Board roles and responsibilities or the provisions of this Policy.
 5. Such other measures as are necessary to correct the violation and prevent its recurrence.

All members of the Fairfax County School Board are responsible for implementing and monitoring this policy.

This policy will be reviewed at least every five years and revised as needed.

Legal references: Article VIII, § 7, Constitution of Virginia
Code of Virginia, §§ 22.1-28; 22.1-71; 22.1-78; 22.1079; 22.1-253.17

See also current versions of: Policy 1450 – Nondiscrimination
Regulation 4440 – Performance Assessment and Evaluations
Regulation 4950 – Sexual Harassment
Regulation 4951 – Bullying and Abusive Work Environment
Regulation 4952 - Discrimination and Harassment

Policy adopted: _____