



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Services

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District 5 - Lynnhaven

Kimberly A. Melnyk, Vice Chair
District 7 – Princess Anne

Beverly M. Anderson
At-Large

Sharon R. Felton
District 6 – Beach

Jennifer S. Franklin
District 2 – Kempsville

Dorothy M. Holtz
At-Large

Laura K. Hughes
At-Large

Victoria C. Manning
At-Large

Jessica L. Owens
District 3 – Rose Hall

Trenace B. Riggs
District 1 – Centerville

Carolyn D. Weems
District 4 - Bayside

Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting MINUTES **Tuesday, September 13, 2022**

School Administration Building #6, Municipal Center
2512 George Mason Drive
P.O. Box 6038
Virginia Beach, VA 23456
(757) 263-1000

- 1. *Administrative, Informal, and Workshop:*** Chair Rye convened the administrative, informal, and workshop session at 4:00 p.m. on the 13th day of September 2022 and announced members of the public will be able to observe the School Board meeting through live streaming on vbschools.com, broadcast on VBTV Channel 47 and on Zoom. It is the School Board's protocol to break at 5:30 p.m. to prepare for the Formal Session at 6:00 p.m. At 5:30 p.m., the School Board will conclude unless the School Board votes to continue to no later than 5:45 p.m. to allow the School Board and the School Administration to prepare for the Formal Session of the School Board Meeting.

The following members were present in the Einstein Lab: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens (arrived 4:19 p.m.), Ms. Riggs, and Ms. Weems (arrived 4:09 p.m.) School Board member, Ms. Manning was attending another event and was not present at the meeting.

- A. School Board Administrative Matters and Reports: Chair Rye mentioned the Closed Session with outside counsel to begin around 5:00 p.m.
- B. Summer Learning/School Opening Review: Kipp Rogers, Ph.D., Chief Academic Officer, and Lorena Kelly, Ph.D., Executive Director of Elementary Teaching and Learning provided the School Board updates on the implementation of summer learning experiences in elementary and secondary and the instructional supports in place for an effective school opening; Dr. Rogers provided a brief overview of the presentation and introduced Dr. Kelly. Dr. Kelly continued the presentation and reviewed the elementary summer learning opportunities: July 1 – summer learning boost, July 5-28 – summer learning camp at select sites, July 5-August 19 – tutoring and learning for schools who did not have a summer learning camp; shared data regarding launches from summer learning boost site; reviewed K-5 attendance data – percentage of students who attended 12 or more of the 15 instructional days; shared data from Language Arts: K-2 grade teachers reported students' progress on understanding of phonetic principles and phonological & phonemic awareness, 3-5 grade teachers collected data on students' reading and demonstrating comprehension on fiction and non-fiction texts and word-analysis skills; Math data: K-2 grade teachers reported progress on number sense and computation, 3-5 grade teachers also selected objectives in number sense and computation; shared examples of family feedback and teacher feedback from the learning camp; noted 90% of teachers agreed or strongly agreed that their students maintained or strengthened key literacy skills and 89% of teachers agreed or strongly agreed that their students maintained or strengthened key math skills; summer learning leaps tutoring over 300 students participated in activities; extended school year (ESY) services, special education and/or related services provided beyond the school year, consideration of ESY services is a part of the IEP process.
- Secondary summer learning opportunities: June 28-August 2 – summer school for retake courses, June 28-August 15 – summer school for first time courses; reviewed academic performance data for secondary summer school; repeat course pass rate (face-to-face): middle school – overall enrollment: 468, overall pass rate: 97%; high school – overall enrollment: 912, overall pass rate: 92%; first time course takers (Digital Campus): total registrations:

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2,168, registrations ended with a passing grade; 2,058, overall pass rate: 95%; summer boost – 607 secondary students (middle and high school) accessed Schoology for math Boost opportunities and 145 secondary students accessed Schoology for science Boost opportunities; there were 127 graduates at summer graduation; summer participation had 8,908 students; Dr. Kelly introduced Matt Delaney, Chief Schools Officer.

Mr. Delaney continued the presentation and shared information regarding 2022-23 school opening; mentioned *Compass to 2025* and supporting staff and celebrating success; in-service week focused on celebrating accomplishments and planning around three foundational principals: advancing educational equity, using integrated systems of support and creating future ready students; school are focused on closing achievement gaps, emphasizing the foundational skills of literacy and numeracy, engaging in professional learning; Mr. Delaney introduced Cheryl Woodhouse, Chief Human Resources Officer; Ms. Woodhouse reviewed instructional vacancies; total number of instructional vacancies is 35 and 99.33% staffed; prior to opening schools there were 51 non-instructional based vacancies; as of today, there are 36; staffing custodial and food services vacancies has been a challenge; mentioned the tuition-free program – waiving student tuition for VBCPS staff who do not reside in Virginia Beach; Ms. Woodhouse introduced Jack Freeman, Chief Operations Officer.

Mr. Freeman reviewed transportation data; SY 2022-23 transportation - 45,286 students registered; bus drivers: 38 in training, 30 scheduled for next training session, 482 of 615 bus drivers; security and emergency management: continued focus on safety procedures, School Security Officers (SSOs) in place – 9 of 11 high schools, 5 of 15 middle schools, initial phase of added Security Assistants at elementary schools – 10 of 55 elementary schools. The presentation continued with questions and comments regarding staffing efforts, what strategies worked; bus driver training; School Security Officers (SSO) and School Resource Officers (SRO); 4x4 schedule and utilizing teachers; secondary teachers with more than 150 students and stipend; teacher vacancies compared to last year; and distance learning.

- C. CARES Update/Fund Usage: Crystal Pate, Chief Financial Officer, provided the School Board an update on the various federal pandemic-relief funding VBCPS has received; brief overview of ESSER funds: ESSER I – Coronavirus Aid, Relief and Economic Security (CARES) Act, ESSER II – Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, and ESSER III – American Rescue Plan (ARP) Act of 2021; mentioned limitations on the allowable uses of the funds; CARES ESSER I award amount \$10,141,569.51, funds available approximately \$969,000, grant is 90% expended, spending deadline 9/30/2022; reviewed some expenditure items from grant: teacher stipends and additional class allowance to accommodate schedules, roof repair/coating at Bayside ES, casework replacements/repair at Holland Road ES, Indian Lakes ES, Landstown HS, and White Oaks ES, technology devices, personal protective equipment, instructional supply kits and resources for special education students, refrigeration units and cooler to support grab-and-go meals, HVAC upgrade and maintenance for Bayside HS, Indian Lakes ES, and Plaza Annex; CRRSA ESSER II award amount \$36,709,197.65, funds available approximately \$1.5 million, grant is 95% expended, spending deadline 9/30/2023; reviewed some expenditure items from grant: full-time and part-time staff to support Virtual Virginia, teacher stipends to assist with recruitment and retention of Extended School Year (ESY) positions, Zoom video conferencing licenses, Google Workspace for Education Plus, contracted services with CHKD to expand education around mental health needs, hand sanitizer, disinfectants, sanitizing products, cafeteria tables to accommodate social distancing.
- ARP ESSER III award amount \$82,502,193.98, funds available approximately \$63 million, spending deadline 9/30/2024, grant is about 24% expended or encumbered, grant has a requirement to spend at a minimum 20% (16.5 million) on learning loss; reviewed some expenditure items from grant: teacher stipends to assist with recruitment and retention of ESY positions, increase starting pay for bus drivers, bus driver trainers, and dispatchers starting in FY2022/23, move 250 10-month bus driver positions to 11-month, tutors, translation services and language support for English learner families, Zoom video conferencing licenses, touchless sanitizing floor stand stations for cafeterias, additional refrigeration units, freezers, and coolers for grab-and-go meals, air purifiers and replacement bulbs, personal protective equipment, bus fuel for summer school transportation, monthly rate for hotspots to provide internet access to students, roof repair project at Dey ES; reviewed other pandemic-relief funding. The presentation continued with questions and comments regarding shortage of teacher substitutes and pay increase; literacy training, plans to spend down award funds within time frame – working with various departments.

The administrative, informal, and workshop concluded at 4:53 p.m.

2. Closed Session: Vice Chair Melnyk made a motion, seconded by Ms. Anderson that the School Board recess into Closed Session in accordance with the exceptions to open meetings law set forth in Code of Virginia §2.2-3711 to deliberate on the following matters:

1. A closed meeting pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraphs 1 & 7, as amended,

A. (1) for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals: Namely to discuss:

1. Contract matters related to the School Board Attorney's Contract.
2. The Superintendent's annual goals.

A. (7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Namely to discuss: pending litigation and new court decision.

There were ten (10) ayes in favor of the motion to recess into Closed Session: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.

Individuals present for discussion in the order in which matters were discussed:

A.1 PERSONNEL MATTERS

1. Contract matters related to the School Board Attorney's Contract: School Board members: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems; Deborah Collins, Attorney, Yeng Collins Law, PLLC; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.
Kamala H. Lannetti, School Board Attorney, joined the Closed Session at 5:17 p.m. and departed at 5:19 p.m. Deborah Collins departed the Closed Session at 5:20 p.m.
2. The Superintendent's annual goals: School Board members: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.

Kamala H. Lannetti, School Board Attorney, rejoined the Closed Session at 5:24 p.m.

A.7. CONSULTATION WITH LEGAL COUNSEL

Namely to discuss: pending litigation and new court decision: School Board members: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems; Kamala H. Lannetti, School Board Attorney, Superintendent Spence; Regina M. Toneatto, Clerk of the Board.

The School Board reconvened at 5:32 p.m.

Certification of Closed Session: Vice Chair Melnyk read the Certification of Closed Meeting:

WHEREAS, the School Board of the City of Virginia Beach has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by this School Board that such closed meeting was conducted in conformity with Virginia law.

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NOW, THEREFORE, BE IT RESOLVED that the School Board of the City of Virginia Beach 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 applies, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered.

Ms. Anderson made the motion, seconded by Ms. Franklin. There were ten (10) ayes in favor of the motion for Certification of Closed Session: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.

Vice Chair Melnyk made the following motion: that the School Board accepts the job description and contract amendments in the School Board attorney's contract as discussed in Closed Session, in addition that we accept the amendment to goal 2 number 3 in the Superintendent's annual goals. Ms. Holtz seconded the motion. Chair Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.

Vice Chair Melnyk made a clarifying motion: that the School Board accepts the job description and contract amendments in the School Board attorney's contract as discussed in closed session, in addition that we accept the Superintendent's annual goals. Ms. Owens seconded the motion. Chair Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.

3. **School Board Recess:** Chair Rye adjourned the administrative, informal, and workshop session at 5:35 p.m.
4. **Formal Meeting (School Board Chambers)** **6:00 p.m.**
5. **Call to Order and Roll Call:** Chair Rye convened the meeting of the School Board in the School Board chamber at 6:01 p.m. on the 13th day of September 2022 and noted members of the public will be able to observe the School Board meeting through livestreaming on vbschools.com, broadcast on VBTB Channel 47, and on Zoom.

The following School Board members were present in the School Board chamber: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. School Board member, Ms. Manning was attending another event and was not present at the meeting.
6. **Moment of Silence followed by the Pledge of Allegiance**
7. **Student, Employee and Public Awards and Recognition**
 - A. **VBCPS Purchasing Services, Achievement of Excellence in Procurement:** The School Board recognized the Virginia Beach City Public Schools Office of Purchasing which received the Achievement of Excellence in Procurement distinction from the National Procurement Institute. This award recognizes organizational excellence in public and nonprofit procurement. The award criteria are designed to measure innovation, professionalism, e-procurement, productivity, and leadership attributes of the procurement function.
8. **Adoption of the Agenda:** Chair Rye called for any modifications to the agenda as presented. Hearing none, Chair Rye called for a motion to approve the agenda as presented. Ms. Franklin made the motion, seconded by Ms. Riggs. Without discussion, Chair Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.
9. **Superintendent's Report:** There was no report presented at the meeting.
10. **Approval of Meeting Minutes**
 - A. **August 23, 2022 Regular School Board Meeting:** Chair Rye called for any modifications to the August 23, 2022 regular School Board meeting minutes as presented. Hearing none, Chair Rye called for a motion to approve the August 23, 2022 meeting minutes as presented. Ms. Felton made the motion, seconded by Ms. Hughes. Without discussion, Chair Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: The School Board Clerk announced there were ten (10) ayes in favor

of the motion: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.

11. Public Comments (until 8:00 p.m.)

Chair Rye announced the School Board will hear public comments on matters relevant to PreK-12 public education in Virginia Beach and the business of the School Board and the School Division from citizens and delegations who signed up with the School Board Clerk prior to the meeting. Chair Rye mentioned information regarding speaker process, decorum and order, and submitting comments via group email.

There were fifteen (15) in person speakers (including four (4) student speakers) and three (3) online speakers; topics discussed were cell phone policy; parental rights resolution; teacher pay scale for 30+ years; threatening emails to staff members; books; censorship; parental rights; VBCPS salaries; support for library staff; restriction of books; challenged books; staff input; staff retention; and resolutions.

The Public Comments ended at 6:56 p.m.

12. Information

- A. Budget Calendar: Crystal Pate, Chief Financial Officer, presented the Budget Calendar for the FY 2023/24 Operating Budget and the 2023/24 – 2028/29 Capital Improvement Program; the following calendar was shared:

**Budget Calendar
FY 2023/24 School Operating Budget
FY 2023/24-FY 2028/29 Capital Improvement Program**

2022

September	The Budget Calendar is developed
September 13	The Budget Calendar is presented to the School Board for information
September 27	The Budget Calendar is presented to the School Board for action
October - December	Budget requests are submitted by senior staff and budget managers to the Office of Budget Development
November 15 (Tentative)	A Five-Year Forecast is presented to the School Board and the City Council
December 13	A public hearing is held to solicit stakeholder input for consideration in the development of the Superintendent’s Estimate of Needs document (<i>no document available at this time</i>)
December (3rd week)	State revenue estimates are released by the Virginia Department of Education

2023

January 2 - 11	Budget requests are reviewed, refined, and summarized by the Office of Budget Development
January	The recommended School Operating Budget and Capital Improvement Program are presented to the Superintendent and the Planning and Performance Monitoring Committee
February 7	The Superintendent’s Estimate of Needs and the Capital Improvement Program are presented to the School Board
February 14	School Board Budget Workshop #1 is held - Time TBD
February 14	A public hearing is held to solicit stakeholder input and offer the community an opportunity to be involved in the budget development process
February 21	School Board Budget Workshop #2 is held - Time TBD
February 28	Budget Workshop #3 - Time TBD
March 7	The School Board Proposed Operating budget and the Capital Improvement Program are adopted by the School Board
April (TBD by City)	The School Board Proposed Operating Budget and the Capital Improvement Program are presented to the City Council (Sec. 15.1-2508)
No Later Than May 15	The School Operating Budget and the Capital Improvement Program budget are approved by the City Council (Sec. 22.1-93; 22.1-94; 22.1-115)

It was noted that the timeline is typical as it has been in the past; mentioned staff with work with the Planning, Performance and Monitoring Committee (PPMC) to gather input from the School Board prior to presenting the Superintendent's Estimate of Needs.

B. Standards of Learning Student Performance: Tracy LaGatta, Director of Student Assessment provided the School Board information related to the 2021-2022 Standards of Learning student performance; reviewed the presentation topics and impact of COVID-19 on schools and SOL assessments; shared division pass rates summary for mathematics SOL test, reading and writing SOL tests, science SOL test, and history SOL test; shared pass rates by reporting group for mathematics, and reading; reviewed pass rate comparisons for grades 3-8 between VBCPS and the Commonwealth of Virginia; reviewed pass rate comparisons end-of-course (EOC) between VBCPS and the Commonwealth of Virginia; shared comparison with other divisions and Hampton Roads Cities overall SOL pass rates by subject; reviewed annual pass rate summary accomplishments: pass rates are improving, reading pass rates – single digit differences, scores at pre-pandemic or higher in grade 11 reading, geometry, and earth science, VBCPS out performed the state in most tests (26 out of 29), VBCPS outperformed comparable school divisions in reading and math, VBCPS outperformed local school divisions in all areas but history; areas of focus: mathematics – grades 3-8, special emphasis on grade 7 mathematics, science (exception of earth science), history – Virginia studies (grade 5), world geography, world history I & II, students with disabilities, English learners, and African American; Ms. LaGatta introduced Kipp Rogers, Ph.D., Chief Academic Officer.

Dr. Rogers continued the presentation; reviewed the Teaching and Learning Framework which emphasizes planning, teaching, and assessing with respond in-between each; referred to *Compass to 2025* and strategic action agenda; K-12 response – focus on: professional learning, enhance curriculum, observational feedback and alignment to instructional practices; support structure for schools: differentiated support (some schools), universal support (all schools); shared comprehensive local assessment plan; Language Art response: professional learning – LETRS (Language Essentials for Teachers of Reading and Spelling), curriculum – content integration (writing) opportunities added to curriculum; shared examples of writing and content support – VBCPS small group reading instruction, secondary content teachers use the PPE model (Point, Proof, Explain) for writing; Math response: professional learning – assessment, data analysis and response; curriculum – continued emphasis on rigorous instruction, manipulative use and balanced assessment practices, slight adjustments to pacing, curriculum updates to highlight science integration opportunities in elementary; reviewed examples of elementary and secondary math rich tasks; mentioned math and literacy coaches to provide support to schools. Science and social studies instruction – focus on inquiry and problem solving; science – emphasis on process, investigation, design, and understanding; science/social studies – emphasis on the strategy 'Explore before Explain'; shared examples from elementary; secondary level – social studies reviewed the 5E Instructional Model (engage, explore, explain, elaborate, evaluate); mentioned the ASAP (Academic Support and Acceleration Program) tutoring program; reviewed next steps and support: monitor differentiated support and progress, leverage data, focus on feedback, focus on coaching and instructional best practices, develop Math and Literacy Plan At-a-Glance. The presentation continued with questions and comments regarding appreciation for in-depth report; supporting families; Office of Family and Community Engagement; partnership with parents, teachers, schools; 7th grade math; needs of students; and assessment.

C. Environmental Studies Program: Year-Two Comprehensive Evaluation: Noël G. Williams, Ph.D., Program Evaluation Specialist shared with the School Board the Environmental Studies Program: Two-Year Comprehensive Evaluation Report and the administration's recommendations; recapped details about the program: opened September 2020, located at the Chesapeake Bay Foundation's Brock Environmental Center, students take courses at home school and Brock Center; three strands: sustainable economics and business innovation, social sustainability, environmental sustainability and natural resource stewardship; field work essential component; reviewed the evaluation process and method; evaluation focused on accomplishment of program's goals and objectives, data collection: VBCPS data warehouse, document review, interviews, surveys; reviewed program of study – six program specific courses, outdoor learning environment and use of scientific/technological tools, at least 91% earned As and Bs in all program-specific courses, program components viewed positively by both students and parents, 72% of students and 64% of parents agreed transportation allowed them/their child to participate in senior internships; 83 students on September 30, 2021 (83% capacity), 45 grade 11 students and 38 grade 12 students; majority of students were female (61%) and white (78%); all 12 high schools across division represented; changes in recruitment made in spring 2022 to diversity program applicants; goals and objectives: broaden students' understanding of sustainability – utilizing the natural community, implementing environmental service-learning projects, integrating interdisciplinary instruction, incorporating challenge-based, collaborative,

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and design-thinking learning, earning the Seal of Excellence in Science and the Environment; establish collaborative agreements with institutions of higher education; shared data regarding goals and objective: 85% of grade 12 students reported their interest in environmental science or sustainability increased, 93% of grade 11 students and 88% of grade 12 students indicated they participated in service-learning projects, 100% of grade 11 and 12 students indicated the service-learning project was useful, 98% of students agreed the program integrated learning across subject areas, 92% of students and 91% of parents agreed the program provided them/their child with rigorous and challenging learning experiences, 100% of students agreed the program provided collaboration opportunities, 98% of students agreed the program provided opportunities to participate in design-thinking; 97% of students in grade 12 earned the Deal of Excellence in Science and the Environment; 95% earned an Advanced Diploma and 5% earned a Standard Diploma; established collaborative agreements: Old Dominion University, Virginia Wesleyan University, and Virginia Tech Agricultural Extension; reviewed stakeholder perceptions - overall satisfaction: 96% of students and 98% of parents would recommend the program to others, 95% of students and 90% of parents agreed the program met the students' learning needs; reviewed operating costs, which totaled \$329,091; reviewed recommendations; Recommendation 1) continue the Environmental Studies Program with modifications noted in recommendations 2 and 3; Recommendation 2) continue to monitor the recruitment and admissions process to ensure the program is operating at capacity as well as serving a diverse population; Recommendation 3) investigate potential transportation solutions for seniors to participate in internships. Dr. Williams introduced Mr. Chris Freeman, Environmental Studies Program Coordinator; Mr. Freeman provided the administration's recommendations, concurs with recommendations from program evaluation. The presentation continued with questions and comments regarding transportation; demographics and diversity in the program; great job with program; grow and expand program; waiting list; partnerships; students continuing studies in college; and location of program.

- D. School Board Compensation Philosophy: Cheryl Woodhouse shared with the School Board information related to the School Board's updated *Compensation Philosophy*; recapped information from the July 19 School Board retreat; reviewed vision statement points: attract and retain a highly qualified and diverse workforce, ensure fair and consistent pay practices, comply with applicable laws and regulations, operate with the constraints of fiscal resources while balancing and achieving educational goals; reviewed changes in the Compensation Philosophy from the outcome of the retreat; the presentation continued with questions and comments regarding pay ranges evaluation of positions (instructional and other job groups); hard to fill positions; broader market in regards to positions other than instructional and an annual review of those positions would create an unsustainable workload; teacher step scale; cost of living increase; and step increase and cost of living.

13. Return to public comments if needed: As noted under agenda item #11, Public Comments ended at 6:56 p.m.

14. Consent Agenda: Chair Rye read the following items on the Consent Agenda:

- A. Program Evaluation Schedule for 2022-2023: Recommendation that the School Board approve the schedule of program evaluations that will be completed by the Office of Planning, Innovation, and Accountability (PIA) during the 2022-2023 school year.
- B. Renaissance Academy Alternative Education Program: Evaluation Readiness Report: Recommendation that the School Board approve the Renaissance Academy Alternative Education Program goals, objectives, evaluation questions, and recommended three-year evaluation plan developed during the evaluation readiness process.
- C. Policy Review Recommendations: Recommendation that the School Board approve Policy Review Committee (PRC) recommendations regarding review, amendment, and repeal of certain bylaws and policies as reviewed by the PRC at its August 10, 2022 meeting.
- Policy 2-15/Communications with Staff: The PRC recommends no changes to the Policy.
 - Policy 4-8/Employee Input Process: The PRC recommends no changes to the Policy.
 - Policy 6-29/Drug and Drug Abuse Education: The PRC recommends amending title as well as the addition of language.
 - Policy 6-40/Science: The PRC recommends the removal of unnecessary language and editor's note. Current legal reference was added.
 - Policy 6-54/Homework: the PRC recommends amendments to the language to bring the Policy in alignment with current Division guidelines for homework.
 - Policy 6-73/Testing and Assessment: The PRC recommends language that references the Standards of Learning (SOL), scrivener's changes and updated legal references.

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7. Policy 6-81/Adult Education: The PRC recommends adding a legal reference.
8. Policy 6-82/Adult High School Diploma Program: The PRC recommends adding a legal reference.
- D. Religious Exemption(s): Recommendation that the School Board approve Religious Exemption Case No. RE-22-08, RE-22-09, RE-22-10, RE-22-11, and RE-22-12.

Chair Rye called for a motion to approve the items on the Consent Agenda as presented. Ms. Riggs made the motion, seconded by Ms. Franklin. Chair Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.

15. Action

- A. Personnel Report / Administrative Appointments: Chair Rye called for a motion to approve the September 13, 2022 personnel report and administrative appointments. Vice Chair Melnyk made the motion, seconded by Ms. Anderson that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the September 13, 2022 personnel report along with administrative appointments as recommended by the Superintendent. Without discussion, Chair Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.
Superintendent Spence introduced the following: Shaheen Soorani, School Improvement Specialist, Tallwood High School as Assistant Principal, Tallwood High School; and Rachel M. Amato, District Chef, Office of Food Services as Assistant Director, Office of Food Services, Department of School Division Services.
- B. Policy Review Recommendations: Recommended that the School Board approve Policy Review Committee (PRC) recommendations regarding review, amendment, and repeal of certain bylaws and policies as reviewed by the PRC at its August 10, 2022 meeting.
 1. Bylaw 1-9/Qualifications: The PRC recommends amending bylaw to add language from recent statutory changes related to qualifications to hold office and language acknowledging the authority of the courts over election districts.

Chair Rye called for a motion to approve Bylaw 1-9/Qualifications. Ms. Holtz made the motion, seconded by Ms. Anderson. School Board Attorney, Kamala H. Lannetti mentioned the reason for the bylaw being on the Consent Agenda; reviewed changes to Bylaw 1-9; noted waited for outcome of the court case involving the election system before updating bylaw; without discussion, Chair Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.

- C. Resolution: Parental Rights Recognized in Virginia Beach City Public Schools: Chair Rye called for a motion to approve. Ms. Hughes made the motion, seconded by Ms. Weems. Chair Rye asked Ms. Hughes to read the resolution. Ms. Hughes read the following resolution:

RESOLUTION PARENTAL RIGHTS RECOGNIZED IN VIRGINIA BEACH CITY PUBLIC SCHOOLS

WHEREAS, the School Board of the City of Virginia Beach, Virginia recognizes parents are the first and most important teachers in their children's lives; and

WHEREAS, the School Board of the City of Virginia Beach, Virginia recognizes that parents are in the best position to know their children's needs and circumstances; and

WHEREAS, §1-240.1 of the Code of Virginia states that a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parents' child; and

WHEREAS, the single most important indicator of student success is parental involvement;

NOW, THEREFORE BE IT RESOLVED, that

1. Neither the Board nor the Administration of Virginia Beach City Public Schools will create or enforce policies, regulations, or practices which make healthcare decisions for students contrary to the will of their parents.
2. Virginia Beach City Public Schools shall develop an opt-in policy requiring parental notification of required classroom reading and a parent's signature before books are given to students.
3. Virginia Beach City Public Schools shall develop a system where parents receive an email when their students check out a book from the library. The email will contain a link to websites where parents can vet the books checked out.
4. This policy shall be in effect beginning immediately.

BE IT FURTHER RESOLVED that it will not be the policy of Virginia Beach City Public Schools to override the wishes of parents and/or guardians with respect to healthcare decisions, to include physical and emotional health, or educational decisions.

ALSO BE IT FURTHER RESOLVED that under no circumstances will students be encouraged by any Board member or employee, including the Superintendent and his/her staff, to discourage students from discussing ALL personal decisions, physical and emotional health questions and decisions, academic materials, and information gained in our schools with their parents and/or guardians.

Ms. Hughes continued and shared background information and rationale for resolution; mentioned health care decisions; opt-in policy regarding classroom reading and new state law; notification of books being checked out of library; pronoun surveys; need to encourage parent/child bond; parental decisions.
Vice Chair Melnyk presented a substitute resolution/motion for submission; Vice Chair Melnyk read the following resolution:

RESOLUTION FOR SUPPORT AND EMPOWERMENT OF VBCPS FAMILIES

WHEREAS, the School Board of the City of Virginia Beach, Virginia recognizes parents and family members are the first and most important teachers in their children's lives; and

WHEREAS, the School Board of the City of Virginia Beach, Virginia recognizes that parents and families are in the best position to know their children's needs and circumstances; and

WHEREAS, § 22.1-279.3 of the Code of Virginia states that a school board shall provide opportunities for parental and community involvement in every school in the school division; and

WHEREAS, impactful family engagement empowers families to support their child's success; and

WHEREAS, the School Board of Virginia Beach is committed to the involvement and engagement of ALL families regardless of circumstance; and

WHEREAS, Virginia Beach City Public Schools and the School Board of the City of Virginia Beach, Virginia have continually shown their commitment to parents and families by embedding mutually supportive partnerships in the school division's strategic plan;

NOW THEREFORE BE IT RESOLVED, that

1. Virginia Beach City Public Schools will continue to expand access to parents and families to give input and feedback by developing multiple channels of communication including but not limited to community conversations, family focus groups, family connections and town hall meetings.

2. Virginia Beach City Public Schools will continue to strengthen connections and communication with families and students in most need of additional supports.
3. Virginia Beach City Public Schools will create practices to improve parent and family access to division information by ensuring interpretation and translation of documents into the school division's critical language areas.
4. Virginia Beach City Public Schools will continue to allocate resources to the Office of Family and Community Engagement to expand the family outreach program in order to engage families in all schools with the intent to create awareness of resources and access to opportunities.
5. Virginia Beach City Public Schools will continue to operate and expand the Family and Community Engagement Center as it is an essential resource that aids and supports family well being.
6. The Virginia Beach School Board will continue to ensure compliance with all laws of the Federal Government and the Commonwealth regarding the partnership between parents, families and the school division.
7. The Virginia Beach School Board will continue to ensure compliance with and communication about its policies concerning parent engagement with the division, including but not limited to parent rights to review and challenge instructional materials outlined in regulation 6.61-2, relations with the public as described in policy 7-1 and community engagement as described in policy 7-18.
8. The Virginia Beach School Board will continue to encourage a robust relationship with the Virginia Beach Council of PTAs and school units as described in policy 7-31.
9. Virginia Beach City Public Schools should continue to collaborate with community based health providers to respond to students' immediate physical and mental health needs and ensure continuity of care.
10. Given the strong research based connection between social emotional development and academic success, Virginia Beach City Public Schools will continue to uplift and support social emotional learning.

BE IT FURTHER RESOLVED, that families will continue to be recognized as equal partners in decisions that impact their children and will be empowered to advocate for and influence policies, programs and learning opportunities to support future ready learners and student success.

After reading the resolution, Ms. Anderson seconded the substitute resolution/motion; Vice Chair Melnyk continued and shared rationale for resolution; meeting needs all family needs; concerned about comprising partnerships; opt-out policies; concerns over colleagues voting no over original policy; a discussion followed regarding substitute resolution; parent rights; election and voting; public feels rights are not represented; cannot support substitute resolution; political move; family/school partnership; family engagement; issues with both resolutions.

Without further discussion, Chair Rye called for a vote on the substitute resolution/motion. The School Board Clerk announced there were seven (7) ayes in favor of the substitute resolution/motion: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Owens, and Ms. Riggs. There were three (3) nays opposed to the substitute resolution/motion: Ms. Franklin, Ms. Hughes, and Ms. Weems. The substitute resolution/motion passed, 7-3-0.

16. **Committee, Organization or Board Reports:** Ms. Franklin shared an update about the initial research regarding a student School Board member, getting a collective voice from students, get input from SCA; possibility of a collective board of students, getting student input; Ms. Felton mentioned attending the VSBA executive meeting, language change in equity policy language, you may reach out to Ms. Felton with questions; Chair Rye mentioned Governance is discussing retreat dates for July, would not want retreat date to conflict with VSBA annual conference, special School Board meeting first Tuesday in June for Superintendent's evaluation, dates to be reviewed at Organizational Meeting in January.
17. **Return to Administrative, Informal, Workshop or Closed Session matters:** At 9:18 p.m., Vice Chair Melnyk made a motion, seconded by Ms. Anderson that the School Board recess into Closed Session in accordance with the exceptions to open meetings law set forth in Code of Virginia §2.2-3711 to deliberate on the following matters:
 1. A closed meeting pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraph 7, as amended,

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A. (7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Namely to discuss: pending litigation and new court decision.

There were eight (8) ayes in favor of the motion to recess into Closed Session: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs. Note: Ms. Felton and Ms. Weems were not present in School Board chambers at the time of the vote.

Individual present for discussion in the order in which matter were discussed:

A.7 CONSULATION WITH LEGAL COUNSEL

Namely to discuss pending litigation and new court decision: School Board members: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Cheryl Woodhouse, Chief Human Resources Officer; Regina M. Toneatto, Clerk of the Board.

The School Board reconvened at 9:46 p.m.

Certification of Closed Session: Vice Chair Melnyk read the Certification of Closed Meeting:

WHEREAS, the School Board of the City of Virginia Beach has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by this School Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the School Board of the City of Virginia Beach 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 applies, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered.

Ms. Anderson made the motion, seconded by Ms. Hughes. The motion passed with ten (10) ayes: Chair Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems.

18. Adjournment: Chair Rye adjourned the meeting at 9:47 p.m.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair