



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

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District 4 - Bayside

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School Board Special Meeting Proposed Agenda Tuesday, February 1, 2022

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

Limited public seating due to physical distancing mitigation strategies will be made available on a first-come, first- served basis beginning shortly before the start of the Special School Board Meeting. Members of the public will also be able to observe the School Board Meeting through livestreaming on www.vbschools.com, broadcast on VBTB Channel 47, and on Zoom through the link below.

Members of the public will be required to follow physical distancing and safety protocols including wearing a face covering while in the School Administration Building. Citizens requesting accommodations to observe the Meeting should contact the School Board Clerk to discuss what accommodations can be provided. Members of the public requesting mask accommodations must have submitted such requests in accordance with the Notice for the Special Meeting. The School Board Clerk can be reached at 263-1016 or at Regina.Toneatto@vbschools.com.

Please note that these requirements are subject to change and persons attending the School Board meeting in person should check the day.

Attendee link: https://us02web.zoom.us/webinar/register/WN_kgeyEvBTQ12lulE3C7ClGg

Call-in (301) 715-8592 ID 891 3631 1752

NOTICE OF SPECIAL MEETING OF THE SCHOOL BOARD OF THE CITY OF VIRGINIA BEACH

In accordance with the Schedule of School Board Meetings amended and approved by the School Board at their January 25, 2021 Regular Meeting, and pursuant to Bylaw 1-46, and *Virginia Code* § 2.2-3707, the School Board will hold a special meeting on Tuesday, February 1, 2022, at 3:00 p.m., in the School Board Chambers in the School Administration Building #6 at the Municipal Center, 2512 George Mason Dr., Virginia Beach, VA 23456. The purpose of this special meeting is for

- 1) Consultation with legal counsel regarding new election districts and election cycle; and
- 2) Discussion and action on the new election districts and election cycles for the School Board.

- 1. Call to Order and Verbal Roll Call (School Board Chambers)3:00 p.m.**
- 2. Adoption of the Agenda**
- 3. Closed Session**
- 4. Open Session discussion regarding new election districts and election cycles5:00 p.m.**
- 5. Action by School Board regarding School Board's position on new election districts and cycles**
- 6. Adjournment**



Subject: Closed Session **Item Number:** 3

Section: Closed Session **Date:** February 1, 2022

Senior Staff: _____

Prepared by: Kamala H. Lannetti, Deputy City Attorney

Presenter(s): Kamala Lannetti, Deputy City Attorney

Recommendation:

That the School Board recess into Closed Session 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 7 and 8, as amended,

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 and

A.8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. 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

1. pending or probable litigation matters and developments in the election districts;
2. new election districts and election cycles

Source:

Code of Virginia §2.2-3711, as amended

Proposed Resolution for consideration by School Board

RESOLUTION REGARDING ELECTION DISTRICTS AND ELECTION SCHEDULE FOR SCHOOL BOARD OF THE CITY OF VIRGINIA BEACH, VIRGINIA

WHEREAS, on December 22, 2021, the United States District Court for Eastern District of Virginia issued a final order setting forth new election districts and election cycles for the City Council of the City of Virginia Beach, Virginia but the Order did not specifically address the School Board; and

WHEREAS, the Court ordered election districts and election cycle result in some ambiguity regarding the election districts and election cycle for currently elected School Board Members; and

WHEREAS, the Charter of the City of Virginia Beach, Virginia §16.04 (A) Election of the school board states “All board members shall be elected in the same manner and according to the same schedule that council members are elected for terms of four years.”; and

WHEREAS, Code of Virginia §22.1-57.3 (A) states “Elections of school board members in a county, city, or town shall be held to coincide with the elections for the members of the governing body of the county, city, or town at the regular general election in November or the regular general election in May, as the case may be.”; and

WHEREAS, Code of Virginia §22.1-57.3 (B) states “The terms of the members of the elected school board for any county, city, or town shall be the same as the terms of the members of the governing body for the county, city, or town. In any locality in which both school board and the governing body are elected from election districts, as opposed to being elected wholly on an at-large basis, the elections of the school board member and governing body member from each specific district shall be held simultaneously...”; and

WHEREAS, Code of Virginia §22.1-57.3 (B) further states that “In any case in which school board members are elected from election districts, as opposed to being elected from the county, city, or town at large, the election districts for the school board shall be coterminous with the election districts for the county, city, or town governing body, except as may be specifically provide for the election of school board members in a county, city, or town in which the governing body is elected at large.”; and

WHEREAS, Code of Virginia §22.1-76 (A) states “...at its annual meeting the each school board shall elect one of its members as chairman,...” Accordingly, the Code of Virginia sets forth the procedure for electing a chairman for the School Board and the School Board will comply with this law.

NOW, THEREFORE BE IT RESOLVED

1. That the School Board intends to comply with the Court Order and applicable law and follow the same election districts and election cycle as the City Council.

2. That the School Board determines that it should have an at large eleventh member as the City Council has.

3. That the School Board elections in 2022 and 2024 will be for the same election districts or at large position as the City Council.

4. That School Board Members whose terms expire in 2024 will continue on the School Board until the conclusion of their terms or until such time as they resign or are removed from office.

5. That the School Board shall have the same number of elected members as the City Council.

Adopted by the School Board of the City of Virginia Beach, Virginia this day ____ of February 2022.

Carolyn T. Rye, Chair

ATTEST:

Regina Toneatto, Clerk of School Board

DRAFT



NOTICE TO PERSONS ATTENDING SCHOOL BOARD MEETINGS REGARDING DECORUM EXPECTATIONS

Meetings of the School Board and its committees are conducted for the purpose of addressing the business of the School Board and the School Division. Certain meetings are subject to the open meetings requirements of the Virginia Freedom of Information Act. Members of the public may observe open meetings but may only address the School Board or its committees when the public comments have been made a part of the meeting agenda.

1. School Board Bylaws 1-47 and 1-48 sets forth the Decorum and Public Speaker rules to be enforced during School Board meetings. These bylaws can be accessed on the VBSchools.com website. Persons attending meetings or signed up to speak at School Board Meetings should review these Bylaws prior to the meeting.
2. Please note that due to health or safety considerations as well as available seating in the meeting location, the School Board and the School Administration reserve the right to make determinations regarding the available in person seating and space for members of the public. When space for in person attendance for members of the public cannot be accommodated, efforts reasonable under the circumstances will be made to provide public access to the meeting through electronic or audio means.
3. Persons attending meetings in person are required to wear a face mask unless a mask accommodation has been approved prior to the date of the meeting. Those persons with approved mask accommodations do not need to resubmit requests for accommodations once an accommodation has been approved. Requests for mask or other accommodations should be submitted by 9:00 a.m. the day before the meeting to the Clerk of the School Board. The School Board Clerk may be contacted at 263-1016 or by email at Regina.Toneatto@vbschools.com. Mask accommodation requests may be made by using this [form](#).