



School Board Services

Carolyn T. Rye, Chair
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, December 21, 2021

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

- I. Administrative, Informal, and Workshop:** Chairwoman Rye convened the administrative, informal, and workshop session in the School Board chamber at 4:02 p.m. on the 21st day of December 2021 and announced pursuant to the Virginia State Health Commissioner’s Order of Public Health Emergency Statewide Requirement to Wear Masks in K-12 Schools issued August 12, 2021, and Virginia Acts of Assembly No. 1303, Chapter 456, and the Center for Disease Control and Prevention (CDC)’s guidance for K-12 schools, and the School Board’s 2021-2022 Reopening Plan adopted August 10, 2021, it is determined physical distancing will be used in School Board Chambers as a health mitigation strategy therefore there will be limited public seating available on a first-come, first- served basis beginning shortly before the Workshop session of the 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 VBT Channel 47, and on Zoom.

It is the School Board’s protocol to break at 5:30 p.m. to prepare for the Formal Meeting to begin at 6:00 p.m. At 5:30 p.m., the School Board will conclude its administrative, informal, and workshop session unless the School Board votes to continue until 5:45 p.m. The session will conclude no later than 5:45 p.m. to allow the School Board and the School Administration to prepare for the Formal Meeting at 6:00 p.m.

The following School Board members were present in the School Board chamber: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens (arrived at 4:55 p.m.), and Ms. Riggs. The following School Board members attended via Zoom: Ms. Manning (health reasons/illness) and Ms. Weems (online at 4:15 p.m., health reasons/illness.)

- A. **School Board Administrative Matters and Reports:** There were no matters or reports discussed.
1. **Leadership Interest:** Chairwoman Rye expressed willingness to continue serving as School Board Chair; Ms. Melnyk stated interest as Vice Chair.
 2. **Schedule of Meetings: Remaining/FY22 Affirmed; FY23 Proposed:** Chairwoman Rye reviewed dates for remaining FY22 meetings and FY23 proposed meetings; schedule part of the January organizational meeting to be approved; Ms. Manning requested a staffing update added to a future School Board meeting
- B. **Forecast of Regular School Board Meeting Agenda Topics FY 22 – 3rd Quarter: January, February, March:** Superintendent Spence reviewed upcoming agenda topics for the months of January, February, and March; provided an overview of topics: staffing update – January 11, middle school scheduling – January 25, budget meetings – month of February, public hearing for budget on February 8 and February 15, budget meeting – March 1, work base learning initiatives and future ready – March 8, legislative review – March 22; noted a living document and does change based on agenda planning needs; the presentation continued with questions; start times of January meetings for planning purposes; COVID updates; public hearings dates for budget; workshop for January 11 meeting; and logistics for organizational meeting.
- C. **Building Utilization Committee Update:** Melisa Ingram, Demographer/GIS Manager presented to the School Board r an update from the Building Utilization Committee (BUC) meeting held on December 9, 2021. The BUC conducts an annual assessment of school attendance zones, student membership, housing trends, student membership projections, and building utilization, as prescribed by School Board Policy 5-14. There are no recommended changes to school attendance zones for SY 22/23. Ms. Ingram reviewed the 2021-2022 BUC members; mentioned Policy 5-14

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School Attendance Zones; no recommended changes to school attendance zones but highlighted factors for rezoning; review map of density of students; reviewed some trends that impact student density; reviewed live births data; reviewed SY 21/22 student membership – K-12 student membership is 63,698 students (elementary schools 28,335; middle schools 14,956; high schools 20,407); reviewed numbers of full day kindergarten and first grade students; seeing a return of students to VBCPS from pandemic; larger retention rate and growth of sixth grade students; increase of students from eighth to ninth grade; enrollment of students in other programs is 1,603 – total student PS-12 and SECEP is 65,301; reviewed some historical factors (school closures, removal of portables, full day kindergarten implementation, PS/PK & SECEP programs, COVID-19 virtual learning options); reviewed data of historical and projected student enrollment; highlighted capacity numbers of schools – no elementary school more than 10% over capacity, no middle school more than 10% over capacity, and no high school more than 10% over capacity; projection numbers - slight increase of students over next two years and a slight decline after; for the 26/27 school year approximately 64,000 students.

The presentation continued with questions regarding portables; live birth data; demographic reasons – affordability of housing; types of housing developments; capacity at certain schools; historical enrollment - decline of students locally and nationwide; apartments and hotels; transportation.

2. Closed Session: The workshop concluded at 4:56 p.m.

Ms. Melnyk made a motion, seconded by Ms. Anderson that the School Board recess into Closed Session in accordance with the exemptions to open meetings law set forth in Code of Virginia §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 pending or probable litigation matters and the retention of outside legal counsel.

The motion passed with nine (9) ayes: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, and Ms. Riggs. Note: Ms. Manning and Ms. Weems were attending the meeting via Zoom.

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

A.7. Consultation with legal counsel: and

A.8. Consultation with legal counsel: Namely to discuss pending or probable litigation matters and the retention of outside legal counsel.

School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, and Ms. Riggs; Superintendent Spence; School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board.

Certification of Closed Session: Ms. Melnyk read the Certification of Closed Meeting:

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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 a motion, seconded by Ms. Franklin. The motion passed with nine (9) ayes: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, and Ms. Riggs. Note: Ms. Manning and Ms. Weems were attending the meeting via Zoom.

3. **School Board Recess:** Chairwoman Rye adjourned the administrative, informal, and workshop session at 5:29 p.m.
4. **Formal Meeting (School Board Chambers)**..... **6:00 p.m.**
5. **Call to Order and Roll Call:** Chairwoman Rye called the formal meeting to order at 6:00 p.m. on the 21st day of December 2021 and announced pursuant to the Virginia State Health Commissioner's Order of Public Health Emergency Statewide Requirement to Wear Masks in K-12 Schools issued August 12, 2021, and Virginia Acts of Assembly No. 1303, Chapter 456, and the Center for Disease Control and Prevention (CDC)'s guidance for K-12 schools, and the School Board's 2021-2022 Reopening Plan adopted August 10, 2021, it is determined that physical distancing will be used in School Board Chambers as a health mitigation strategy therefore there will be limited public seating available on a first-come, first-served basis beginning shortly before the 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.

The following School Board members were present in the School Board chamber: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Owens, and Ms. Riggs. The following School Board members attended via Zoom: Ms. Manning (health reasons/illness) and Ms. Weems (health reasons/illness.)
6. **Moment of Silence followed by the Pledge of Allegiance**
7. **Student, Employee and Public Awards and Recognition**
 - A. **Marching Band State Champions:** The School Board recognized Princess Anne High School Fabulous Marching Cavaliers (Marching Band) as Group 2 Marching Band State Champions in categories Music, Visual, Effect, Color Guard, and Percussion *Virginia Marching Band Cooperative*. Mr. John Boyd is the marching band director, and this is Princess Anne High School's third consecutive marching band state championship.
8. **Adoption of the Agenda:** Chairwoman Rye noted agenda item #17 – Closed Session took place at the end of the administrative, informal, and workshop session under agenda item #2. Without any further modifications, Chairwoman Rye called for a motion to approve. Ms. Holtz made a motion, seconded by Ms. Owens. Chairwoman Rye called for a vote. The School Board Clerk announced the motion passed unanimously.
9. **Superintendent's Monthly Report:** Superintendent Spence shared the following information: 1) The following Wednesdays will be a special two-hour early release day: January 5, January 12, and January 26; 2) In December, we highlighted Support Services Appreciation week. These staff members fulfill vital roles within the division and the support services staff are within the Department of School Division Services; 3) potential rise in reported COVID-19 cases due to the holiday, reminder of the division's COVID-19 self-screener tool, vaccine information at

the VD COVID-19 vaccine webpage; 4) division’s winter break – schools and offices will be closed from December 22 through January 2, shared thanks and well wishes to all and for a safe, happy, and relaxing break.

10. Approval of Meeting Minutes

A. December 7, 2021 Regular School Board Meeting: Chairwoman Rye called for any modifications to the December 7, 2021 regular School Board meeting minutes as presented. Hearing none, Chairwoman Rye called for a motion to approve. Ms. Riggs made a motion, seconded by Ms. Hughes. Without discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. There was one (1) abstention: Ms. Franklin due to the fact she was not in attendance at the meeting. The motion passed 10-0-1.

11. Public Comments (until 8:00 p.m.): Chairwoman 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. Chairwoman Rye mentioned information regarding speaker process, decorum and order, and submitting comments via group email.

There were twenty-three (23) in-person speakers (including 2 student speakers) and three (3) online speakers; topics discussed were masking; choice for masks; history curriculum; gathering outside; special meeting; mask resolution; agenda; SEL; speaker time; decorum; mask mandates; transparency; books; CRT; vaccinations; parent choice; testing athletes; transgender; parental rights; School Board members; limited seating in chamber; and permits.

Note: two School Board members (Ms. Hughes and Ms. Melnyk) left the meeting to speak with a citizen at approximately 7:28 p.m. Ms. Melnyk left the School Board chamber and meeting at approximately 7:33 p.m. Ms. Hughes returned to the School Board meeting at approximately 7:38 p.m.

12. Information

A. Textbook Adoption: Nicole M. DeVries, Ph.D., Director of K-12 and Gifted Programs presented the following information to the School Board:

- Latin I-V: That the School Board review and approve the following high school textbooks as recommended by the Latin I-V Textbook Adoption Committee for implementation in the fall of 2022.

Course Title	Textbook	Publisher	Copyright
Latin I-III	<i>Suburani</i> , Books 1 and 2, 1 st Edition	Hands Up Education	Book 1, 2020 Book 2, 2021
Latin IV-V	<i>Ecce Romani III</i> , 4 th Edition	Savvas Learning Company, LLC	2009

B. Policy Review Committee Recommendations: 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 December 9, 2021 meeting. Policy Review Committee Chair, Ms. Trenace Riggs presented the following:

- Policy 3-10/Budget: Transfer of Funds: The PRC recommends minor amendments.
- Policy 3-22/Tuition Fees: The PRC recommends minor scrivener’s changes.
- Policy 3-28/Reserve Fund: The PRC recommends amendments to allow flexibility in the amount of reserve funds set aside, minor scrivener’s changes.
- Policy 3-34/Direct Appropriation Funds – Individual Schools: The PRC recommends minor scrivener’s changes.
- Policy 3-36/Receiving /Paying for Goods and Services: The PRC recommends minor scrivener’s changes.

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6. Policy 3-37/Vendors/Contractors/Sales Representatives: The PRC recommends amendments to clarify current terms and scrivener’s changes.
7. Policy 3-39/ Competitive Negotiations/Awards: Procurement of Professional Architectural and Engineering Services: The PRC recommends no changes.

Ms. Riggs noted School Board members could contact her or one of the other members on the Policy Review Committee if they had any questions.

13. Return to public comments if needed. Public comments concluded during agenda item #11.

14. Consent Agenda: Chairwoman Rye state the items on the Consent Agenda.

- A. Textbook Adoption: That the School Board review and approve the following high school Health Sciences Academy Human Anatomy textbook as recommended by the Health Sciences Academy Textbook Adoption Committee for implementation in the fall of 2022.
 1. Human Anatomy: Physiology:

Course Title	Textbook	Publisher	Copyright
HSA Human Anatomy	<i>Welsh, Hole's Essentials of Human Anatomy & Physiology, High School Edition, 2nd Edition</i>	McGraw-Hill	2021

- B. Religious Exemption(s): That the School Board approve Religious Exemption Case No. RE-21-06, RE-21-07 and RE-21-08.

Chairwoman Rye called for a motion to approve. Ms. Holtz made a motion, seconded by Ms. Franklin. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chairwoman Rye, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Ms. Melnyk was not present in the meeting at the time of the vote. The motion passed 10-0-0.

15. Action

- A. Personnel Report / Administrative Appointments: Chairwoman Rye called for a motion to approve. Ms. Riggs made a motion, seconded by Ms. Owens that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the December 21, 2021 personnel report along with administrative appointments as recommended by the Superintendent. Without discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chairwoman Rye, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Ms. Melnyk was not present in the meeting at the time of the vote. The motion passed 10-0-0.
Superintendent Spence introduced the following: Shantae J. Johnson, Administrative Assistant, Brookwood and Seatack Elementary Schools as Assistant Principal, Christopher Farms Elementary School; and Ronel L. Brewer, Administrative Assistant, Princess Anne High School as Assistant Principal, Renaissance Academy.

16. Committee, Organization or Board Reports: It was noted there would be no Governance Committee meeting in January; Ms. Felton mentioned the Planning and Performance Monitoring Committee (PPMC) will be meeting January 4, 2022, and Legislative Committee waiting for adjustments in the new administration; Ms. Owens mentioned the Building Utilization Committee met on December 9 and the information was presented to the School Board at tonight’s meeting during the workshop; Ms. Franklin thanked Chair Rye for attending the Audit Committee meeting since Ms. Franklin was unable to attend, Ms. Franklin mentioned visiting Green Run Collegiate (GRC) and GRC is accepting applications.

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- 17.** *Return to Administrative, Informal, Workshop or Closed Session matters:* Note, Closed Session was conducted under agenda item #2; see Adoption of the Agenda item #8.
- 18.** *Adjournment:* Before adjourning the meeting, Chairwoman Rye on behalf of the School Board wished everyone a safe and joyous holiday season. Chairwoman Rye adjourned the meeting at 7:44 p.m.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair