



# VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

## 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**

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## School Board Regular Meeting MINUTES Tuesday, May 24, 2022

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

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1. **Administrative, Informal, and Workshop:** Chairwoman Rye convened the administrative, informal, and workshop session at 3:00 p.m. on the 24<sup>th</sup> day of May 2022 and announced members of the public will be able to observe the School Board meeting through live streaming on 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 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 at 6:00 p.m.  
  
The following School Board members were present in the School Board chamber: Chairwoman Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs (arrived at 3:03 p.m.), and Ms. Weems.
  - A. **School Board Administrative Matters and Reports:** Chairwoman Rye thanked Vice Chair Melnyk for acting in her stead at the May 11 meeting; reminder of upcoming graduation ceremonies; Project SEARCH graduation – Tuesday, June 14 from 1:30 p.m. to 2:30 p.m.; Summer School graduations – August 18; mentioned school dedications – Princess Anne Middle School, Thoroughgood Elementary School, and Brock classroom; Ms. Weems mentioned trip to New Jersey with Dr. Soltner, Dr. Jamison, and Mr. Delaney to visit a recovery high school, and putting together a speaking group of panelists to visit four high schools to discuss substance abuse and misuse; Ms. Felton mentioned the VSBA Executive Board meeting June 2-3 and the June 3 School Law Conference.
  - B. **Update on Practices, Procedures, and Regulations for Instructional and Library Materials:** Kipp Rogers, Ph.D., Chief Academic Officer provided the School Board an update on policies and regulations for instructional and library materials; provided a recap of information previously shared with the School Board; mentioned VBCPS Core Value – Value Differences; work with families to honor their values and address concerns relative to instructional resources and library resources; recapped definitions of instructional materials (textbooks, workbooks, videos, digital resources) and library materials (supplemental resources, books, periodicals, reference databases; instructional materials selection considerations: aligned to Virginia Standard of Learning, VBCPS curriculum, copyright date and cost, input from staff, student interest, ease of access and difficulty level, feedback from public; library materials: Library Media Specialists (LMS) follow VBCPS Regulation 6-65.2, materials are ordered through two main vetted services: Mackin and Junior Library Guild; partnering with parents to address student access to mature content in libraries: emphasizing existing processes for families to place notifications in Destiny to restrict student ability to check out library material, increase parental awareness of existing options to restrict or challenge instructional or library materials; recommendations being made to revise VBCPS policies and regulations on instructional and library materials; ongoing professional development for staff on selection of

instructional and library materials; VDOE is developing model policies by July 31, 2022 for sexually explicit content.

The presentation continued with questions and comments regarding number of new books arriving at beginning of school year; list of new books; LMS annual review of books; requesting books from other school libraries; ways to implement parents' restriction for children to access books; donated books; LMS duties more than ordering books; policy on challenged books; accountability to public; having students interested in reading – graphic novels not helping with development of reading; explicit content of books; regulations and policies; diversity; partnering with parents and notifications in Destiny; relationship with LMS and parents; education and professionalism of Library Medial Specialists; vendors providing a summary of book titles; list of titles in Destiny; suggestion having LMS as part of challenged materials review; reviewing of policies and regulations.

- C. Employee Input Survey Results: Allison Bock, Ph.D., Program Evaluation Specialist, Office of Planning, Innovation, and Accountability, provided the School Board information about the 2022 Employee Input Survey results; provided an overview of the employee survey process and overall division-level results; the feedback supports Policy 2-15 and provides opportunities for staff to express ideas and make suggestions for continuous improvement in the division; the survey was administered online using a five-point agreement scale; the results were compared to the last two years; noted four new working condition items and two new benefits-related items were added this year; reviewed following results:

- Resources and Information – results indicated a 67 to 82 percent agreement for 2022.
- Working Relationships at the School or Work Site – results indicated a 69-86 percent agreement for 2022, but 75 percent of employees agreed with a new item that they feel a sense of belonging at their school or work site.
- Professional Development in the School Division – results indicated a 55 to 66 percent agreement in 2022, and 55 to 61 percent of employees agreed with new items regarding support of leadership development, opportunities for advancement, and the role in supporting educational equity being clear.
- Opportunities Within the School Division – results indicated a 60 to 81 percent agreement in 2022, but there were declines in the agreement percentages for all items.
- Fifty-five percent of employees were satisfied with the benefits package and 26 percent of employees were satisfied with salary/compensation, but the satisfaction percentages for other benefits were 37 to 59 percent. There were decreases in agreement for all items. Thirty-seven percent of the respondents were satisfied with health plan premiums, which was a new item this year.
- Other benefits results such as, long-term disability, legal, life insurance, VRS, indicated a 38 to 69 percent satisfaction level; however, there were decreases in satisfaction percentages for all items. In addition, 57 percent of employees were satisfied with savings and spending accounts, which was a new item this year.
- Reports were provided that showed survey data analyzed by employee group, staff reported years of experience, gender, and race/ethnicity.

Reviewed next steps: senior staff and departments engaging in a review of the data to identify implications for their work, and an update will be presented at the School Board Retreat in July. The presentation continued with questions and comments regarding data comparison of previous years; response rate; breakdown of participation; compliment to elementary school principals.

- D. School Security Officers: Thomas DeMartini, Director of Safe Schools provided the School Board an update from the Office of Safe Schools outlining the progress of the conversion of qualified security assistants to School Security Officers (SSOs) to support schools where School Resource Officers (SROs) are not present; Jack Freeman, Chief Operations Officer began the presentation with a recap of information shared with the School Board previously – temporary relocation of SROs from schools, development of detailed plan, reminder plan to address one portion of an SRO's responsibility, keeping schools safe – layered prevention and mitigation strategy; Mr. Freeman introduced Mr. DeMartini; the presentation continued with a recapped of items previously discussed: VBCPS staffing shortages requiring the repurposing of several SROs, former law enforcement officers on VBCPS

staff, development of the School Security Officer Program; security enhancement plan: allows eligible retired police officers to carry a firearm, selected the appropriate personnel to provide a presence in schools, utilized previous training and experience, collaboration with the VBPD – policy, training, & certifications; reviewed initial phase: identified security assistants selected to fill high school SRO vacancies, training conducted with VBCPS Firearms Training Unit; training included: law, policy and VBCPS expectations review, received firearms refresher and qualification training, emergency evacuation training, threat assessment training; schools Security Officers will be assigned to high schools with SRO vacancies; train remaining eligible staff members who volunteer for the program.

The presentation continued with questions and comments regarding training security assistants; arming SSOs; security and safety of schools; clarification on retired law enforcement; mandated retirement age of police officers; clarification of SROs and SSOs; purchasing of equipment/weapons for SSOs; shortage of police officers; preventing a crisis and responding to a crisis.

- E. Bayside 6<sup>th</sup> Grade Campus/Jericho Road Briefing: Melisa Ingram, Executive Director of Facilities Services provided the School Board information on Bayside 6<sup>th</sup> Grade Campus on Jericho Road as it relates to the upcoming CIP 1-028 Bettie F. Williams Elementary/Bayside 6<sup>th</sup> (grades 4-6) Replacement; provided a brief history of building; mentioned the Bayside Middle School attendance zone; Bayside Sixth Grade Campus established in the 2014-2015 school year; CIP 1-028 proposes new school for these 6<sup>th</sup> grade students with the replacement of Williams Elementary grade 4-5, in the Tri-Campus Learning Circle on the Williams Elementary School site; when construction is completed students from the Bayside 6<sup>th</sup> Grade Campus would no longer need the building, the property would become excess property; reviewed the property lines of Pembroke Elementary School special education wing; the property would need to be re-subdivided to satisfy adequate room for the needs of Pembroke Elementary School; appraisal of property would have to be conducted; the possible disposition of the property at Jericho Road will be discussed.

The presentation continued with comments and questions regarding the history of the property; what to do with excess property; next steps in process; public input; subdividing of property; conversations with City and Parks and Recreation; property lines.

**2. Closed Session:** None during the administrative, informal, and workshop session. See agenda item #17.

**3. School Board Recess:** Chairwoman Rye adjourned the administrative, informal, and workshop session at 5:15 p.m.

**4. Formal Meeting (School Board Chambers)**

**5. Call to Order and Roll Call:** Chairwoman Rye convened the meeting of the School Board in the School Board chamber at 6:00 p.m. on the 24<sup>th</sup> day of May 2022 and noted members of the public will be able to observe the School Board meeting through livestreaming on vbschools.com, broadcast on VBTV Channel 47, and on Zoom.

The following School Board members were present in the School Board chamber: Chairwoman Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, and Ms. Riggs. The following School Board member was not present: Ms. Weems due to a personal illness.

**6. Moment of Silence followed by the Pledge of Allegiance**

**7. Student, Employee and Public Awards and Recognition**

- Virginia Music Educators Association – All Virginia Band, Chorus, and Orchestra: The School Board recognized thirty-four students who were named to either the Virginia Music Education Association’s All Virginia Band, All Virginia Chorus, All Virginia Orchestra, and Honors Choir.
- Virginia Music Educators Association – Honors Chorus: See above recognition.
- Virginia Music Educators Association – Blue Ribbon Schools and VA Honor Band (staff awards): The School Board recognized school music departments for receiving a Blue Ribbon Distinction: from Corporate Landing Middle School – Victor Hugo, Chorus Teacher; Lee Anne Stevahn, Orchestra Teacher; Amy Shaffer, Band Teacher; from Old Donation School – Andrew Lusher, Chorus Teacher; Paul Baird, Orchestra Teacher; Jim Reid, Band Teacher; from Ocean Lakes High School – William Boardman, Chorus Teacher; Karey Sitzler, Orchestra Teacher; J. Michael Parker, Band Teacher; from Princess Anne High School – Katie Davis, Chorus Teacher; Alex Kelly, Orchestra

Teacher; John Boyd, Band Teacher; and from Tallwood High School – Karen Nemeth, Chorus Teacher; Adrienne Pucky, Orchestra Teacher, Timothy Rossetti, Band Teacher.

The School Board recognized the following schools and bands who have been named a Virginia Honor Band: from Cox High School – Mike Lane; from Princess Anne High School – John Boyd; from Ocean Lakes High School – J. Michael Parker; and from Tallwood High School – Timothy Rossetti.

4. Technology Education Center – FCCLA First Place State Champions: The School Board recognized four students from the Technical and Career for their first place wins as state champions in the Family, Career, and Community Leaders of America (FCCLA) competitions.
5. Advanced Technology Center – SkillsUSA First Place State 3D Visualization and Animation: The School Board recognized two students from the Advanced Technology Center who placed first in the category of 3D visualization and animation Virginia State Skills USA competition.
6. Advanced Technology Center – FBLA First Place State Leadership Conference Awards: The School Board recognized six students from the Advanced Technology Center who took home first place awards while competing in the Future Business Leaders of America (FBLA) state leadership conference.
7. Virginia Teachers for Tomorrow – 2022 VBSchools Future Teachers: Twenty-two students were recognized by the School Board for having completed the Virginia Teachers for Tomorrow program and/or the Early Childhood Education Program, and recommended by their HS principal, expressed their intent to obtain a teaching degree and return to VBCPS to teach. The School Board conditionally approved a probationary contract of employment for these candidates upon meeting the terms of VBCPS Future Teacher Contract Agreement as part and parcel of the Personnel Report presented under Action.
8. Virginia Beach City Public Schools – 2023 Citywide Teacher of the Year: The School Board recognized Great Neck Middle School Earth/Physical Science teacher, Joshua Whitlinger, as the 2023 Citywide Teacher of the Year.

**8. Adoption of the Agenda:** Chairwoman Rye called for any modifications to the agenda as presented. Hearing none, Chairwoman Rye called for a motion to approve the agenda as presented. Ms. Riggs made the motion, seconded by Ms. Felton. 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, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, and Ms. Riggs. The motion passed, 10-0-0.

**9. Superintendent's Report:** Superintendent Spence shared the following information: 1) reminder, all schools and administrative offices will be closed for students and staff in observance of Memorial Day, Monday, May 30, and last of school for students is Friday, June 17 (adjusted dismissal); 2) June 2022 Graduations – dates and times of each graduation on the division calendar at vbschools.com, graduations will also be livestreamed on vbschools.com; 3) celebrated in May National Teacher Appreciation Week, National School Nurse Day, National Educational Bosses Week and Technology Appreciation Day for all their hard work and dedication; 4) recognized Nurse Colleen Torbush, Cooke Elementary School, for being named VBCPS Nurse of the Year, Nurse Torbush has been with the division for 24 years, and at Cooke Elementary since 2002; 5) recognized Sofia Cateternam, an eighth grade student at Virginia Beach Middle School, who won first place in our region for middle school art with her piece of work titled “Bungalow”; her work was part of the art contest held each spring at the Virginia School Board Association’s Regional Spring Networking Forums.

**10. Approval of Meeting Minutes**

1. May 10, 2022 Regular School Board Meeting: Chairwoman Rye called for any modification to the May 10, 2022 regular School Board meeting minutes as presented. Hearing none, Chairwoman Rye called for a motion to approve the May 10, 2022 meeting minutes as presented. Vice Chair Melnyk made the motion, seconded by Ms. Holtz. Without discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion: Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, and Ms. Riggs. There was one (1) abstention: Chairwoman Rye, was not in attendance at the May 10, 2022 School Board meeting. The motion passed, 9-0-1.

**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.

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Chairwoman Rye mentioned information regarding speaker process, decorum and order, and submitting comments via group email.

There were twenty (20) in person speakers (including four (4) student speakers) and seven (7) online speakers (including one (1) student speaker); topics discussed were: school librarians; book banning; limiting of readers; controversial books; SRO's; challenged books; parental rights/decisions; library media specialists (LMS); compensation of VBCPS employees; teacher pay; staff retention; LMS certifications; daily tasks of LMS; literacy skills; LGBTQ ideology; access to information; cyberbullying; library materials; polices; armed security officers; freedom of information; support for LMS.

The public comments ended at 8:00 p.m.

## 12. Information

- A. Interim Financial Statements – April 2022: Daniel Hopkins, Director of Business Services, presented the following financial information as of April 30, 2022 to the School Board: overall revenue trend remains acceptable; March 31 ADM came in at 63,579 which is 163 students above the State's projection on December 16 and 1,032 students below the ADM used to build our budget; federal revenues are showing a favorable trend as of the end of April; received Impact Aid payments of approximately \$14 million year-to-date; other sources of revenue through the month are favorable at this point in the fiscal year; sales tax receipts are at a favorable level; year-to-date through April, approximately \$8.5 million higher than same time last year; May sales tax receipts are approximately \$600,000 over last May; expenditures and encumbrances trend continue to remain acceptable at this point in the fiscal year.
- B. Policy Review 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 May 12, 2022 meeting. School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney presented the following:
  1. Policy 3-79/Schedules, Routes and Stops: Activity Buses: The PRC recommends amendments to clarify the expectations activity buses dropping off or picking up students as well as scrivener's changes.
  2. Policy 3-85/ Outside Food and Drink in Schools and Classroom: The PRC recommends adoption of a new policy to address the procedures and expectations regarding outside food and beverages in schools. There was a brief discussion regarding the policy and certain language; the current policy language; language in the policy to be reviewed.
  3. Policy 4-21/Payment to the Estate of Deceased Employees: Earned/Accrued Leave: The PRC recommends amending Policy 4-21 to clarify how earned and accrued leave will be paid to the estate of a deceased employee.
  4. Policy 6-1/Mission Statement/Vision Statement: The PRC recommends amending Policy 6-1 to include the School Division's Core Values as a new section.
  5. Policy 6-2/Goals and Objectives: The PRC recommends amending the legal references to Policy 6-2.
  6. Policy 6-8/Controversial Issues: The PRC recommends scrivener's changes to Policy 6-8.
  7. Policy 6-10/Guest Speakers: The PRC recommends scrivener's changes to Policy 6-10.
  8. Policy 6-11/No Child Left Behind: The PRC recommends deletion of Policy 6-11 as this Act is no longer applicable.
  9. Policy 6-12/School Calendar: The PRC recommends scrivener's changes to Policy 6-12. Superintendent Spence requested to have Policy 6-12 removed; additional work to be done on policy.
  10. Policy 6-14/Emergency Drills and Planning: The PRC recommends scrivener's changes to Editor's notes and the legal references.
  11. Policy 6-15/Delayed Opening/Emergency Closing of Schools: The PRC recommends scrivener's changes to Policy 6-15.
  12. Policy 6-61/Instructional Material/Selection: The PRC recommends clarification of print and media materials as well as scrivener's changes.

13. **Return to public comments if needed:** As noted under agenda item #11, public comments ended at 8:00 p.m.

14. **Consent Agenda:** Chairwoman Rye read the item on the Consent Agenda.

- A. Recommendation of General Contractor: School Administration Building 6 HVAC Replacement: Recommended that the School Board approve a motion authorizing the Superintendent to execute a contract with D. E. Kirby, Inc. for the School Administration Building 6 HVAC Replacement in the amount of \$3,098,000.

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

**15. Action**

1. Personnel Report / Administrative Appointments: Chairwoman Rye called for a motion to approve the May 24, 2022 personnel report and administrative appointments. Ms. Owens made the motion, seconded by Ms. Melnyk that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the May 24, 2022 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, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, and Ms. Riggs. The motion passed, 10-0-0.

Superintendent Spence introduced the following: Shannon R. Donahue, Administrative Assistant, White Oaks Elementary School as Assistant Principal, Centerville Elementary School; Lisa M. Riley, Assistant Principal, Bettie F. Williams Elementary School as Principal, Arrowhead Elementary School; Sheena Smith, Administrative Assistant, Landstown Elementary School as Assistant Principal, North Landing Elementary School; TaSheena R. Wiggins, Ed.D., Assistant Principal, Green Run Elementary School as Principal, Lynnhaven Elementary School; Julie M. Erwin, Administrative Assistant, Virginia Beach Middle School as Assistant Principal, Brandon Middle School; Dennis O. Kelly, Jr., Administrative Assistant, Bayside Middle School as Dean of Students, Bayside Middle School; Michael A. Bedell, Teacher, Bayside High School as Assistant Principal, First Colonial High School; Jennifer S. Hill, Teacher, First Colonial High School as Assistant Principal, Tallwood High School; Daniel J. Miani, Ed.D., Principal, Lafayette High School, Williamsburg-James City County Schools as Principal, First Colonial High School; James A. Myrick, Teacher, Princess Anne High School as Assistant Principal, Green Run High School; Jessica G. Pagan, Administrative Assistant, Ocean Lakes High School as Assistant Principal, Ocean Lakes High School; and Robert A. Wnukowski, Assistant Principal, Lynnhaven Middle School as Coordinator, Parent Stakeholder Services, Department of School Leadership.

2. Notification of Intent to Apply for Federal Grants SY22/23: Chairwoman Rye called for a motion to approve the notification of intent to apply for Federal grants SY22-23. Ms. Franklin made the motion, seconded by Ms. Riggs. 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, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, and Ms. Riggs. The motion passed, 10-0-0.
3. Budget Transfers: Chairwoman Rye called for a motion to approve the budget transfers withing the FY2021-22 Operating Budget. Ms. Riggs made the 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, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, and Ms. Riggs. The motion passed, 10-0-0.

- 16. Committee, Organization or Board Reports:** Vice Chair Melnyk mentioned the Audit Committee meeting cancelled for Thursday, auditors are still working on projects; Ms. Franklin mentioned attending the NJROTC award ceremony at Green Run High School; Chair Rye mentioned the Governance Committee and upcoming Superintendent evaluation, July 1 target date of establishing Legal Department.

The formal meeting concluded at 8:41 p.m.

- 17. Return to Administrative, Informal, Workshop or Closed Session matters:** Vice Chair Melnyk made a motion, seconded by Ms. Riggs that the School Board recess into Closed Session to deliberate on the following matters:

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1. A closed meeting pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraphs 1, 7, and 8, as amended,

A.1 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 institution of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals.

Namely to discuss:

1. The weighting for the superintendent's evaluation instrument and the procedure for the superintendent's evaluation process

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. Settlement conference related to pending federal court cases.

There were ten (10) ayes in favor of the motion to recess into closed session: Chairwoman Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, and Ms. Riggs.

The School Board members remained in the School Board chambers for the closed session.

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

**A1. PERSONNEL MATTERS**

**A7. CONSULATION WITH LEGAL COUNSEL**

**A8. CONSULATION WITH LEGAL COUNSEL**

School Board members: Chairwoman Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, and Ms. Riggs; School Board Legal Counsel, Kamala H. Lannetti, Deputy City Attorney; Superintendent Spence; Donald E. Robertson, Ph.D., Chief of Staff; Regina M. Toneatto, Clerk of the Board.

Note: School Board member, Ms. Hughes recused herself from the closed session at 9:07 p.m.

The School Board reconvened at 9:45 p.m.

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

**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 for the Certification of Closed Session, seconded by Ms. Holtz. There were nine (9) ayes in favor of the motion: Chairwoman Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Manning, Ms. Owens, and Ms. Riggs. The motion passed, 9-0-0.

Chairwoman Rye made the motion to approve the summative performance evaluation process effective fiscal year 2022 as discussed and to approve the entire school evaluation instrument which includes the new weighted weights for the standards, seconded by Ms. Anderson. There were nine (9) ayes in favor of the motion: Chairwoman Rye, Vice Chair Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Manning, Ms. Owens, and Ms. Riggs. The motion passed, 9-0-0.

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

Respectfully submitted:

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Regina M. Toneatto, Clerk of the School Board

Approved:

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Carolyn T. Rye, School Board Chair