



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Services

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Laura K. Hughes
At-Large

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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, April 13, 2021

School Administration Building #6, Municipal Center
2512 George Mason Drive
Virginia Beach, VA 23456

INFORMAL MEETING

1. **Convene School Board Workshop:** Chairwoman Rye convened the School Board workshop at 4:00 p.m. on the 13th day of April 2021 and announced pursuant to the State of Emergency related to the COVID-19 pandemic, the Governor's Executive Orders, the Virginia Freedom of Information Act as amended by the Virginia General Assembly and the School Board's April 7, 2020 Emergency Resolution, this workshop of the School Board of the City of Virginia Beach will be conducted in person for School Board Members and certain staff members. However, due to the necessary health mitigation strategies in place, it is impractical and unfeasible for the public to attend this meeting in person. Members of the public will 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 Regular School Board Meeting to begin at 6:00 p.m. At 5:30 p.m., the School Board will conclude its Informal Meeting unless the School Board votes to continue the Informal Meeting until 5:45 p.m. The Informal Session will conclude no later than 5:45 p.m. in order to allow the School Board and the School Administration to prepare for the Regular School Board Meeting at 6:00 p.m. The following School Board members were present in the School Board chambers: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Owens (arrived at 4:07 p.m.), Ms. Riggs, and Ms. Weems. The following School Board members were attending via Zoom: Ms. Hughes (business matter) and Ms. Manning (SAB Einstein Lab – health reasons).

Note: Ms. Hughes arrived in the School Board chamber at 4:21 p.m. and Ms. Holtz attended the meeting via Zoom in the SAB room 113 – health reasons.

- A. School Board Administrative Matters and Reports: Chairwoman Rye mentioned the NSBA conference which took place during Spring Break (April 8-10, 2021) and feedback will be shared with School Board members at a later date.
- B. Budget Reconciliation for FY2021-22: Mr. Farrell Hanzaker, Chief Financial Officer presented the Budget Reconciliation for FY2021-22 to the School Board. Note: on March 2, 2021, the School Board approved the FY 2021/22 Operating Budget based on the Governor's Proposed Budget and was advised that once all state and local revenues were known, an Amended Budget would have to be developed and sent to the City Council.

The Amended Budget includes updated revenue from all sources; including the American Rescue Plan Act recently passed by Congress. The budget resolution is documented under Action item 12C. The budget will be presented to City Council on April 20; the discussion continued regarding city's one cent reduction; Achievable Dream; additional specialized support; employees raises; additional duty supplements; bus drivers; clerical positions; and spending restrictions.

- C. Special Education Update: Inclusive Practices: Roni Myers-Daub, Ph.D., Executive Director of Programs for Exceptional Children provided the School Board with a special education update related to inclusive practices. Inclusive practices support students with disabilities by meeting their needs to the maximum extent appropriate

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- in the general education setting. Reviewed various recommendations; discussed inclusion; least restrictive environment (LRE); Dr. Pasternack discussed role of IEP team; Dr. Myers-Daub continued the presentation; reviewed some information of Virginia Department of Education (VDOE) Critical Decision Points for Families of Children with Disabilities; benefits of inclusive practices; quality indicators for inclusive schools; quality standards for inclusive school self-assessment; the discussion continued regarding social inclusion; student and parent involvement in IEP process; terminology; general education teachers and training; assigning inclusion students to general education classes; and family/community engagement.
- D. 2020-21 Plan Updates: Donald Robertson, Ph.D., Chief Schools Officer and Kipp Rogers, Ph.D., Chief Academic Officer provided the School Board information regarding the VBCPS 2020-212 Plan including updates on extracurricular programming, Class of 2021 Graduation and end-of-year activities, and initial planning for SY2021-22. Dr. Robertson provided a presentation overview; updates on extracurricular activities; end-of-year activities – for information, encouraged parents to contact their child’s school’s SAC (Student Activities Coordinator); Class of 2021 graduation plans are still in development – central site ceremonies location – amphitheater (TBD), school-based ceremonies; return of Option 1 students in grades 7-12 to 4 days/week – Tuesday, April 27; Jack Freeman, Chief Operations Officer provided brief information on vaccines, information from FEMA – site at Military Circle Mall for vaccines, age lowered to 16 years to receive vaccine, walk-in appointment available.
- Dr. Robertson continued the presentation regarding planning for SY 2021-22; planning for instruction 5 days/week; reviewing plans to provide virtual learning; reviewed various planning scenarios based on pandemic restrictions; Dr. Rogers continued the presentation regarding virtual learning options for 2021-22; recommendation to utilize Virtual Virginia Program as primary source for virtual learning; encourage face-to-face for students in grades K-2; briefly reviewed information about Virtual Virginia; Dr. Robertson continued the presentation reviewing SY 2021-22 reopening scenario planning for elementary school, middle school, and high school.
- The discussion continued regarding costs of Virtual Virginia; due to time constraints, Chairwoman Rye stated the discussion would continue in the formal meeting under agenda item #17 – Workshop (as needed) and that a motion would be made during agenda item #7 – Adoption of the Agenda.

2. **Closed Meeting:** None at this workshop session. See agenda item #18.
3. **School Board Recess:** Chairwoman Rye adjourned the workshop at 5:33 p.m.

FORMAL MEETING

4. **Call to Order and Verbal Roll Call:** Chairwoman Rye called the formal meeting to order at 6:00 p.m. on 13th day of April 2021 and announced pursuant to the State of Emergency related to the COVID-19 pandemic, the Governor’s Executive Orders, the Virginia Freedom of Information Act as amended by the Virginia General Assembly and the School Board’s April 7, 2020 Emergency Resolution, this workshop of the School Board of the City of Virginia Beach will be conducted in person for School Board Members and certain staff members. However, due to the necessary health mitigation strategies in place, it is impractical and unfeasible for the public to attend this meeting in person. Members of the public will be able to observe the School Board Meeting through livestreaming on www.vbschools.com, broadcast on VBT Channel 47, and on Zoom.

The following School Board members were present in the School Board chambers: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Hughes, Ms. Owens, Ms. Riggs, and Ms. Weems. The following School Board members were attending via Zoom: Ms. Holt (SAB room 113 – health reasons) and Ms. Manning (SAB Einstein Lab – health reasons).

5. **Moment of Silence followed by the Pledge of Allegiance**
6. **Student, Employee and Public Awards and Recognitions**

- A. Indoor Track State Champions:
 1. VHSL Class 6A Girls Indoor Track State Champion – 1000m Run: The School Board recognized Aniya Mosely, student at Ocean Lakes High School who won the 6A Girls State Indoor Track

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Championship in the 1000-meter run. Her time of 2 minutes and 51 seconds ranked her fourth in the United States.

2. VHSL Class 6A Boys Indoor Track State Champion – 1000m Run: The School Board recognized Owen Lipps, student at Ocean Lakes High School who won the 6A Boys State Indoor Track Championship in the 1000-meter run. His time of 2 minutes and 31 seconds was an Ocean Lakes High School record and earned him a ninth-place national ranking.
3. VHSL Class 6A Boys Indoor Track State Champion – 300m Dash: The School Board recognized Glenn Skinner, student at Ocean Lakes High School who won the 6A Boys Indoor Track Championship in the 300-meter dash. His time of 34 seconds ranks him 11th nationally.
4. VHSL Class 6A Girls Indoor Track State Champion – 300m Dash: The School Board recognized Mia O’Neil, student at Landstown High School who won the 6A Girls Indoor Track Championship in the 300-meter dash. Her time of 38.65 seconds is currently the best high school time for that event in the nation this year.

B. Swim and Dive State Champions:

1. The School Board recognized Ocean Lakes High School Boys Swimming & Diving Team which recently captured the school’s first ever state title in the sport and it is the first Class 6 champion to emerge from anywhere outside Northern Virginia.
2. VHSL Class 6 Boys Swimming and Diving State Champion: The School Board recognized Robert “Bobby” DiNunzio, student at Ocean Lakes High School who won both the 200-yard individual medley and the 500-yard freestyle as part of the Ocean Lakes High School Boys Swimming & Diving Team. He is the first Ocean Lakes High School swimmer to win two events in the same year.

7. **Adoption of the Agenda:** Chairwoman Rye made a modification to the agenda; addition of item 17 Workshop (as needed) to continue discussion from workshop on item 1D. – 2020-21 Plan Updates. Ms. Weems made a motion, seconded by Ms. Felton. Without further discussion, Chairwoman Rye called for a vote. The School Board Clerk announced the motion passed unanimously.
8. **Superintendent’s Report:** Superintendent Spence shared the following information: 1) Wednesday, April 14 marks the end of the third quarter and will be an adjusted dismissal day for students; 2) congratulated Shani Twyman, Student Activity Coordinator, Green Run High School and Wendy Baylor, Student Activity Coordinator, Independence Middle School on being recognized by the National Interscholastic Athletic Administrators Association (NIAAA) as Certified Athletic Administrators; 3) recognized the Virginia School Board Association’s (VSBA) Tidewater Regional Student Art Contest winners: the elementary second place award winner, Olivia Hogan from Glenwood Elementary School with her work “Finding Vincent Van Gogh”; the middle school third place winner, Ariana Kaegebein from Salem Middle School with her work “Stay Strong”; and the high school first place winner, Stella Petty from Ocean Lakes High School with her work “Grandfather’s Pond”; 4) congratulated Diana Brown, Assistant Principal of Seatack Achievable Dream Academy, who was selected as the recipient of Virginia’s 2021 National Association of Elementary School Principals (NAESP), National Outstanding Assistant Principal of the Year (NOAP); and 5) recognition of National Assistant Principals Week which was April 5-9, 2021.
9. **Approval of Meeting Minutes:**
 - A. March 23, 2021 Regular School Board Meeting: Chairwoman Rye called for any modifications to the March 23, 2021 Regular School Board Meeting minutes. Hearing none, Chairwoman Rye called for a motion to approve. Ms. Anderson made a motion, seconded by Ms. Franklin. Without discussion, Chairwoman Rye called for a vote. The School Board Clerk announced the motion passed unanimously.
10. **Hearing of Citizens and Delegations on Agenda Items:** Chairwoman Rye announced the School Board will hear comments on Agenda Items from citizens and delegations who signed up with the School Board Clerk prior to the meeting. There were seven (7) in person speakers, however the speakers spoke about non-agenda items - return to school not 2021-22 calendar as indicated on their sign-up form. There were three (3) on-line speakers who discussed the 2021-22 school calendar and the preference to start after Labor Day on September 9, 2021.
11. **Consent Agenda:** Chairwoman Rye stated the items on the consent agenda.
 - A. Recommendation of General Contractor:

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1. Red Mill Elementary School Roof Replacement: That the School Board adopt a motion authorizing the Superintendent to execute a contract with Heartland Construction Inc. for Red Mill Elementary School Roof Replacement in the amount of \$1,154,000.
2. Tallwood High School Tennis Courts: That the School Board adopt a motion authorizing the Superintendent to execute a contract with Excel Paving Corporation for the Tallwood High School Tennis Courts in the amount of \$347,853.
3. Plaza Annex HVAC Replacement: That the School Board adopt a motion authorizing the Superintendent to execute a contract with JRC Mechanical, LLC for the Plaza Annex HVAC Replacement in the amount of \$579,900.
- B. 2021-22 Special Education Annual Plan/Part B Flow-Through Application: That the School Board approve the 2021-22 Special Education Annual Plan/Part B Flow-Through Application.
- C. Policy Review Committee (PRC) Recommendations: That the School Board approve Policy Review Committee (PRC) recommendations regarding review, amendment, and repeal of certain policies as reviewed by the PRC at its March 11, 2021 meeting and presented to the School Board for Information at the March 23, 2021 meeting:
 1. Policy 3-32/Emergency /Small/Sole Source Purchases: The PRC recommends amending the small purchase amount to \$200,000.
 2. Policy 5-38/Freedom of Speech: The PRC recommends amending Policy 5-38 to incorporate publications (currently in Policy 5-39) and updating language and expectations regarding student speech and expression.
 3. Policy 5-39/Publications: The PRC recommends repealing Policy 5-39 and incorporating the language into Policy 5-38.
 4. Policy 5-46/Student Government/City-Wide Student Cooperative Association: The PRC recommends only minor scrivener's changes to Policy 5-46.
 5. Policy 5-69/Fees/Materials/Deposits/Reimbursements: The PRC recommends significant amendments to Policy 5-69 that reflect changes in the law and that will promote equity for students with limited financial means.
 6. Policy 5-74/Finger Printing/Video Taping: The PRC recommends repealing Policy 5-74 as fingerprinting and videotaping of students is no longer a School Division function but is provided through outside partner groups.
- D. Religious Exemptions: That the School Board approve Religious Exemption Case No. RE-20-27.

Chairwoman Rye called for a motion to approve. Ms. Riggs made a motion, seconded by Ms. Hughes. Chairwoman Rye called for a vote. The School Board Clerk announced the motion passed unanimously.

12. Action

- A. Personnel Report / Administrative Appointment(s): Ms. Melnyk made a motion, seconded by Ms. Owens that the School Board approve of the appointments and the acceptance of the resignations, retirements and other employment actions as listed on the April 13, 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 the motion passed unanimously. There were no administrative appointments.
- B. Budget Transfers: Chairwoman Rye called for a motion to approve. Ms. Felton made a motion, seconded by Ms. Franklin. There was a brief discussion regarding instructional supplies; Mr. Farrell Hanzaker, Chief Financial Officer provided an explanation and overview of instructional items. Without further discussion, Chairwoman Rye called for a vote. The School Board Clerk announced the motion passed unanimously.
- C. Budget Reconciliation for FY2021-22: Ms. Melnyk read the following:

Amended Budget Resolution - FY 2021/22

WHEREAS, the mission of Virginia Beach City Public Schools (VBCPS), in partnership with the entire community, is to empower every student to become a life-long learner who is a responsible, productive, and engaged citizen within the global community; and

WHEREAS, the School Board of the City of Virginia Beach approved the FY 2021/22 School Board Proposed Operating Budget on March 2, 2021; and

WHEREAS, since that date, revised state, local, and other revenue budget numbers have been communicated to the school division and the following adjustments reflect either an increase or decrease; and

WHEREAS, state funds are increasing \$11,529,233; and

WHEREAS, local funds generated through the Revenue Sharing Formula are decreased by \$2,853,854; and

WHEREAS, in order to reduce reliance on one-time funding, the School Reserve Special Revenue Fund is reduced from \$5,300,000 to \$1,334,364; a reduction of \$3,965,636; and

WHEREAS, the net effect of adjustments to state revenues, local revenues and the reduction of one-time funding is a balance of \$4,709,743; and

WHEREAS, the American Rescue Plan Act was recently passed by Congress and VBCPS will receive additional one-time federal grant funds in the amount of \$82,443,644; and

NOW, THEREFORE, BE IT

RESOLVED: That state funds be increased by \$11,529,233; and

FURTHER RESOLVED: That local Revenue Sharing Formula funds are to be decreased by \$2,853,854; and

FUTHER RESOLVED: That \$1,334,364 of the School Reserve Special Revenue Fund be added to the Operating Budget; and

FUTHER RESOLVED: That the net effect of adjustments to state revenues, local revenues and the reduction of one-time funding is a balance of \$4,709,743 and that \$4,709,743 be allocated to the Operating Budget; and

FURTHER RESOLVED: That the Federal Grants fund be increased by \$82,443,644; and

FURTHER RESOLVED: Additional funds will be used to support goal four of the Strategic Framework by increasing additional duty supplements, implementing needed market adjustments for bus drivers and identified clerical positions; and

FURTHER RESOLVED: The funds will also be used to increase the number of specialized student support positions as required by the Standards of Quality and provide additional teachers for the AVID program and An Achievable Dream Academy (17.0 FTEs); and

FINALLY RESOLVED: That a copy of this Resolution be spread across the official minutes of this School Board, and the Clerk of the School Board is directed to deliver a copy of this Resolution to the Mayor, each member of the City Council, the City Manager, and the City Clerk.

Adopted by the School Board of the City of Virginia Beach this 13th day of April 2021.

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Chairwoman Rye called for a motion to approve. Ms. Riggs made a motion, seconded by Ms. Felton. Mr. Farrell Hanzaker, Chief Financial Officer provided a brief summary of the presentation presented during the workshop. The discussion continued regarding funds in reserve; federal funds; and unmet needs. Without further discussion, Chairwoman Rye called for a vote. The School Board Clerk announced the motion passed unanimously.

- D. 2021-22 School Calendar: Chairwoman Rye called for a motion to approve Option one in order to open the topic for discussion; Ms. Weems made a motion, seconded by Ms. Anderson. Donald Robertson, Ph.D., Chief Schools Officer provided an overview of the calendar workgroup considerations; reviewed the two calendar options for the 2021-2022 school year; the discussion continued regarding pre-Labor Day start; comments regarding and supporting Option 1 2021-2022 school year calendar – starting after Labor Day; 2-year calendar cycle; adjusted dismissal (half-days); and virtual learning days.

Ms. Anderson made the following substitute motion on 12D – Motion that the School Board adopt Option 1 School Calendar for 2021-2022 but make November 24 and December 22, 2021 virtual learning days for students and adjusted dismissal days for staff; seconded by Ms. Riggs. A brief discussion continued regarding the substitute motion; adjusted dismissal for staff; the amended motion was read again for clarification and understanding; Chairwoman Rye called for a vote. The School Board Clerk announced the substitute motion passed unanimously.

- E. Appendix B/Standing Rules: Chairwoman Rye called for a motion to approve. Ms. Melnyk made a motion, seconded by Ms. Anderson. School Board Legal Counsel, Kamala H. Lannetti, Deputy City Attorney, presented an overview of recommendations regarding amendment to Appendix B of the School Board Bylaws reviewed by the PRC at its March 11, 2021 meeting and presented to the School Board on the March 23, 2021 Information Agenda. The discussion continued regarding agenda and non-agenda items; speakers; and wording of agenda and non-agenda items in sections 10 and 16 of agenda structure. Ms. Anderson made a motion to amend item #10 to state – Hearing of Citizens and Delegations on Formal Meeting Agenda Items and item #16 to state – Hearing of Citizens and Delegations on Informal Meeting and Non-Agenda Items there was no seconded to Ms. Anderson’s motion.
- Ms. Franklin proposed an amended motion to defer Appendix B/Standing Rules to the May meeting following the PRC (Policy Review Committee) meeting, seconded by Ms. Melnyk. Chairwoman Rye called for a vote. The School Board Clerk announced the motion passed unanimously.

13. Information

- a. 2021 General Assembly Session Legislative Review by Kemper Consulting: Mr. Joel Andrus presented a review of the 2021 General Assembly Session to the School Board; reviewed 2012 key dates; budget – updates and enrollment losses and other funding adjustments, sales tax revenue, salary increase for teachers and SOQ recognized instructional and support staff, learning loss supplemental payments; special education – develop a training module for individuals who participate in an IEP meetings, develop and maintain a statewide plan, conduct a one-time targeted review of a sample of IEPs in each school division; school reopening requirement; student growth models – only applies to grades 3 – 8 for reading and math, replaces on-time end-of-year assessment with a through-year growth assessment system; SOQ revisions; student health care – School Board employees to complete seizure management training, schools to maintain a stock supply of albuterol, also clarifies standing order requirements for epinephrine injectors; redistricting – new redistricting commission, census data delay, special redistricting session; and election years.
- b. Technology and Career Education Carl Perkins SY22 Grant: Sara L. Lockett, Ed.D., Director of Technical and Career Education presented the School Board the 2021 Perkins V Local Plan and Budget overview; reviewed performance measures for Career & Technical Programs: academic achievement, technical skill attainment, secondary school completion, program completer response rate, non-traditional career preparation; reviewed proposed Perkins V local budget submission for 2021-22 – total proposed budget \$867,475.13 based on estimated grant funds.

14. **Standing Committee Reports**: Ms. Weems mentioned Mental Health Task Force next meeting is April 26 from 1 pm to 3 pm, recently meeting - approximately 50 members, reviewed survey members distributed, what are the barriers to mental health: access to mental health providers, costs associated, awareness of needs, and stigma; next step develop resource list. Ms. Franklin mentioned gifted; Megan Scott was joining the team as the new instructional specialist, used a discussion protocol to examine progress in the gifted program in relation to what has been identified as priority areas in the 2020-2025 five-year plan, discussions centered on the virtual environment

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and changes to gifted identification process, open seats on the Gifted Advisory Committee. Chairwoman Rye noted Governance Committee will meet tomorrow. It was noted, the following committee meetings have been cancelled – Audit Committee meeting and Policy Review Committee meeting. Ms. Felton mentioned the Equity Council met on April 1, speaker at meeting was Dr. James Avila, Principal, Tallwood High School, he discussed program at the school – information is on the Equity Council website from the April 1 meeting.

15. **Conclusion of Formal Meeting:** The formal meeting concluded at 8:52 p.m.
16. **Hearing of Citizens and Delegations on Non-Agenda Items:** Chairwoman Rye announced the School Board will hear comments on Non-Agenda Items from citizens and delegations who signed up with the School Board Clerk prior to the meeting. There were six (6) speakers at the School Administration building and four (4) on-line speakers. The topics discussed were Criterial Race Theory, training, equity and inclusion.
17. **Workshop:** See agenda item #7. Continuation from earlier workshop; the discussion continued regarding Virtual Virginia; capacity seating of Virtual Virginia; clarification on the program; school year 2021-2022 – recommended plan; parent survey; secondary schedule – 4x4 or A/B; extra-curricular activities, courses and electives with Virtual Virginia.
The workshop ended at 10:15 p.m.
18. **Closed Meeting:** Ms. Melnyk made a motion, seconded by Ms. Riggs, that the School Board recess into a closed meeting pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraphs 1, 7 and 8 of the Code of Virginia, 1950, as amended, for the following reasons:
 1. **PERSONNEL MATTERS:** 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 pursuant to Section 2.2-3711(A) (1); namely to discuss:
 - A. several pending employee grievance matters.
 2. **CONSULTATION WITH LEGAL COUNSEL:** 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 pursuant to Section 2.2-3711 (A)(7) and (8); namely to discuss:
 - A. Status of pending complaints and litigation matters.
 - B. Request to resolve potential litigation prior to filing suit.
 - C. Discussion of implications for School Board of recent federal court decision.
 - D. Discussion with legal counsel regarding First Amendment applications to public speakers.

The motion passed unanimously with all School Board members voting in the affirmative.

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

1. **Personnel Matters:**
 - A. Several pending employee grievance matters: School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems; Superintendent Spence; Marc A. Bergin, Chief of Staff; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board.
2. **Consultation with Legal Counsel**
 - A. Status of pending complaints and litigation matters: School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems; Superintendent Spence; Marc A. Bergin, Chief of Staff; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board.
 - B. Request to resolve potential litigation prior to filing suit: School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems; Superintendent Spence; Marc A. Bergin, Chief of Staff;

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School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board.

- C. Discussion of implications for School Board of recent federal court decision: School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems; Superintendent Spence; Marc A. Bergin, Chief of Staff; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board.
- D. Discussion with legal counsel regarding First Amendment applications to public speakers: School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Franklin, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems; Superintendent Spence; Marc A. Bergin, Chief of Staff; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board.

The School Board reconvened at 11:21 p.m.

Certification of Closed Meeting: Ms. 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. Riggs made a motion, seconded by Ms. Franklin. The motion passed unanimously with all School Board members voting in the affirmative.

19. *Vote on Remaining Action Items* (as needed)

20. *Adjournment:* Chairwoman Rye adjourned the meeting at 11:23 p.m.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair