



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Services

Beverly M. Anderson, Chair
At-Large

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

Daniel D. Edwards District 2 – Kempsville	Sharon R. Felton District 6 – Beach	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 T. Rye District 5 - Lynnhaven	Carolyn D. Weems District 4 - Bayside

Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting MINUTES

Tuesday, September 10, 2019

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

INFORMAL MEETING

1. **Convene School Board Workshop:** The School Board convened in the einstein.lab in workshop format at 4:03 p.m. In addition to Superintendent Spence, all School Board members were present. Ms. Weems arrived at 4:05 p.m. Mr. Edwards departed the meeting at 4:30 p.m. and returned by the start of the formal meeting.
 - A. **School Board Administrative Matters and Reports:** Chairwoman Anderson reviewed the meeting agenda noting several items to be discussed in the closed session; and advised of changes to be considered during Adoption of the Agenda to move the two Procurement of Annual Services' Contracts from Consent to Information; and delete Information Item 13C3 – School Board Policy 4-16 Resignation. Additionally, Vice Chair Melnyk proposed the addition of an item for the School Board to discuss creating an ad hoc committee for student discipline. Following brief discussion, there was consensus to add the proposal as an Information Item for the potential for action to be taken during Vote on Remaining Action Items. Other administrative matters included a brief by Farrell E. Hanzaker, Chief Financial Officer, in response to a request for a future agenda item for the School Board to receive information related to changes in the 403b benefits program to VOYA; and an inquiry regarding policies and procedures as it relates to leave for Civil Air Patrol (CAP) volunteers. Finally, a brief summation of the recent School Bus Drivers' Convocation was presented with praise for the programming. This portion of the workshop concluded at 4:33 p.m.
 - B. **Standards of Learning Student Performance 2018-19:** Tracy A. LaGatta, Director of Student Assessment in the Office of Planning, Innovation, and Accountability, presented an executive summary of division student performance and pass rates related to the *2018-2019 Standards of Learning (SOL)* with state comparisons as well as other Virginia divisions. She reported changes that require high school students to only participate in



SOL tests for the courses where they need a verified credit for graduation or if required otherwise resulted in 9,600 fewer tests being taken in the spring 2019 as compared to spring 2018. Additionally, it was noted fewer students participated in the grade 7 math SOL test because they took the grade 8 SOL test instead. An overview of pass rates by test and by reporting group was presented along with comparisons to previous years as well as to other divisions within the state. In summary, she reported improvement on most math and science tests with the largest reporting group improvement in math by students with disabilities; and when reviewing all student groups in comparison to students across the state, the division continues to outperform the state on 25 out of 29 tests. Kipp D. Rogers, Ph.D., Chief Academic Officer, shared a summary of work across the division for continuous improvement in areas of focus to include reading and writing across all grade levels, grade 7 math, Virginia and U.S. History and Chemistry at high schools, and students with disabilities.

This portion of the workshop concluded at 5:14 p.m.

- C. Update on Social Emotional Learning (SEL): Kipp D. Rogers, Ph.D., Chief Academic Officer, presented an update on Social Emotional Learning (SEL) to include information on the framework that supports SEL; and overview of support strategies, practices, programs, and professional learning.

The workshop concluded at 5:46 p.m.

2. **Closed Meeting:** None at this time. See Item 18.
3. **School Board Recess:** The School Board recessed at 5:46 p.m. to reconvene in School Board Chambers for the formal meeting at 6:00 p.m.

FORMAL MEETING

4. **Call to Order and Roll Call:** Chairwoman Anderson called the formal meeting to order in School Board Chambers at 6:00 p.m. In addition to Superintendent Spence, all School Board members were present.
5. **Moment of Silence followed by the Pledge of Allegiance**
6. **Student, Employee and Public Awards and Recognition**
National Institute of Governmental Purchasing – 2019 Ethics in Action Video Contest First Place Winner: The School Board recognized three Office of Purchasing Services' staff members and two Virginia Beach City Public School students who produced a video that won first place in the National Institute of Governmental Purchasing's 2019 Ethics in Action Video Contest.
7. **Superintendent's Report:** In addition to briefly reporting on the opening of school for the 2019-20 school year; and announcement of Rachel Thompson, Princess Anne High School Spanish teacher, being selected as the Virginia Department of Education's (VDOE's) 2020 Region 2 Teacher of the Year; Superintendent Spence shared five things in his report related to the upcoming September 20 STEM Lab Learning Day for the division's fifth grade students, launch of the new Edulog Parent Portal bus app, School Café meal app, partnership with libraries that



provides library accounts for students, and the October 1 Community Resources Fair at Landstown High School.

- 8. *Hearing of Citizens and Delegations on Agenda Items:*** None
- 9. *Approval of Minutes:*** August 27, 2019 School Board Regular Meeting: Ms. Holtz made a motion, seconded by Ms. Felton, that the School Board approve the minutes of their August 27, 2019 Regular Meeting as presented. The motion was approved (ayes 10, nays 0; 1 abstention – Hughes who noted her absence from the August 27 meeting.)
- 10. *Adoption of the Agenda:*** Prior to a motion, Chairwoman Anderson announced revisions to the published agenda to move Consent Item 11C – Procurement of Architectural/Engineering Services Annual Contract and Item 11D – Procurement of Geotechnical/Engineering Testing Services Annual Contract to Information as Items 13D and 13E, respectively; removal of Information Item 13C3 – Policy 4-16 Resignation; and addition of a proposal to establish an ad hoc committee for student discipline as Information Item 13F. Ms. Riggs then made a motion, seconded by Ms. Owens, that the School Board adopt the meeting agenda as amended. The motion passed unanimously.
- 11. *Consent Agenda:*** After Chairwoman Anderson’s overview of remaining items presented for approval as part of the Consent Agenda, Ms. Riggs made a motion, seconded by Ms. Rye, that the School Board approve remaining items as presented on the Consent Agenda. The motion passed unanimously, and the following items were approved as part of the Consent Agenda:
 - A. Resolutions:
 - 1. National Hispanic Heritage Month as follows:

RESOLUTION FOR NATIONAL HISPANIC HERITAGE MONTH
September 15-October 15, 2019

WHEREAS, one of our nation’s greatest strengths is its vast diversity which enables Americans to see the world from many viewpoints; and

WHEREAS, Hispanic and Latino Americans have forged a proud legacy that reflects the spirit of our nation and community; and

WHEREAS, it is imperative for the good of our nation that schools continue to build awareness and understanding of the contributions made by people from all cultures and backgrounds; and

WHEREAS, through the study of these contributions, students may find role models whose participation, commitment and achievement embody the American spirit and ideals; and

WHEREAS, the School Board of the City of Virginia Beach recognizes the importance of multicultural diversity education within our school division.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach officially recognizes September 15 through October 15 as National Hispanic Heritage Month; and be it

FURTHER RESOLVED: That the School Board of the City of Virginia Beach encourages all citizens to support and participate in the various school activities available during National Hispanic Heritage Month; and be it

FURTHER RESOLVED: That a copy of this resolution be spread across the official minutes of this Board.



2. Suicide Prevention Week as follows:

RESOLUTION FOR SUICIDE PREVENTION WEEK SEPTEMBER 8-14, 2019

WHEREAS, suicide is the 10th leading cause of deaths in the United States and the 2nd leading cause of death among individuals between the ages of 15 to 24; and

WHEREAS, suicide is now the 2nd leading cause of death in the state of Virginia among individuals between the ages of 15 to 24; and

WHEREAS, suicide strikes without regard to locality, socio-economic status, ethnicity, religious preference, or age; and

WHEREAS, in the United States, one person completes suicide every 12.8 minutes and there are 10 to 20 suicide attempts per each suicide completion; and

WHEREAS, education, and community involvement are known to be the most crucial factors in preventing suicide; and

WHEREAS, the School Board of the City of Virginia Beach is focused on ways to educate students, parents, and school staff about suicide and prevention of suicide; and

WHEREAS, Virginia Beach City Public Schools, through sustained and dedicated efforts, has implemented programs for all employees and students that recognize a deep commitment at all levels to raise awareness of suicide and its prevention.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach designates the week of September 8-14, 2019, as Suicide Prevention Awareness Week in the Virginia Beach City Public Schools; and be it

FURTHER RESOLVED: That strategies and activities to address suicide prevention and suicidal behaviors be ongoing in Virginia Beach City Public Schools; and be it

FURTHER RESOLVED: That a copy of this resolution be spread across the official minutes of this Board.

B. Schedule of program evaluations that will be completed by the Office of Planning, Innovation, and Accountability (PIA) during the 2019-20 school year as follows:

2018-2019 Program Evaluation Schedule*

Program	Proposed Reporting Schedule
Positive Behavioral Interventions and Supports (PBIS)	Fall 2019
An Achievable Dream Academy**	Fall 2019
LEAD Aspiring Administrators Program	Fall 2019
Student Response Teams (SRT)	Fall 2019
Schoology***	Fall 2019
School Counseling Program (K-12)	Winter 2019 / 2020
English as a Second Language Program (K-12)	Winter 2019 / 2020

2019-2020 Program Evaluation Schedule

(Submitted for School Board approval in accordance with School Board Policy 6-26)

Program	Proposed Reporting Schedule
Digital Learning One-to-One Initiative**	Fall 2020
Positive Behavioral Interventions and Supports (PBIS)	Fall 2020
English as a Second Language Program (K-12)	Fall 2020
Student Response Teams (SRT)	Fall 2020
Schoology***	Fall 2020
Entrepreneurship and Business Academy (EBA) ***	Winter 2020 / 2021

*Once evaluation results have been presented to the School Board, recommendations may include additional evaluations to be completed by the Office of Research and Evaluation (ORE) during the 2019-2020 school year.



**An evaluation update was added to the Program Evaluation Schedule based on a School Board approved recommendation from a previous comprehensive evaluation.

***Added to the Program Evaluation Schedule based on School Board Policy 6-26 which stipulates that new educational programs or initiatives that operate with local resources will be evaluated for a minimum of two years. Programs or initiatives that take more than two years to fully implement will also be evaluated during the year in which the program or initiative reaches full implementation.

- C. (moved to Information Item 13C during Adoption of the Agenda)
- D. (moved to Information Item 13D during Adoption of the Agenda)

12. Action: Personnel Report/Administrative Appointments: Vice Chair Melnyk made a motion, seconded by Ms. Felton, that the School Board approve the appointments and accept the resignations, retirements and other employment actions as listed on the Personnel Report dated September 10, 2019 along with one administrative appointment as recommended by the Superintendent. The motion passed (ayes 10, nays 0; 1 abstention – Manning who explained her abstention was due to her failure to review the report). Superintendent Spence then introduced the approved administrative appointment of Thomas C. Shattuck, current owner of Atlantic Investigative Consultants, as the new Coordinator of Security and Safe Schools in the Office of Safe Schools under the Department of School Division Services effective September 23, 2019.

Additionally, Superintendent Spence recognized Gilbert A. Warner, approved as part and parcel of the Personnel Report, as the newly appointed Project Manager in the Office of Safety and Loss Control; as well as Mary E. Maroney, an administrative appointment approved by the School Board August 13, 2019 as the new Coordinator of Special Education in the Office of Programs for Exceptional Children under the Department of Teaching and Learning.

13. Information:

- A. Budget Calendar FY21: Schools Operating Budget FY2020-21 and Capital Improvement Program (CIP) 220/21 through 2025/26: Farrell E. Hanzaker, Chief Financial Officer, presented the budget calendar proposed for the development of the Schools Operating Budget FY2020-21 and Capital Improvement Program (CIP) 220/21 through 2025/26 outlining dates/timeframes for key components and activities of the budget development process which serves as a guide for management and the School Board regarding the schedule of events that results in an approved budget.
- B. Positive Behavioral Interventions and Supports (PBIS) Evaluation Readiness Report: Heidi L. Janicki, Ph.D., Director of Research and Evaluation in the Office of Planning, Innovation, and Accountability, presented the Positive Behavioral Interventions and Supports (PBIS) evaluation readiness report including background information; an overview of the goals and objectives; and recommended plan to conduct an evaluation over three years that will address operational components, student characteristics, progress toward meeting goals and objectives, perceptions of stakeholders, the relationship between PBIS and student achievement, discipline referrals, discipline outcomes, teacher retention, and cost.
- C. Policy Review Committee Recommendations: School Board Legal Counsel, Kamala H. Lannetti, Deputy City Attorney, presented an overview of the following Policy Review



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- Committee (PRC) recommendations regarding review, amendment and repeal of certain policies reviewed by the committee at their August 15, 2019 meeting:
1. Policy 2-42 School Improvement Process: Title update in conjunction with scrivener edits made to reflect a change in the division's school support process.
 2. Policy 3-90 Contract Execution Policy for Capital Improvement Program (CIP) Projects: Policy updated to include proposals from cooperative agreements and energy performance contracts to the existing list of architectural/engineering proposals and construction bids of items that need to be approved by the School Board if over \$100,000, and to impose additional levels of approval to construction change orders.
 3. Policy 4-16 Resignation [*removed during Item 10 - Adoption of the Agenda*]
 4. Policy 5-3 Formulation of Student Rules and Regulations: Policy reviewed to ensure a public role for suggesting changes to student rights and responsibilities and that up-to-date School Board policy and regulations shall be maintained and made available on the School Division's websites or made available to the public upon request. Policy includes language related to requests for policy updates.
 5. Policy 6-26 Evaluation of New and Existing Programs: Policy reviewed for legal sufficiency and minor scrivener changes were made.
 6. Policy 7-66 Membership in Educational Associations: Southern Association of Colleges and Schools (SAC): Repeal proposed as the Commonwealth, through the Standards of Learning (SOL), is the accreditor and monitor, and evaluates and accredits education institutions in the state. The division no longer uses the services of the SAC.
- D. [*formerly Consent Item 11C*] Procurement of Architectural/Engineering Services Annual Contract: Anthony L. Arnold, Executive Director of Facilities Services, provided an overview of the multidiscipline annual contract renewable up to five years with an annual limit of \$2.5 million on contracts with HBA Architecture and Interior Design; Waller, Todd and Sadler Architects, Inc.; and Dills Architects to provide design services for all infrastructure service work such as HVAC improvements, reroofing work, structural work, tennis courts, locker replacements, etc.; noting school facility or site work that requires design services will result in a project specific work order for design/inspection services; and, on average, produces twenty-five to thirty work orders every year.
- E. [*formerly Consent Item 11D*] Procurement of Geotechnical/Engineering Testing Services Annual Contract: Anthony L. Arnold, Executive Director of Facilities Services, provided an overview of the multidiscipline annual contract renewable up to five years with an annual limit of \$750,000 on contracts with GeoEnvironmental Resources, Inc. (GER); and Geotechnical Environmental Testing Solutions, Inc. (GET) used for geotechnical exploration such as borings and soil testing and any construction material testing such as concrete and welding inspections utilized for all work, both new school construction and summer infrastructure work, typically resulting in about ten to twelve work orders per year.



- F. Ad Hoc Committee for Student Discipline: Vice Chair Melnyk submitted a proposal for the School Board to establish an ad hoc committee to study the division's student discipline and school climate data to identify issues and concerns, review current practices, set appropriate goals, and make further recommendations to the School Board, functioning until June 15, 2020 with findings reported periodically throughout the school year. Following discussion on the composition of the committee settling on four School Board members, and authorizing the Superintendent to appoint appropriate staff as deemed necessary, there was consensus for the School Board to take action on the proposal during Item 19 – Vote on Remaining Action Items so that the committee can begin meeting as soon as possible.

14. **Standing Committee Reports:** As the School Board-appointed liaison to the Gifted Advisory Committee, Ms. Rye reported on the recent meeting and upcoming events.

As chair of the Policy Review Committee, Ms. Rye announced the next meeting scheduled for September 12.

On behalf of Sister Cities, Ms. Riggs advised of plans in the selection of their next youth ambassador and timeline for the application process.

As the School Board-appointed liaison to the Special Education Advisory Committee, Ms. Weems reported on their September 9 meeting and upcoming events.

Ms. Holtz reported on topics discussed by the Mayor's Committee for Persons with Disabilities.

15. **Conclusion of Formal Meeting:** The formal meeting concluded at 8:02 p.m.

16. **Hearing of Citizens and Delegations on Non-Agenda Items:** The School Board heard comments from Kelly Walker, President of the Virginia Beach Education Association (VBEA), regarding concerns with proposed changes to 403b benefit plans.

17. **Workshop:** None at this time. See Item 1

18. **Closed Meeting: Personnel Matters, Real Property, and Legal Matters:** Vice Chair Melnyk made a motion, seconded by Ms. Riggs, that the School Board recess into a closed session pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraphs 1, 3 and 7 of the *Code of Virginia*, 1950, as amended, for

- A. Personnel Matters: Discussion of or consideration of 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

1. a determination regarding Employee Grievance Case No. 523-06-03-19;
2. a contract matter for a specific administrator; and
3. a determination regarding a Petition for Revocation of Professional Collegiate License CP-354728.

- B. Real Property: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open



meeting would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Section 2.2-3711(A) (3); namely to discuss status of a pending sale of property in the Beach District 6.

- C. Legal Matters: Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the Board or consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711 (A) (7); namely to discuss procedure for employee grievance case.

The motion passed unanimously, and the School Board recessed at 8:09 p.m. and reconvened in Room 113 in closed session at 8:20 p.m.

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

- B. Real Property: School Board members; Superintendent Spence; Chief of Staff Marc A. Bergin; Chief Financial Officer Farrell E. Hanzaker; Chief Operations Officer John "Jack" Freeman; Executive Director of Facilities Services Anthony L. Arnold; Associate City Attorney Debra M. Bryan; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; and Dianne P. Alexander, Clerk of the School Board.
- A. Personnel Matters:
2. a contract matter for a specific administrator: School Board members; Superintendent Spence; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; and Dianne P. Alexander, Clerk of the School Board.
 3. a determination regarding a Petition for Revocation of Professional Collegiate License CP-354728: School Board members; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; and Dianne P. Alexander, Clerk of the School Board.
- C. Legal Matters: School Board members; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; and Dianne P. Alexander, Clerk of the School Board.
- A. Personnel Matters:
1. a determination regarding Employee Grievance Case No. 523-06-03-19: School Board members; and Dianne P. Alexander, Clerk of the School Board.

The School Board reconvened in an open meeting at 9:15 p.m.

Certification of Closed Meeting: Vice Chair Melnyk made a motion, seconded by Mr. Edwards, that the School Board certifies that to the best of each member's knowledge, 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 only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered. The motion passed unanimously.



19. Vote on Remaining Action Items:

Ms. Riggs made a motion, seconded by Ms. Holtz, that the School Board hereby authorizes Superintendent Spence's engagement with AASA – American Association of School Administrators [Superintendents] from July 2020 through February 2022 for compensation to teach the Superintendent's Certification Class four days in July and four days in February. The motion passed unanimously.

Ms. Manning made a motion, seconded by Ms. Hughes, that the School Board approve a resolution recommending the revocation of Professional Collegiate License CP-354728. The motion passed (ayes 10, nays 1 – Holtz), and the resolution was approved as follows:

**RESOLUTION RECOMMENDING REVOCATION OF PROFESSIONAL COLLEGIATE LICENSE OF MICHAEL BURKE
Collegiate Professional License # CP-354728**

WHEREAS, on June 4, 2019 Michael Burke, former W. T. Cooke Elementary School Teacher, was convicted of a violation of Virginia Code §18.2-130 related to an incident that happened on March 1, 2019; and

WHEREAS, Mr. Burke retired from Virginia Beach City Public Schools on May 1, 2019; and

WHEREAS, the Superintendent sent a Petition to Revoke Collegiate Professional Teaching License CP-354728 to Mr. Burke on July 17, 2019 setting forth the basis for the Petition and the procedures to be followed; and

WHEREAS, the Petition was sent by email to Mr. Burke on July 17, 2019 sent by certified mail to Mr. Burke on that same day; and

WHEREAS, Mr. Burke has not requested a cancellation of his license nor has he filed a response the Petition; and

WHEREAS, the School Board held a hearing on September 10, 2019 regarding the Superintendent's Recommendation for Revocation of Professional License.

NOW, THEREFORE, BE IT RESOLVED THAT, based upon the recommendation of the Division Superintendent and due consideration of the Petition to Revoke Professional License and attachments, the testimony and exhibits presented at the September 10, 2019 hearing, the School Board determines that the recommendation of the Superintendent should be upheld; and be it

FURTHER RESOLVED, that the School Board recommends that Michael Burke's Professional License be revoked by the Board of Education and directs that the Superintendent forward a copy of both this Resolution and his July 17, 2019 Petition to Revoke Professional License together with all the exhibits presented to the School Board to the Superintendent of Public Instruction and the Virginia Board of Education to begin proceedings to revoke Mr. Burke's Professional Collegiate License; and be it

FINALLY RESOLVED, that the Clerk shall provide a copy of this Resolution to Mr. Burke, School Board Legal Counsel, the Director of Employee Relations, and Chief Human Resources Officer who shall place a copy of this Resolution together with a copy of the supporting documentation in Mr. Burke's personnel file.

Ms. Hughes made a motion, seconded by Ms. Owens, that the School Board hereby directs their Legal Counsel and Clerk of the School Board to arrange for a further attenuated hearing for Employee Grievance Case No. 523-06-03-19. The motion passed unanimously.

Vice Chair Melnyk made a motion, seconded by Ms. Felton, that the School Board establish an Ad Hoc Committee on Student Discipline to study discipline and school climate data to identify issues and concerns, review current practices, set appropriate goals and make further recommendations to the School Board, and will function until no later than June 15, 2020 with findings reported to



the School Board periodically throughout the school year; and with the appointment of School Board members Hughes, Manning, Melnyk and Owens to serve on the committee with Ms. Melnyk designated chair of the committee. The motion passed unanimously.

- 20. *Adjournment:*** There being no further business before the School Board, Chairwoman Anderson adjourned the meeting at 9:20 p.m.

Respectfully submitted:

Dianne P. Alexander, Clerk of the School Board

Approved:

Beverly M. Anderson, School Board Chair