



# 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

<b>Daniel D. Edwards</b> District 2 – Kempsville	<b>Sharon R. Felton</b> District 6 – Beach	<b>Dorothy M. Holtz</b> At-Large
<b>Laura K. Hughes</b> At-Large	<b>Victoria C. Manning</b> At-Large	<b>Jessica L. Owens</b> District 3 – Rose Hall
<b>Trenace B. Riggs</b> District 1 – Centerville	<b>Carolyn T. Rye</b> District 5 - Lynnhaven	<b>Carolyn D. Weems</b> District 4 - Bayside

**Aaron C. Spence, Ed.D., Superintendent**

## **School Board Regular Meeting MINUTES**

**Tuesday, August 27, 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 4:00 p.m. In addition to Superintendent Spence, all School Board members were present with the exception of Ms. Hughes who was absent from the meeting.
  - A. School Board Administrative Matters and Reports:** Chairwoman Anderson launched the annual, methodical process of School Board members signing up to adopt schools for the new school year 2019-20. Ms. Manning agreed to make selections for Ms. Hughes in her absence. Chairwoman Anderson distributed a revision to the Personnel Report, and proposed an adjustment to the meeting agenda to allow for action to be taken on the Dental Plan Information item during Vote on Remaining Action Items prior to the School Board entering a second closed session since the Information Item is a repeat of what was first introduced at the August 13 workshop. In response to an inquiry, Chairwoman Anderson advised the Superintendent's goals and other personnel matters will be discussed in the afternoon closed session with the Employee Grievance matter scheduled to take place in a second closed session after the formal meeting. There were no further School Board administrative matters or reports presented. This portion of the workshop concluded at 4:07 p.m.
  - B. Capital Improvement Program (CIP) Construction Projects Update:** John "Jack" Freeman, Chief Operations Officer, and Tony L. Arnold, Executive Director of Facilities Services, presented an update on Capital Improvement Program (CIP) projects to include John B. Dey Elementary School modernization; Thoroughgood Elementary School replacement; Princess Anne Middle School replacement; and Plaza Annex addition. Additionally, an overview of summer infrastructure projects totaling \$22.4 million was provided to include HVAC and roof replacement at Landstown elementary and middle schools; new chiller addition at the School Administration Building; replacement of two closed circuit coolers



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at Pembroke Elementary School; replacement of the make-up air unit (MUAU), tennis courts and stadium lights at Salem High School; installation of baseball/softball athletic field lights at five high schools (Kempsville, Ocean Lakes, Princess Anne, Salem, and Tallwood); status of elementary school playground equipment at four schools in Phase I 2019; and gym floor replacements at ten elementary schools. Operating budget projects at \$4 million included HVAC at Cooke Elementary School, Bayside Middle School Café; and Bayside High School coffee shop; Kempsville High School flooring and wall tiles; Newtown Elementary carpet; and elementary school kitchen renovations supporting scratch cooking at Glenwood, Linkhorn Park, New Castle, Seatack, and White Oaks elementary schools. Finally, an update on the Long-Range Facilities Master Plan accepted by the School Board in September 2018 was reported. This portion of the workshop concluded at 4:44 p.m.

- C. Professional Learning for Excellence: Donald E. Robertson, Jr., Ph.D., Chief Schools Officer, presented information related to the vision and process used to select and provide high quality professional learning to all division staff. He explained professional learning as an integral part of helping all staff develop the skills necessary to excel in their specific roles, and reviewed the research and drivers considered throughout the selection process. Also presented was an overview of the Frontline platform used to manage and track professional learning activities, and summary of the various delivery methods and options offered to instructional as well as support staff. He reported outcomes on how professional learning is serving staff derived from the Virginia Department of Education's (VDOE) working conditions survey, staff reports on the Navigational Markers, and testimonials indicate the division is meeting the needs of staff.

The workshop concluded at 5:00 p.m.

2. ***Closed Meeting #1 of 2: Personnel Matters 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 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
1. discuss a determination regarding Employee Grievance Case No. 523-06-03-19;
  2. discuss and consider the Superintendent's annual goals and performance expectations; and
  3. discuss the employment status of two employees.
- B. 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 (ayes 10, nays 0) and the School Board entered into a closed session at 5:03 p.m.

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

A. Personnel Matters:

1. discuss a determination regarding Employee Grievance Case No. 523-06-03-19:  
Due to time constraints, this item was not discussed at this time. See Item 19
3. discuss the employment status of two employees: School Board members with the exception of Ms. Hughes who was absent from the meeting; Superintendent Spence; Marc A. Bergin, Ed.D., Chief of Staff; John A. Mirra, Chief Human Resources Officer; Donald E. Robertson, Jr., Ph.D., Chief Schools Officer; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; and Dianne P. Alexander, Clerk of the School Board.
2. discuss and consider the Superintendent's annual goals and performance expectations: School Board members with the exception of Ms. Hughes who was absent from the meeting; Superintendent Spence; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; and Dianne P. Alexander, Clerk of the School Board.

B. Legal Matters: Due to time constraints, this item was not discussed at this time. See Item 19

The School Board reconvened in an open meeting at 5:28 p.m.

Certification of Closed Meeting: Vice Chair Melnyk made a motion, seconded by Ms. Riggs, 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 (ayes 10, nays 0).

3. **School Board Recess:** The School Board recessed at 5:29 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 with the exception of Ms. Hughes who Chairwoman Anderson announced was out of town.
5. **Moment of Silence followed by the Pledge of Allegiance**



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- 6. Student, Employee and Public Awards and Recognition**
- A. SkillsUSA – First Place Winners: The School Board recognized two Advanced Technology Center (ATC) students who won first place in their respective categories at the SkillsUSA competition.
  - B. Future Business Leaders of America – First Place Winner: A student from the Advanced Technology Center (ATC) was recognized as a first place winner in word processing at the Future Business Leaders of America national conference.
- 7. Superintendent’s Report:** Superintendent Spence’s report featured the Scratch Cook initiative.
- 8. Hearing of Citizens and Delegations on Agenda Items:** None
- 9. Approval of Minutes:** August 13, 2019 School Board Regular Meeting: Ms. Riggs made a motion, seconded by Ms. Felton, that the School Board approve the minutes of their August 13, 2019 Regular Meeting as presented. Ms. Manning proposed a substitute motion (seconded by Ms. Weems later in the discussion) to amend page 2 to insert statements made during the closed session as rationale for three School Board members voting in opposition to the closed session certification, and cited consultation with the Virginia Freedom of Information Act (FOIA) council suggested the reason for the “substance of departure” be recorded. School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney, stated that based on a review of all of the facts and prior guidance given to the School Board in 2003, that Ms. Manning’s and Ms. Hughes’s comments made in the closed session would amount to grievability issues which are protected from disclosure pursuant *Virginia Code* §2.2-3711, Part A, Paragraph 1. Following discussion, the substitute motion failed (ayes 2 – Manning and Weems, nays 7; 1 abstention – Edwards who stated he was not present for the entire closed session in question). Returning to the original motion, the minutes were approved as presented (ayes 7, nays 2 – Manning and Weems; 1 abstention – Edwards who stated his abstention was because he was not present for the entire meeting).
- 10. Adoption of the Agenda:** Prior to a motion, Chairwoman Anderson noted the transposition of Items 18 and 19. Ms. Holtz then made a motion, seconded by Ms. Manning, that the School Board adopt the meeting agenda as amended. The motion passed (ayes 10, nays 0).
- 11. Consent Agenda:** After Chairwoman Anderson’s overview of items presented for approval as part of the Consent Agenda, Mr. Edwards made a motion, seconded by Ms. Rye, that the School Board approve the Consent Agenda as presented. The motion passed (ayes 9, nays 0; 1 abstention – Melnyk who stated agreement with Items 11A, C and D, but noted her company occasionally does work with the general contractor recommended for the Plaza Annex addition), and the following items were approved as part of the Consent Agenda:
- A. Religious Exemption Case Nos. RE-19-01, 02, 03, 04, 05, 06 and 07
  - B. The School Board authorized the Superintendent to execute a contract with E. T. Gresham Company, Inc. in the amount of \$12,090,000 for the Plaza Annex addition
  - C. An Achievable Dream Memorandum of Agreement (MOA) reflecting the work of an Ad Hoc Committee established in May 22, 2018 who worked with staff from An Achievable Dream to determine needed adjustments to address secondary schooling facilities and



enrollment zones in the context of current and projected enrollment. Below outlines the major adjustments captured in the MOA hereby disbanding the Ad Hoc Committee:

- Increase the “Faculty Contracts” with An Achievable Dream from one (1) year to three (3) years
- Simplify the transportation cost sharing to a flat \$100/student contribution from AAD for daily transportation (inclusive of zero bell, extended day, and summer intercession but not additional field trips)
- Expand the attendance zone to include 4 middle schools (Lynnhaven, Virginia Beach, Plaza, and Corporate Landing) and all the elementary schools in the feeder pattern for these middle schools
- Allow students at any grade level (K-7) to enroll
- Adjust the grade-level enrollment expectations from 125/grade level to 75-90/grade level and corresponding grade-level totals of 450-540 students for the elementary program, 225-270 students for the middle school program, and 300-360 students for the high school program
- Set an expectation that the program will not fall below 75% of the total enrollment target (for K-12)
- Build an addition on Lynnhaven Middle School to allow current Lynnhaven-zoned students to remain while creating separate space for an Achievable Dream Academy, grades 6-12 program
- Add a facility use contribution from AAD of \$75,000 each year

D. The School Board approved the renewal of the Charter Agreement with Green Run Collegiate Academy Foundation for a successive period of five years regarding the Green Run Collegiate Charter School to include updates to ensure language is consistent with applicable law and regulation

**12. Action: Personnel Report/Administrative Appointments:** Ms. Riggs 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 August 27, 2019 inclusive of the update provided to the School Board during the afternoon workshop along with three administrative appointments as recommended by the Superintendent. The motion passed (ayes 10, nays 0), and Superintendent Spence introduced the approved administrative appointments as follows:

Name	Current Position	Approved Appointment
Katherine “Ryan” Simpson	Assistant Principal Kempsville Meadows Elementary School	Principal Pembroke Elementary School (effective August 28, 2019)
Whitney N. Szoke	Administrative Assistant Larkspur Middle School	Assistant Principal Cox High School (effective August 28, 2019)
Leeane Turnbull	Assistant Principal Salem High School	Principal Salem High School (effective August 28, 2019)





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Superintendent Spence also introduced Matthew D. Delaney, former Principal of Salem High School, who was recently reassigned as the Executive Director of Secondary Teaching and Learning in the Department of Teaching and Learning.

**13. Information:**

A. Program Evaluation Schedule for 2019-20: Lisa A. Banicky, Ph.D., Executive Director of Planning, Innovation and Accountability, presented the proposed schedule of program evaluations that will be conducted by the Office of Planning, Innovation, and Accountability (PIA) during the 2019-20 school year. First, a brief review of evaluation reports conducted in 2018-19 to be provided in upcoming months was provided as shown below:

- Positive Behavioral Interventions and Supports (PBIS): Evaluation Readiness Report
- An Achievable Dream: Evaluation Update
- LEAD Aspiring Administrators Program: Comprehensive Evaluation
- Student Response Teams (SRT): Implementation Evaluation
- Schoology: Implementation Evaluation
- School Counseling Program (K-12): Final Evaluation of Three-Year Plan
- English as a Second Language (ESL) Program (K-12): Implementation Evaluation

An overview of Policy 6-26 which outlines the evaluation requirements for new and existing programs was provided, and the recommended schedule for program evaluations in 2019-20 was presented as follows:

- Digital Learning One-to-One Initiative: Evaluation Update
- Positive Behavioral Interventions and Supports (PBIS): Implementation Evaluation
- English as a Second Language (ESL) Program (K-12): Implementation Evaluation
- Student Response Teams (SRT): Outcome Evaluation
- Schoology: Outcome Evaluation
- Entrepreneurship and Business Academy (EBA): Final Comprehensive Evaluation

B. Dental Plan: Linda C. Matkins, Director of Consolidated Benefits, presented new dental plan options for Medicare-eligible retirees first introduced to the School Board at the August 13, 2019 workshop. Historical information regarding retiree eligibility was presented along with information on changes in the dental plan environment, plan comparison and enrollment overview. She explained in 2004, Medicare-eligible retirees were allowed to remain on the division's dental plan due to the lack of availability of individual dental plans and because there was no perceived additional cost to allow them to remain on the plan. Since then, the marketplace changed dramatically as there are many individual dental plans now that are very competitively priced with equal to or greater coverage than the division's current dental plan. She reported an additional cost of \$2.60 per member per month (all members not just Medicare-eligible) if Medicare-eligible retirees were allowed to remain on the division's plan creating an additional cost to the Other Post-Employment Benefits (OPEB) Trust. Furthermore, she noted to continue



to provide a dental option for our Medicare-eligible retirees without creating a liability for the division’s plan and additional cost to current employees, MetLife offers a TakeAlong Dental plan for Medicare-eligible retirees in which they may enroll on an individual basis once they leave the division’s plan, with the MetLife TakeAlong plan having a greater annual coverage amount, and the Subscriber Only, Subscriber + Spouse, and Family premiums are less than the division’s current dental plan. Finally, an outline of next steps to finalize the 2020 dental plan was explained. There being no objection, the School Board agreed to take action on the proposal under the agenda item – Vote on Remaining Action Items.

- 14. Standing Committee Reports:** Related to the Ad Hoc Committee for An Achievable Dream, Superintendent Spence recognized Lee Vreeland, Ed.D., President and Chief Executive Officer for An Achievable Dream, Inc., and the team’s work in finalizing the Memorandum of Agreement (MOA) for An Achievable Dream. Chairwoman Anderson noted with the approval of the MOA, the Ad Hoc Committee for An Achievable Dream is hereby disbanded.

On behalf of the Audit Committee, Mr. Edwards advised of the committee’s review of the athletic ticket sales and inventory audit also available for School Board members to review online.

- 15. Conclusion of Formal Meeting:** The formal meeting concluded at 6:38 p.m.

- 16. Hearing of Citizens and Delegations on Non-Agenda Items:** None

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

- 18. Vote on Remaining Action Items:** Mr. Edwards made a motion, seconded by Ms. Manning, that the School Board approve moving forward with the change in the division’s contract with MetLife to exclude Medicare-eligible retirees from the division’s Dental Plan effective January 1, 2020 as explained during Information item 13B after being first introduced at the School Board’s August 13, 2019 workshop. The motion passed (ayes 10, nays 0).

Ms. Rye made a motion, seconded by Ms. Felton, that the School Board approve the Superintendent’s Goals for the 2019-20 school year as discussed during the closed session to be published as approved as part of the meeting minutes. The motion passed (ayes 10, nays 0), and the Superintendent’s Goals for the 2019-20 school year were approved as outlined below:

**SUPERINTENDENT’S GOALS FOR THE 2019-20 SCHOOL YEAR**

**SpEd Priorities:**

Continue to focus on Special Education, addressing the findings in the state review as well as continuing to implement the 5-year plan and address SEAC recommendations. This work will include:

- Build the capacity of Assistant Principals through professional learning on techniques and strategies to assist with effective meeting facilitation.
- Use IEP File Reviewer/Facilitator as a resolution option to assist teams in coming to a consensus to address the needs of students with disabilities.
- Provide professional learning to general educators related to their roles and responsibilities in the special education process.



- Collaboration of OPEC and Student Support Services to develop a comprehensive policy and procedures manual related to evaluation, eligibility, and re-evaluation
  - ensure special education committees consider assessments needed to inform decisions on eligibility, present levels of academic achievement and functional performance (PLAAFP), and address instructional programming needs of students with disabilities
- Continued focus on transition to ensure IEP teams develop projected courses of study for students with disabilities that are aligned to their postsecondary goals, as well as preferences and interests and include progress towards requirements of the student's diploma option.

#### **Behavior Priorities:**

Continue to focus on Behavior Intervention to include:

- Build a comprehensive behavior support plan that utilizes internal and external resources- School counselors, Psychologists, Social Workers, Behavior support staff, SEL resources, and Therapeutic Day Treatment service providers
- Roll out and support schools with understanding and use of the SEL framework
- Continue to target schools with (comparably) low climate scores in the area of behavioral support with additional support through the School Support Process and with DOSL supervision of leadership development in this area. Work to increase teacher climate survey scores with the goal of all individual school's averages to be above 75% teacher agreement on the questions related to student behavior
- Continue planned phase-in of PBIS and continue with evaluation of PBIS through the Office of Research and Evaluation's program evaluation cycle, to include a report on evaluation readiness in the Fall of 2019 and an update on the evaluation process, also in the Fall of 2019 (questions included in the evaluation process will include those posed by Board members in workshops on the topic).
- Continue to refine the BASE program and expand access for student participation in the program. Report to the Board in the winter of 2020 on progress and student outcomes as available.

#### **Support the Board to Resolve School and Calendar Start Times**

Finalize recommendations for daily school start times changes and, if adopted, prepare schools and the community for these changes. Support a public input conversation concerning calendar start time:

- Finalize transportation review by early October
- Bring recommendation to the Board for consideration in the Fall
- If adopted, develop communication and rollout plan to commence early Spring through the summer
- Review and plan for any needed capital improvements to support changes (facilities and/or transportation)
- Convene a calendar committee led by DOSL and CCE staff, who will be charged with leading a public input process to support the Board's decision-making relative to calendar start dates (pre- or post-Labor Day) based on new legislation.
- Develop the next two-year calendar based on the above.





### Committee Structure

Support the Board, the Audit Committee and the Policy Review Committee in their work to evaluate the standing committee structure and consider the implementation of two new committees (Governance, Planning) and one enhanced committee (Audit) to promote more participation and enhanced openness in the external audit, budgeting, strategic planning and Board and Superintendent evaluation processes with the understanding that Board leadership is responsible for adoption and implementation of these structures.

### Strategic Plan

Finalize adoption, rollout and implementation preparation for the new strategic plan, to include:

- Bring goal and strategy recommendations to the Board for review and for public comment in the Fall
- Seek adoption of the plan in the late Fall
- Develop an internal and external communication plan for rolling out the plan in SY 20-21
- With the Board, develop key metrics to monitor progress on the new plan (similar to the Navigational Markers used to monitor progress on *Compass to 2020*)
- With the Board, develop a strategic action agenda that will articulate the work needed to be done in the first year of the new plan (SY 2020-21) to make progress on the goals and begin (or continue to) addressing the adopted strategies.

**19. Closed Meeting #2 of 2: Personnel Matters 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 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 a determination regarding Employee Grievance Case No. 523-06-03-19;
- B. 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 (ayes 10, nays 0) and the School Board recessed at 6:43 p.m., and reconvened in Room 113 in closed session at 6:51 p.m.

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

- B. Legal Matters: School Board members with the exception of Ms. Hughes who was absent from the meeting; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; and Dianne P. Alexander, Clerk of the School Board.



- A. Personnel Matters: School Board members with the exception of Ms. Hughes who was absent from the meeting; and Dianne P. Alexander, Clerk of the School Board.

The School Board reconvened in an open meeting at 7:47 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 (ayes 10, nays 0).

Vice Chair Melnyk made a motion, seconded by Ms. Weems, that the School Board approve a resolution regarding Employee Grievance Case No. 523-06-03-19 that directs School Board Legal Counsel to discuss with Grievant's Counsel a resolution to the case. The motion passed (ayes 10, nays 0), and the resolution was approved as follows:

**RESOLUTION REGARDING GRIEVANCE CASE NO. 523-06-03-19**

**RESOLVED:** That on August 27, 2019, the School Board considered the Findings of Fact and Recommendation of the Hearing Officer, the transcripts of the July 24, 2019 hearings and the exhibits, post hearing briefings and, based upon such consideration, it is;

**RESOLVED:** That the School Board directs School Board Legal Counsel to discuss with Grievant's Counsel a resolution to the case. School Board will defer a final decision until September 10, 2019; and

**FURTHER RESOLVED:** That the Clerk is directed to send a copy of this Resolution to the Grievant, the Grievant's attorney, the City Attorney, the Employee Relations Specialist, the Principal of Bayside Elementary School, and the Chief Human Resources Officer, who is directed to place a copy of this Resolution, the Hearing Officer's Findings of Fact and Recommendation and exhibits in the Grievant's personnel file.

- 20. **Adjournment:** There being no further business before the School Board, Chairwoman Anderson adjourned the meeting at 7:51 p.m.

Respectfully submitted:

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Dianne P. Alexander, Clerk of the School Board

Approved:

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Beverly M. Anderson, School Board Chair