



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

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 D. Weems
District 4 - Bayside

Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting Agenda **MONDAY, June 8, 2020**

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, it is impractical and unsafe at this time to hold an in person meeting due to the pandemic. Accordingly, the School Board is meeting electronically through Zoom. Notice of the School Board Meeting was posted in the School Administration Building and on the VBSchools.com website.

Attendee link: <https://us02web.zoom.us/j/86347870956> Call-in (301) 715-8592 ID 863 4787 0956

Public comment is always welcome by the School Board through their group e-mail account at vbcpschoolboard@googlegroups.com or by request to the Clerk of the School Board at (757) 263-1016

FORMAL MEETING

1. ***Call to Order and Verbal Roll Call 6:00 p.m.***
2. ***Moment of Silence followed by the Pledge of Allegiance***
3. ***Student, Employee and Public Awards and Recognition***
City Council Resolution Recognizing Month of the Virginia Beach City Public Schools' Graduate
4. ***Superintendent's Report***
5. ***Hearing of Citizens and Delegations on Agenda Items***
The School Board invites the public to submit comments through their group e-mail account at VBCPSSchoolBoard@googlegroups.com. Citizens who wish to speak during the meeting on items germane to the School Board agenda should contact the Clerk of the School Board at 263-1016 by 3PM the day before the meeting to receive instruction on how to participate. Each speaker shall be allocated 4 minutes each. All public comments shall meet the [School Board Bylaw 1-48](#) requirements for Decorum and Order.
6. ***Approval of Minutes:***
A. May 26, 2020 Electronic School Board Meeting
B. June 2, 2020 Special School Board Meeting
7. ***Adoption of the Agenda***



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Electronic Meeting Agenda (continued)

Monday, June 8, 2020

8. Action

- A. Personnel Report / Administrative Appointment(s) **Updated 6/11/2020**
- B. Notification of Intent to Apply for Federal Grants for SY2020/21
- C. Appointment of Replacement for Retiring School Board Clerk
- D. Modification of Term Set Forth for the Student Discipline Ad Hoc Committee

9. Information

- A. Legal Services Cooperative Agreement for FY21
- B. Policy Review Committee Recommendations
 - 1. Bylaw 1-26/School Visitations
 - 2. Bylaw 1-28/Committees, Organizations and Boards- School Board Member Assignments
 - 3. Policy 2-6/Superintendent/Recruitment and Selection
 - 4. Policy 2-8/Superintendent/Powers/Duties and Responsibilities
 - 5. Policy 2-9/Superintendent/Evaluation
 - 6. Policy 3-84/School Lunch and Breakfast Program/Generally
 - 7. Policy 4-3/Grievances and Grievance Procedures/Teachers
 - 8. Policy 4-4/Equal Employment Opportunity, Non-Discrimination and Anti-Harassment and Compliance Officers
 - 9. Policy 5-49/Interscholastic Competition
 - 10. Policy 5-62/Student Athletes-Sudden Cardiac Arrest and Prevention Awareness
 - 11. Policy 7-48/Community Use of Facilities/Generally
- C. Discussion of Status of FY20 Committee Assignments

10. Standing Committee Reports

11. Conclusion of Formal Meeting

12. Closed Meeting (as needed)

13. Vote on Remaining Action Items (as needed)

14. Adjournment



Subject: City Council Resolution Recognizing Month of the VBCPS Graduate **Item Number:** 3

Section: Student, Employee and Public Awards and Recognition **Date:** June 8, 2020

Senior Staff: N/A

Prepared by: Aaron R. Rouse, City Council Member At-Large

Presenter(s): Aaron R. Rouse, City Council Member At-Large

Recommendation:

City Council Member, Aaron R. Rouse, will present a City Council resolution recognizing June as the Month of the VBCPS Graduate.

Background Summary:

Source:

Budget Impact:



Subject: Approval of Minutes **Item Number:** 6A&B

Section: Approval of Minutes **Date:** June 8, 2020

Senior Staff: N/A

Prepared by: Dianne P. Alexander, School Board Clerk

Presenter(s): Dianne P. Alexander, School Board Clerk

Recommendation:

That the School Board adopt the following sets of minutes as presented:

- May 26, 2020 Electronic School Board Meeting
- June 2, 2020 Special School Board Meeting

Pursuant to School Board Resolution dated April 7, 2020, entitled *Resolution Authorizing Finding that a Local Emergency Exists, Adoption of Procedures for Electronic or Other Public Meetings and Public Hearings, and to Ensure the Continuity of School Board and School Division Operations During the COVID-19 Pandemic Disaster*, Item F, action taken on this recommendation will be ratified at a regular or special meeting after the State of Emergency and disaster have concluded.

Background Summary:

Source:

Bylaw 1-40

Budget Impact:

N/A



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Dorothy M. Holtz At-Large	Laura K. Hughes At-Large	Victoria C. Manning At-Large
Jessica L. Owens District 3 – Rose Hall	Trenace B. Riggs District 1 – Centerville	Carolyn D. Weems District 4 - Bayside

Aaron C. Spence, Ed.D., Superintendent

School Board Meeting

Tuesday, May 26, 2020 (5:00 p.m.)

MINUTES

INFORMAL MEETING

- 1. Convene School Board Workshop:** Chairwoman Rye convened the School Board workshop at 5:02 p.m. and announced that due to Governor Northam's Stay at Home Executive Order Fifty-Five related to the COVID-19 coronavirus pandemic, it is determined that holding a School Board Workshop in person would pose a real and substantial threat to public health and safety. Accordingly, pursuant to and in compliance with the provisions outlined in School Board Resolution of April 7, 2020, the School Board Workshop was being conducted electronically with School Board members participating remotely on the Zoom meeting platform. The School Administration Building remained closed; however, the Workshop was being streamed live on vbschools.com as well as on VBTv Channel 47 and recorded for archival purposes. After conducting a verbal roll call, the School Board Clerk affirmed a quorum was present with all School Board members participating remotely along with Superintendent Spence. Chairwoman Rye then advised of accommodations being offered for School Board members' in-person participation at the June 2 special School Board meeting, and reported efforts in exploring efficient alternatives to verbal voting by roll call during electronic meetings.

Graduation and Recovery Planning: Kipp D. Rogers, Ph.D., Chief Academic Officer in the Department of Teaching and Learning; and Donald E. Robertson, Jr., Ph.D., Chief Schools Officer, and Daniel Keever, Senior Executive Director for High Schools in the Department of School Leadership; presented an update on progress of the division's Emergency Learning Plan and student participation in remote learning including Schoology information and professional learning support. An overview of how graduating seniors will be celebrated was presented along with status in planning for recovery. This portion of the workshop concluded at 5:50 p.m. and reconvened for further discussion after the formal meeting.

FORMAL MEETING

- 2. Call to Order and Verbal Roll Call:** Chairwoman Rye called the School Board meeting to order at 6:00 p.m. and announced that due to Governor Northam's Stay at Home Executive Order



Fifty-Five related to the COVID-19 coronavirus pandemic, it is determined that holding a School Board Meeting in person would pose a real and substantial threat to public health and safety. Accordingly, pursuant to and in compliance with the provisions outlined in School Board Resolution of April 7, 2020, the School Board Meeting was being conducted electronically with School Board members participating remotely on the Zoom meeting platform. The School Administration Building remained closed; however, the meeting was being streamed live on vbschools.com as well as on VBT Channel 47 and recorded for archival purposes. After conducting a verbal roll call, the School Board Clerk affirmed a quorum was present with all School Board members participating remotely along with Superintendent Spence.

3. ***Moment of Silence followed by the Pledge of Allegiance***
4. ***Superintendent's Report:*** Five things shared by Superintendent Spence in his report were related to 1) events that mark the one-year anniversary of the tragedy at Building 2 on May 31, 2019; 2) process for registration for 2020 Summer School sessions for middle and high school students being offered through digital resources, with learning opportunities for elementary students to be provided soon; 3) launch of the new vbcpsupport.com Technology Support Site designed to help students, teachers and families with technology issues and questions; 4) continued closure of athletic fields during the extended school closure with the exception of school tracks remaining open for running and walking; and 5) kick off of the "Month of the VBCPS Graduate" with an outline of scheduled activities.
5. ***Hearing of Citizens and Delegations on Agenda Items:*** None
6. ***Approval of Minutes:*** May 12, 2020 Electronic School Board Meeting: There being no proposed modifications for the draft minutes, Mr. Edwards made a motion, seconded by Ms. Anderson, that the School Board approve the minutes of their May 12, 2020 electronic School Board meeting as presented. Without discussion, the School Board Clerk called for a verbal vote from each School Board member, and then announced the motion passed unanimously.
7. ***Adoption of the Agenda:*** There being no proposed changes to the published agenda, Ms. Riggs, made a motion, seconded by Ms. Felton, that the School Board adopt the agenda as presented. Without discussion, the School Board Clerk called for a verbal vote from each School Board member, and then announced the motion passed unanimously.
8. ***Action:***
 - A. Personnel Report / Administrative Appointment(s): Ms. Riggs made a motion, seconded by Vice Chair Melnyk, that the School Board approve the Personnel Report dated May 26, 2020 as presented. Absent discussion, the School Board Clerk called for a verbal vote and announced the motion passed unanimously. There were no administrative appointments recommended by the Superintendent.
 - B. Virginia School Boards Association (VSBA) Legislative Position Proposal: Vice Chair Melnyk made a motion, seconded by Ms. Anderson, that the School Board approve the submission of a proposed amendment to Virginia School Boards Association (VSBA) legislative position 5.3 – Twenty-first Century Communication for School Boards to be considered for inclusion in the VSBA Board of Directors' recommendations to the 2020 VSBA Delegate Assembly in support of changes to Virginia's open records to allow local



- school boards to conduct public electronic meetings without the quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency and the nature of the declared emergency makes it impractical or unsafe for the board to assemble in person. After a brief overview of the proposal, the School Board Clerk called for a verbal vote from each School Board member, and then announced the motion passed unanimously.
- C. 2020 Excellence in Workforce Readiness Award: Ms. Felton made a motion, seconded by Mr. Edwards, that the School Board approve the nomination of the Virginia Beach Schools' Undeclared Youth program for the 2020 Virginia School Boards Association (VSBA) Excellence in Workforce Readiness Award. Sara Lockett, Ed.D., Director of Technical and Career Education, presented a video featuring testimony of the Undeclared Youth – Workforce Development Program in partnership with the Hampton Roads Workforce Council, and Virginia Ship Repair Association. Following the presentation, the School Board Clerk called for a verbal vote from each School Board member, and then announced the motion passed unanimously.
- D. Superintendent's Summative Performance Evaluation Process: Ms. Anderson made a motion, seconded by Ms. Riggs, that the School Board approve the Superintendent's Summative Performance Evaluation Process for FY20 as proposed by the Governance Committee. Chairwoman Rye reviewed the proposal that outlines timelines, expectations and the process for the Superintendent's summative performance evaluation for fiscal year 2019-20. Following discussion in addressing concerns raised by some regarding the process of reaching consensus, Ms. Weems proposed a substitute motion, seconded by Ms. Manning, to modify the third sentence in Section 7A to state if a consensus cannot be reached, the final point value for each Standard will be determined by an average of the scores of School Board members present. After calling for a verbal vote, the School Board Clerk announced the substitute motion failed (ayes 3 – Hughes, Manning and Weems; and nays 8). After calling for a verbal vote on the original motion, the School Board Clerk announced the motion passed (ayes 8, nays 3 – Hughes, Manning and Weems) and the Superintendent's Summative Performance Evaluation Process for SY20 was approved as proposed by the Governance Committee.
- E. Resolution Recognizing June 2020 as Month of the Virginia Beach City Public Schools' Graduate: Vice Chair Melnyk made a motion by reading the proposed resolution, recognizing June 2020 as Month of the Virginia Beach City Public Schools' (VBCPS) Graduate. Ms. Riggs provided the second. Without discussion, the School Board Clerk called for a verbal vote from each School Board member and announced the motion passed unanimously. The resolution was approved as follows:

RESOLUTION
MONTH OF THE VBCPS GRADUATE
JUNE 2020

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, in following the mandate of the governor's statewide order, all Virginia schools were closed for face-to-face instruction for the remainder of the 2019-2020 academic school year to reduce the spread of the continuing pandemic, COVID-19; and

WHEREAS, traditional graduation ceremonies for the Class of 2020 are being prevented due to COVID-19, but VBCPS is dedicated to celebrating their graduates throughout the month of June; and

WHEREAS, VBCPS will be honoring our graduates with a monthlong series of events and displays planned throughout the city that congratulate the efforts of these more than 4800 young people; and

WHEREAS, between June 17 and June 20, every high school will host an individual graduation ceremony for each student, allowing the graduate to hear his or her name called, walk across a stage in cap and gown, receive a diploma and have his or her picture taken; and

WHEREAS, graduation tributes will also include a special VBCPS Graduation 2020 website, a special class video, displays on the division's marquees and a "Light Up the Night" celebration, which includes each high school illuminating their field lights at 8:20 p.m. for exactly 20 minutes and 20 seconds, while "2020" is displayed on the scoreboard.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach officially recognize the month of June as Month of the VBCPS Graduate; and be it

FURTHER RESOLVED: That the School Board of the City of Virginia Beach encourages all school staff and the community at large to initiate, support and participate in activities designed to recognize our graduates; and be it

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

9. Information:

- A. Interim Financial Statements: Crystal M. Pate, Director of Business Services, presented highlights of the division's financial status as of April 30, 2020 reporting the overall revenue trend remains acceptable explaining influences on state and federal revenue projections. Sales tax receipts and expenditures/encumbrances were reported as continuing to remain on an acceptable trend. She noted specific guidelines regarding immediate adjustments to procurements and purchasing had been shared with budget managers and principals in an effort to control spending through the remainder of the year in order to ensure the division can cover a projected local shortfall of approximately \$23 million as a result of the COVID-19 pandemic.
- B. Notification of Intent to Apply for Federal Grants for SY2020-21: Danielle E. Colucci, Executive Director of Elementary Teaching and Learning, presented an overview of 2020-2021 Federal Grant applications. A review of past, current, and projected funding amounts for each grant was provided. She summarized the anticipated funding level and services provided by each of the following grant applications:

Name	Description	Anticipated Funding Level
Title I, Part A	Improving the Academic Achievement of the Disadvantaged: Improving Basic Programs Operated by Local Educational Agencies (LEA)	\$11,252,648



Title I, Part D	Improving the Academic Achievement of the Disadvantaged: Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At Risk	\$168,160
Title II, Part A	Preparing, Training, and Recruiting High Quality Teachers and Principals: Teacher and Principal Training and Recruiting Fund	\$1,613,718
Title III, Part A	Language Instruction for English Learners and Immigrant Students	\$142,341
Title IV, Part A	Student Support and Academic Enrichment Grants	\$905,128
	Total	\$14,081,995

- 10. Standing Committee Reports:** As chair of the Audit Committee, Mr. Edwards reported the Internal Auditor did not have enough adequate material to support having a meeting in May noting efforts to get into buildings and plans to catch up.
- Vice Chair Melnyk congratulated Superintendent Spence for being named 2020 EmpowerED Digital Superintendent of the Year by Consortium for School Networking (CoSN) and AASA, The Superintendent's Association, in recognition of his efforts to assist schools in making the digital leap.
- 11. Conclusion of the Formal Meeting:** The formal meeting concluded at 7:26 p.m.
- Workshop: Graduation and Recovery Planning** (continued): The School Board reconvened their workshop at 7:33 p.m. in an electronic format to continue discussion on material introduced in the afternoon session and information regarding multiple COVID-19 school opening scenarios that include reopening schools without significant physical distancing or other public health mitigation strategies (100% in-person learning); reopening with physical distancing and/or other public health mitigation strategies (combination of in-person and remote learning); and an extension of remote learning (without in-person learning). Additionally, to mitigate the amount of learning loss from COVID-19, three school calendar options were presented for consideration to increase the number of in-person learning days in the 2020-21 school year.
- 12. Closed Meeting:** None
- 13. Vote on Remaining Action Items:** None
- 14. Adjournment:** There being no further business before the School Board, Chairwoman Rye adjourned the meeting at 8:17 p.m.

Respectfully submitted:

Dianne P. Alexander, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair



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Aaron C. Spence, Ed.D., Superintendent

School Board *Special Meeting* MINUTES

Tuesday, June 2, 2020

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

- 1. *Call to Order and Attendance:*** Chairwoman Rye called the special School Board meeting to order in the einstein.lab at 4:39 p.m. All School Board members were present along with Superintendent Spence. Chairwoman Rye then read the following notice:

NOTICE OF SPECIAL MEETING OF THE SCHOOL BOARD OF THE CITY OF VIRGINIA BEACH

In accordance with Bylaw 1-46, and Virginia Code § 2.2-3707, the Governance Committee of the School Board of the City of Virginia Beach has called for a special meeting to be held at 4:30 p.m., Tuesday, June 2, 2020, at the School Administration Building, 2512 George Mason Drive, Virginia Beach. The purpose of the special meeting is for the School Board to convene a closed session pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraph 1 of the Code of Virginia, 1950, as amended, for

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 performance evaluation of a specific administrator.

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, it is impractical and unsafe at this time to hold an in-person meeting with the public attendance due to the pandemic. Accordingly, the School Board's Special Meeting will not provide public attendance in the School Administration Building. Any member of the public who seeks to access the open portion of the Special Meeting should contact the School Board Clerk prior to June 2, 2020 at 12 noon in order to receive information to access the open portion of the Special Meeting.

- 2. *Adoption of the Agenda:*** There being no proposed changes to the published agenda, Ms. Anderson made a motion, seconded by Ms. Holtz, that the School Board adopt the agenda as presented. The motion passed unanimously.



3. **Closed Session:** Vice Chair Melnyk made a motion, seconded by Mr. Edwards, that the School Board recess into a closed session pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraph 1 of the *Code of Virginia*, 1950, as amended, for **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 performance evaluation of a specific administrator.

Without discussion, the motion passed unanimously and the School Board entered into a closed session at 4:44 p.m.

Individuals present for discussion (all items): School Board members; School Board Legal Counsel Kamala H. Lannetti, Deputy City Attorney; and Dianne P. Alexander, Clerk of the School Board. Superintendent Spence attended briefly at the beginning of the closed session to respond to questions as needed. There being none, he departed the closed session at 4:50 p.m.

The School Board reconvened in an open meeting at 9:02 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. Without discussion, the motion passed unanimously.

4. **Vote on Remaining Action Items:** Vice Chair Melnyk made a motion, seconded by Ms. Weems, that a) the School Board's overall rating for the Superintendent's performance evaluation is exemplary at 95.25 percent or 38.1/40, and that the Chair and Vice Chair are authorized to present to the Superintendent the written evaluation instrument as determined by the School Board; and b) further, in accordance with the Superintendent's employment contract, the Superintendent is authorized to receive performance compensation in the amount of 95.25 percent of the five percent of his base salary as of July 1, 2019; and c) that the Chair is authorized to sign an amendment to the Superintendent's employment contract to extend his term of employment from July 1, 2020 until June 30, 2024. The motion passed (ayes 9, nays 2 – Hughes and Manning).

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5. **Adjournment:** There being no further business before the School Board, Chairwoman Rye adjourned the special meeting at 9:04 p.m.

Respectfully submitted:

Dianne P. Alexander, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair

DRAFT



Subject: Personnel Report **Item Number:** 8A

Section: Action **Date:** June 8, 2020

Senior Staff: Mr. John A. Mirra, Chief Human Resources Officer

Prepared by: John A. Mirra

Presenter(s): Aaron C. Spence, Ed.D., Superintendent

Recommendation:

That the Superintendent recommends the approval of the appointments and the acceptance of the resignations, retirements and other employment actions as listed on the June 8, 2020, personnel report.

Background Summary:

List of appointments, resignations and retirements for all personnel

Source:

School Board Policy #4-11, Appointment

Budget Impact:

Appropriate funding and allocations

Personnel Report
Virginia Beach City Public Schools
June 8, 2020
2019-2020

<u>Scale</u>	<u>Class</u>	<u>Location</u>	<u>Effective</u>	<u>Employee Name</u>	<u>Position/Reason</u>	<u>College</u>	<u>Previous Employer</u>
Assigned to Unified Salary Scale	Appointments - Elementary School	John B. Dey	5/20/2020	Jerrold A Satterfield	Custodian I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Department of Budget & Finance	6/9/2020	Charity P Zellmer	Financial Management Specialist	St Leo College, FL	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Consolidated Benefits	6/1/2020	Mario S Goffigan	Benefits Specialist I	Strayer University, DC	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of Maintenance Services	5/28/2020	Jared P Lewallen	Boiler Specialist	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Appointments - Miscellaneous	Office of School Board Services	6/9/2020	Regina M Toneatto	Secretary & Clerk to Board	St Johns University, NY	VBPCS
Assigned to Unified Salary Scale	Resignations - Elementary School	New Castle	6/30/2020	Carena A Byrd	Physical Education Assistant (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Elementary School	Three Oaks	5/26/2020	Airion D Pritchard	Custodian I (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Middle School	Plaza	6/30/2020	Anna Bondi	School Office Associate II (relocation)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Resignations - Miscellaneous	Department of Technology	6/19/2020	Richard J Quibin	Network Technician II (career enhancement opportunity)	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Centerville	6/30/2020	Willie D Freeman	Custodian II Head Night	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Cooke	6/30/2020	Isalah Hyman	Custodian III Head Day	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	New Castle	7/31/2020	Linda H Carpenter	Assistant Principal	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Pembroke	6/30/2020	Rosemary Dennis	Special Education Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Elementary School	Shelton Park	6/30/2020	Arden C Vaughan	School Administrative Associate I	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - Middle School	Landstown	6/30/2020	Donna C Lawheed	Clinic Assistant	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - High School	Kempville	6/30/2020	Timothy P Wolf	Student Activities Coordinator	Not Applicable	Not Applicable
Assigned to Unified Salary Scale	Retirements - High School	Princess Anne	8/31/2020	Candace M Cherry	School Office Associate II	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Birdneck	6/30/2020	Ashley N Lambert	Fifth Grade Teacher (transfer of spouse)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Centerville	6/30/2020	Jessica B Sawyer	Fifth Grade Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Holland	6/30/2020	Baylee L Walker	Special Education Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	John B. Dey	6/30/2020	Christina L Cronauer	Fifth Grade Teacher (family)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Kempville	6/30/2020	Caitlin E Hindle	Fourth Grade Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	King's Grant	6/30/2020	Antoinette L Montella	Second Grade Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Malibu	6/30/2020	Elizabeth R Short	Special Education Teacher (family)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Seatac	6/30/2020	Megan D Johnson	Fourth Grade Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Elementary School	Tallwood	6/30/2020	LaShauna L Lewis	Special Education Teacher (family)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Bayside	6/30/2020	Jennifer R Walker	Seventh Grade Teacher (personal reasons)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - Middle School	Plaza	6/30/2020	Patricia B Maddox	Eighth Grade Teacher (family)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Kellam	6/30/2020	Maricela Rubin	Mathematics Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Landstown	6/1/2020	James T Wilkes	Latin Teacher, .200 (job abandonment)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Landstown	6/30/2020	Beverly F Hassell	Science Teacher (transfer of spouse)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Landstown	6/30/2020	Hannah B Jones	Art Teacher (active duty military)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Princess Anne	6/30/2020	Dennis M Galtenis	Naval Science Instructor (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Resignations - High School	Tallwood	6/30/2020	Michele U Osborne	Latin Teacher (relocation)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Alanton	6/30/2020	Jean M Glendon	Special Education Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Arrowhead	6/30/2020	Karen B Roberts	Fifth Grade Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Birdneck	6/30/2020	Jeffrey Leidy	Third Grade Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Fairfield	6/30/2020	Kathy J Hagerty	Fourth Grade Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Fairfield	6/30/2020	Mary G Justis	First Grade Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	John B. Dey	6/30/2020	Phyllis G Adamson	Fourth Grade Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Kempville Meadows	6/30/2020	Merrill H Wahaba	Third Grade Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Landstown	6/30/2020	Nancy B Lindgren	Second Grade Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	North Landing	6/30/2020	Carolyn F Boocks	School Counselor	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Elementary School	Three Oaks	6/30/2020	Judy K Graham	Music/Vocal Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Middle School	Brandon	6/30/2020	Jennifer V Combs	Eighth Grade Teacher	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Retirements - Miscellaneous	Office of Programs for Exceptional Children	6/30/2020	Diana B Quinn	Speech/Language Pathologist	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Other Employment Actions - Elementary School	Hermitage	6/30/2020	Charles S Watrous	Physical Education Teacher (non-renewal of contract)	Not Applicable	Not Applicable
Assigned to Instructional Salary Scale	Other Employment Actions - High School	Bayside	6/30/2020	Thaddeus C Harold	Health & Physical Education Teacher (employee changed retirement date from 5/31/20 to 6/30/20)	Not Applicable	Not Applicable
Administrative	Appointments - Miscellaneous	Office of Programs for Exceptional Children	TBD	Leanna M Landry	Coordinator Special Education	Old Dominion University, VA	Not Applicable



Subject: Notification of Intent to Apply for Federal Grants for SY2020/21 **Item Number:** 8B

Section: Action **Date:** June 8, 2020

Senior Staff: Kipp D. Rogers, Ph.D., Chief Academic Officer, Department of Teaching and Learning

Prepared by: Danielle E. Colucci, Executive Director of Elementary Teaching and Learning

Tiffany Jacobs, Grants Manager, Department of Budget and Finance

Presenter(s): Danielle E. Colucci, Executive Director of Elementary Teaching and Learning

Recommendation:

That the School Board approve this notification that the administration intends to apply for the following federal grants for the 2020-2021 school year. Applications are not ADA compliant and therefore omitted here. Contact the Department of Teaching and Learning for information.

- Title I, Part A Improving the Academic Achievement of the Disadvantaged: Improving Basic Programs Operated by Local Educational Agencies (LEA)
- Title I, Part D Improving the Academic Achievement of the Disadvantaged: Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At Risk
- Title II, Part A Preparing, Training, and Recruiting High Quality Teachers and Principals: Teacher and Principal Training and Recruiting Fund
- Title III, Part A Language Instruction for English Learners and Immigrant Students
- Title IV, Part A Student Support and Academic Enrichment Grants

Background Summary:

Notification to the public is accomplished through this announcement, through postings on the school division's Internet site, and through a media release from the Department of Communications and Community Engagement. Attached for additional information are the anticipated application amounts along with a brief summary of each federal grant program.

Source:

Elementary and Secondary Education Act of 1965 (ESEA), as Amended by the Every Student Succeeds Act of 2015 (ESSA), Public Law 114-95

Budget Impact:

Each grant that is funded will provide revenues for additional resources for schools and the division.

Intent to Apply for Federal Grants for SY 2020-2021

Name	Description	Anticipated Funding Level
Title I, Part A	Improving Basic Programs Operated by Local Educational Agencies (LEA)	\$11,252,648
Title I, Part D	Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent or At-Risk	\$168,160
Title II, Part A	Supporting Effective Instruction	\$1,613,718
Title III, Part A	Language Instruction for English Learners and Immigrant Students	\$142,341
Title IV, Part A	Student Support and Academic Enrichment Grants	\$905,128
	Total	\$14,081,995

Title I, Part A – Improving the Academic Achievement of the Disadvantaged: Improving Basic Programs Operated by Local Educational Agencies (LEA)

Title I, Part A, provides supplemental educational services for eligible public and private school students to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and State academic assessments. Title I of ESEA provides financial assistance to support instructional programs in school divisions and schools with high numbers or percentages of low-income students to ensure that all children meet challenging content and achievement standards. Title I also authorizes federal grant programs that provide funds for services to migrant children and services to neglected and delinquent children

Title I, Part D – Improving the Academic Achievement of the Disadvantaged: Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk

Title I, Part D, Subpart 2, provides financial assistance to locally operated correctional facilities for educational services to neglected and delinquent children and youth in locally operated correctional facilities and to other at-risk populations to prepare them for secondary school completion, training, employment, and further education.

Title II, Part A – Preparing, Training, and Recruiting High Quality Teachers and Principals: Supporting Effective Instruction for Both Public and Private Schools

The purpose of Title II, Part A, is to: (1) increase student academic achievement through strategies such as improving teacher and principal quality, increasing the number of highly qualified teachers in the classroom and highly qualified principals and assistant principals in schools; and (2) hold local educational agencies and schools accountable for improvements in student academic achievement.

Title III, Part A – Language Instruction for Limited English Proficient and Immigrant Students

The purpose of Title III, Part A, is to ensure that students who are English learners (ELs), including immigrant children and youth, develop English language proficiency and meet the same challenging State academic content and academic achievement standards that other children are expected to meet.

Title IV, Part A- 21st Century Schools: Student Support and Academic Enrichment Grants

The purpose of the Title IV, Part A, is to improve students' academic achievement by increasing the capacity of divisions in three key areas.

- (1) Access to, and opportunities for, a well-rounded education for all students
- (2) School conditions for student learning to create a healthy and safe school environment
- (3) Access to personalized learning experiences supported by technology and professional development for the effective use of data and technology



Subject: Appointment of Replacement for Retiring School Board Clerk **Item Number:** 8C

Section: Action **Date:** June 8, 2020

Senior Staff: Aaron C. Spence, Ed.D., Superintendent

Prepared by: Dianne P. Alexander, School Board Clerk

Presenter(s): Aaron C. Spence, Ed.D., Superintendent

Recommendation:

That the School Board approve the Superintendent's recommendation for appointment of a replacement for retiring School Board Clerk Dianne P. Alexander to serve along with Deputy Clerk Susan Keipe for the remainder of the 2020 calendar year.

Background Summary:

Source:

Bylaw 1-18 Officers: Election and Term of Office
Bylaw 1-37 Annual Organizational Meeting
Virginia Code §§ 22.1-76 and 22.1-77

Budget Impact:

N/A



Subject: Modification of Term Set Forth for the Student Discipline Ad Hoc Committee **Item Number:** 8D

Section: Action **Date:** June 8, 2020

Senior Staff: N/A

Prepared by: School Board Vice Chair Kimberly Melnyk serving as Chair of the Student Discipline Ad Hoc Committee

Presenter(s): School Board Vice Chair Kimberly Melnyk serving as Chair of the Student Discipline Ad Hoc Committee

Recommendation:

That the School Board approve a modification to the term set forth for the Student Discipline Ad Hoc Committee to function beyond the original set date of June 15, 2020 to allow the Committee to continue to meet until June 30, 2020.

Background Summary:

On September 10, 2019, by action taken by the School Board, the establishment of an Ad Hoc Committee for Student Discipline was approved 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. Due to the impact of the COVID-19 pandemic on the committee's efforts, an extension of the term to function is requested.

Source:

Budget Impact:

N/A



Subject: Cooperative Agreement for Legal Services FY21

Item Number: 9A

Section: Information

Date: June 8, 2020

Senior Staff: Kamala H. Lannetti, Deputy City Attorney

Prepared by: Kamala H. Lannetti, Deputy City Attorney

Presenter(s): Kamala H. Lannetti, Deputy City Attorney

Recommendation:

That the School Board approve the Cooperative Agreement for Legal Services for FY21.

Background Summary:

Th The School Board and the City Council have had a Cooperative Agreement for Legal Services since FY96. This agreement is not a contract but a working agreement between the two elected bodies to share in legal resources provided by the City Attorney's Office. For FY21, the City Attorney's Office will provide 3.5 attorneys, one paralegal, and one office assistant for an annual estimated cost of \$644,777.40. This cost represents the annual cost of salaries, benefits, supplies and professional dues. On average, the City Attorney's Office yearly provides approximately 6,000 hours of in-house legal services. The FY21 estimated average hourly cost for in house legal counsel is \$107.58.

Source:

Virginia Code §22.1-82, as amended and School Board Bylaw 1-5, as amended.

Budget Impact:

\$644,777.40

**COOPERATIVE AGREEMENT BETWEEN THE CITY COUNCIL
AND THE SCHOOL BOARD OF THE CITY OF VIRGINIA BEACH
PERTAINING TO LEGAL SERVICES TO BE PROVIDED TO THE
SCHOOL BOARD AND SCHOOL ADMINISTRATION BY THE
OFFICE OF THE CITY ATTORNEY IN FISCAL YEAR 2021**

Factual Background:

1. **City Charter Authority.** Chapter 9 of the Charter of the City of Virginia Beach, Virginia (“City Charter”) provides that the City Attorney shall be the chief legal advisor of the City Council, the City Manager, and all departments, boards, commissions and agencies of the City in all matters affecting the interests of the City, and that he shall have such powers and duties as may be assigned by the City Council.

2. **Appointment of City Attorney.** The City Charter also provides that the City Attorney is appointed by the City Council and serves at its pleasure.

3. **School Board Authority.** The School Board is established by the Virginia Constitution, the City Charter, and provisions of general law, and is a body corporate vested with all of the powers and duties of local school boards conferred by law, including the right to contract and be contracted with, to sue and be sued, and to purchase, take, hold, lease, and convey school property both real and personal.

4. **School Board Authority to Hire Legal Counsel.** The School Board is authorized by Section 22.1-82 of the Code of Virginia (1950), as amended, to employ counsel to advise it, and to pay for such advice out of funds appropriated to the School Board.

5. **Recognized Reasons to Share Legal Services.** Both the City Council and the School Board have recognized that the reasons for sharing services of the City Attorney’s Office include potential savings to taxpayers, expertise of the City Attorney’s Office in City Council and School Board matters, institutional memory, and the ability of the City Attorney’s Office to

provide a wide range of legal services to the School Board based on the expertise of the attorneys in numerous specialized areas of the law.

6. **Professional Judgment of City Attorney.** The Virginia Rules of Professional Conduct for the Legal Profession require the independent professional judgment of the Office of the City Attorney on behalf of its clients.

7. **Potential Ethical Conflicts.** The City Council and the School Board recognize that the potential for conflicting interests between the City Council and School Board may arise and that, in such cases, the City Attorney must refrain from representation of interests which may conflict.

8. **Identification of Conflicts.** The City Council and the School Board also recognize that they must work together and with the City Attorney to identify any real or perceived potential for conflict at the earliest possible time, advise each other and the City Attorney of any such conflict as soon as it arises so as not to compromise the interests of the City Council or the School Board, and assist the City Attorney in avoiding any violation or appearance of violation of the Code of Professional Responsibility.

9. **Continuation of Services.** The City Council and the School Board further recognize that it remains in the best interest of the taxpayers of the City for the School Board to continue to use the legal services of the Office of the City Attorney to the extent that no real or perceived conflict is present, and to the extent the City Attorney is budgeted and staffed to handle assigned legal business of the School Board.

Objectives:

The objective of this Cooperative Agreement is to define the scope and nature of the relationship between the City Attorney's Office and the School Board, to provide for the delivery

of designated legal services to the School Board, and to avoid any real or perceived conflict in the delivery of those services.

Agreement:

NOW, THEREFORE, the City Council and the School Board hereby agree as follows:

1. **Legal Staffing.** The Office of the City Attorney will provide the equivalent of three and one half (3 ½) attorney positions, one (1) paralegal position, and one (1) office assistant during FY2021. The services to be provided as follows:

A. The City Attorney will assign three attorneys on-site at the School Administration Building for provision of legal services to the School Board and the School Administration. As determined by the City Attorney, the attorneys will devote substantially all of their time to the provision of legal services to the School Board and School Administration. For the term of this Agreement, those attorneys will be Kamala H. Lannetti, Deputy City Attorney, and Dannielle Hall-McIvor, Associate City Attorney, and Matthew R. Simmons, Associate City Attorney. The City Attorney reserves the right to reassign attorneys to meet the legal needs of the School Board and School Administration in accordance paragraph 1D.

B. The City Attorney will dedicate one Paralegal on-site at the School Administration Building who will devote substantially all of his/her time to the support of legal services to the School Board and School Administration.

C. The remaining attorney hours will be provided by the other attorneys in the Office, based upon their various areas of expertise with school-related legal issues, student services, real estate matters, human resources and employee benefits matters, contracts, general administrative and procedural issues, litigation, and

other legal matters. Attorneys assigned to handle School Board matters will remain on-call to handle legal matters throughout the week. The City Attorney's Office will endeavor to handle as many legal matters in-house as it is capable of handling subject to the provisions of this Agreement.

D. During the term of this Agreement, and subject to reassignment in the judgment of the City Attorney, the selection of the assigned attorneys shall be mutually agreed upon by the City Attorney and the School Board. Additionally, if a majority of the Members of the School Board expresses dissatisfaction with the legal services provided by the assigned attorney, or by any other attorney providing services to the School Board, the City Attorney will meet with the School Board to discuss and evaluate its concerns. Furthermore, if the School Board and the City Attorney agree that the most reasonable way to address the School Board's concerns is to assign another attorney or other attorneys to represent the School Board, the City Attorney will use his best efforts to make such an assignment(s) as soon as possible.

2. **Communication and Reports.** Throughout the term of this Agreement, the Office of the City Attorney will maintain an open line of communication with the School Board and the Division Superintendent, and will keep each apprised, on a regular basis, of the status of all legal matters being handled on behalf of the School Board and School Administration; provided, however, that the Office of the City Attorney shall not communicate with the Superintendent concerning those matters being handled on a confidential basis for the School Board or for individual School Board Members in accordance with applicable School Board policies and applicable provisions of the Superintendent's contract. Additionally, the Office of the City

Attorney will provide the Superintendent and the School Board an annual report of the legal services and attorney hours provided pursuant to this Agreement and, upon request of the School Board, the School Board Chairman, or the Superintendent, will identify the amount of attorney hours expended in response to inquiries from individual School Board Members.

3. **Management of Legal Affairs.** The City Council and the School Board recognize and understand that the School Board shall be responsible for the management of its legal matters; that, to the extent contemplated by this Agreement, the City Attorney shall be designated as the chief legal advisor of the School Board and the School Administration, and shall assist the School Board and School Administration in the management of the School Board's legal matters; and that the City Attorney or his designee shall report to the School Board concerning those matters he has been assigned by the School Board to manage and/or handle on its behalf.

4. **Ethical Conflicts Concerning Representation of Parties.** The City Council and the School Board recognize the potential for real or perceived conflicts in the provision of legal services by the City Attorney, and agree to be vigilant in advising the City Attorney of such issues as they arise. Additionally, the City Council and the School Board understand that in such cases, the City Attorney will refrain from participation on behalf of the School Board but, to the extent ethically permissible in accordance with the Rules and Procedures of the Virginia State Bar, will continue representation of the City Council.

5. **Ability to Provide Legal Services.** The City Council and the School Board further recognize that the ability of the City Attorney's Office to provide legal services to the School Board is limited by the attorney hours allocated pursuant to this Agreement, the other provisions of this Agreement, and ethical constraints as they may arise.

6. **Nature of Agreement.** The parties agree that this Cooperative Agreement is not a contract to be enforced by either party but is rather an agreement setting forth the understanding of the parties regarding the parameters within which the Office of the City Attorney will provide legal services to the School Board and School Administration.

7. **Payment for Services.** The City shall forward to the School Board IDT requests in the amount of \$644,777.40 from its FY 2021 Operating Budget to the FY 2021 Operating Budget of the Office of the City Attorney to fund the annual salaries, benefits, and certain administrative costs of three and one half (3.5) attorneys, one (1) Paralegal, and one (1) Office Assistant. IDT requests of 50% of the total shall be made by the City and funds transferred by the School Board on or about July first and January first.

8. **Term and Termination of Agreement.** This Cooperative Agreement shall commence with the fiscal year of the parties which begins July 1, 2020 and ends June 30, 2021, and may be revised, as necessary, and renewed each fiscal year thereafter; provided, however, that each party shall give the other party notice of any intention to revise or not to renew the Agreement within one hundred twenty (120) days of the date of expiration of this Agreement, or any renewal hereof, in order that the other party will have the opportunity to make appropriate budget and staffing adjustments.

The parties hereby agree to the terms set forth above.

**SCHOOL BOARD OF THE CITY OF
VIRGINIA BEACH**

By: _____
Carolyn Rye, Chair

School Board of the City of Virginia Beach:

This Cooperative Agreement was approved by majority vote of the School Board of the City of Virginia Beach, Virginia on _____, 2020.

By: _____
School Board Clerk

**CITY COUNCIL OF THE CITY OF
VIRGINIA BEACH**

By: _____
Robert Dyer, Mayor

City Council of the City of Virginia Beach:

This Cooperative Agreement was approved by majority vote of the City Council of the City of Virginia Beach, Virginia on _____, 2020.

By: _____
City Clerk



Subject: Policy Review Committee Recommendations

Item Number: 9B 1-11

Section: Information

Date: June 8, 2020

Senior Staff: Marc A. Bergin, Ed.D., Chief of Staff

Prepared by: Kamala Lannetti, Deputy City Attorney; John Sutton, III, Coordinator, Policy and Intergovernmental Affairs

Presenter(s): School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney

Recommendation:

That the School Board review Policy Review Committee recommendations regarding review, amendment, and repeal of certain policies as reviewed by the committee at their March 12th and May 14th 2020 meetings and presented for Information.

Background Summary:

1. Bylaw 1-26/School Visitations
Bylaw was updated to include language related to school visitations by a School Board member and the purposes of that visit. Additional language also recommended in Section B number 1 regarding disciplinary action of personnel as a result of the school visit.
2. Bylaw 1-28/Committees, Organizations and Boards- School Board Member Assignments
Section 4 subsection K was added to include the reviewing and responding to complaints or concerns regarding School Board Members and developing procedures for handling such complaints.
3. Policy 2-6/Superintendent/Recruitment and Selection
Legal reference updated.
4. Policy 2-8/Superintendent/Powers/Duties and Responsibilities
Section B was updated to specify where the Superintendents responsibilities were to be enumerated and legal reference was updated.
5. Policy 2-9/Superintendent/Evaluation
Policy was updated to specify that the School Board Governance Committee shall have responsibility for the Superintendents evaluation procedures.
6. Policy 3-84/School Lunch and Breakfast Program/Generally
Policy amended to reflect new legislation concerning school lunch and breakfast programs effective July 1, 2020.
7. Policy 4-3/Grievances and Grievance Procedures/Teachers
Policy amended to remove outdated Editor's note and addition of legal reference.
8. Policy 4-4/Equal Employment Opportunity, Non-discrimination and anti-harassment and Compliance Officers
Scrivener's changes made to legal reference.
9. Policy 5-49/Interscholastic Competition
Policy was amended to address 20-21athletic eligibility requirements potentially affected by the school closings.
10. Policy 5-62/Student Athletes-Sudden Cardiac Arrest and Prevention Awareness
Policy was amended to reflect new legislation regarding sudden cardiac arrest effective July 1, 2020.
11. Policy 7-48/Community Use of Facilities/Generally
Policy amended to reflect nondiscrimination language that is consistent with current policy.

Source:

Code of Virginia, 1950, as amended, §22.1-253.12:7 School Board Policies.
Policy Review Committee Meeting of February 10, 2020

Budget Impact: None.

SCHOOL BOARD BYLAWS

School Visitations

A. Purposes of School Visits

School Board Members shall attempt to visit various schools throughout the year for a variety of purposes. These purposes include, but are not limited to:

- Obtaining background information for future policies;
- Visiting adopted schools; or
- Attending and/or presenting at regular/special programs;
- ~~If they have time available in their schedule and would like to visit a school; or~~
- ~~If they have a special interest in a particular program.~~

B. Authority of School Board Member

1. School Board Members shall not advise, direct or take disciplinary action against school personnel or students while visiting or following a visit to a school because no single School Board Member has the authority to take such action.
2. As a professional courtesy, the School Board Member will~~should~~ contact the principal prior to scheduling a potential visit. By doing so, the principal can accommodate the visit and avoid potential conflicts that would impede the School Board Member's ability to visit specific classrooms and programs. ~~The Superintendent should be informed when a visit is planned.~~
3. School Board Members are guests in any school they visit. They shall stop first at the security desk and/or the main office to advise the principal/designee of their presence and determine if there are any special considerations that should be observed while visiting. ~~Principals are encouraged to have School Board Members visit the total school's activities when possible rather than attempting to present only selected programs.~~
4. When visiting a school in the role of parent/legal guardian or family member, it is expected that a School Board Member will adhere to all protocols established in School Board Policy 7-17 and the Decorum Guidelines posted at each school or academy within the School Division.

~~School Board Members may prepare written reports for dissemination to other School Board Members and the Superintendent if they believe their visit merits the written attention of the School Board.~~

Related Links

School Board Policy 7-17

Adopted by School Board: July 21, 1992

Amended by School Board: February 20, 2001

Amended by School Board: December 2, 2008

Amended by School Board: August 18, 2015

Amended by School Board: August 2, 2016

Amended by School Board:

SCHOOL BOARD BYLAWS

Committees, Organizations and Boards – School Board Member Assignments

The School Board utilizes committees, boards, and other organizations (hereinafter "Committee") to accomplish both internal and external goals. School Board Members may be assigned to represent the School Board's interest on any such Committee. School Board Members have no individual authority when serving in these assignments and may only exercise the authority specifically authorized by the School Board. The School Board recognizes the following types of Committees: a) Standing School Board Committees; b) Joint School Board/City Council Committees; c) Ad Hoc School Board Committees; d) School Division Standing Committees with School Board Liaisons; and e) Outside Committees.

A. General Matters

1. Creation

The School Board may determine that certain School Division objectives require longer term study and analysis, and/or ongoing oversight. In such cases where concerns lend themselves to a committee approach, committees comprised of School Board Members either alone or in conjunction with members of the School Administration, other public bodies or public organizations, and/or the public-at-large may be created by the School Board. The School Board shall describe the objectives of any such Committee in its minutes or other writing and provide it to the Committee.

2. Authority

Any such Committee shall have only such authority to bind the School Board as is expressly granted and shall have only such powers as the School Board has expressly granted or which, by implication, are reasonably necessary to accomplish the stated purpose(s).

3. Assignments

Unless otherwise specified, School Board Members will be assigned/appointed to Committees or Boards by the School Board Chair in consultation with the Vice Chair and with the approval of the School Board. School Board Members will be assigned to Committees or Boards no later than July 1st of each year. Assignments may be reviewed in January of each year or when otherwise necessary. Each School Board Member should be assigned to at least one (1) Committee. Appointment to a Committee should take into consideration, but not be limited to, the following: a) equitable distribution of Committee assignments among School Board Members; b) expressed interests of School Board Members; c) experience as a School Board Member; d) a School Board Member's

training, education and/or experience with the purpose of the Committee; e) continuity of service and historical knowledge; f) availability for meetings; g) the need for diversity; h) the needs of the School Board; and i) other good and just reason for assignment. Should one or more representatives of the School Board be needed to attend a Committee meeting prior to the School Board's adoption of Committee assignments, the Chair is authorized to temporarily appoint School Board Members to that Committee. Assignments to a Committee are effective until June 30th of each year.

The School Board is authorized to appoint alternates to Committees, should the School Board Member assigned require another School Board Member to substitute. In the absence of an alternate or when an alternate is unavailable, the Chair may assign another School Board Member to represent the School Board at a Committee meeting.

4. Individual Authority

Individual School Board Members appointed to any Committee shall have no authority to bind the School Board on any matter unless such authority is expressly granted by the School Board.

5. Reports

Assigned School Board Members shall report to the School Board on Committee activities when and in the format designated by the School Board.

6. Committee Chair

The Committee Chair will be chosen by the Members of the Committee unless otherwise specified. For the purposes of electing a Committee Chair, the most senior School Board Member attending the first meeting of the year (or the most senior assigned staff member attending the meeting if a School Board Member is not present at the first meeting) shall conduct the election of the Committee Chair. All School Board created Committees shall be chaired by an assigned School Board Member unless the Committee structure specifically requires that another person be the Committee Chair. When choosing a Committee Chair, the following shall be considered: a) continuity of membership; b) expressed interest of assigned School Board Members; c) diversity of membership; and d) needs of the School Board Committee.

7. Roles and Responsibilities of the Committee Chair

The Committee Chair shall have the responsibility for: a) presiding over the meetings or designating another Committee Member to preside in the Chair's absence; b) setting the direction for and establishing norms and protocols that allow for appropriate function and in an efficient manner; c) provide guidance and communicate expectations to other Committee Members; d) ensure that relevant, timely and effective decisions are executed and that all Committee Members are provided the opportunity to participate in the decision making process; e) ensure compliance with applicable law, bylaw, policy and

regulation; f) ensure that appropriate notices are made, agendas and supporting materials are provided and that minutes of the meetings are kept if so required by law.

B. Committee Meetings

1. Notices of Meetings by Committee Chair

The Committee Chair or the assigned staff member shall provide the School Board Clerk notice of the date, time, and location of Committee meetings so that the School Board Clerk can give the public notice of meetings consistent with applicable law. The Committee Chair or the assigned staff member shall make available to the public, upon request, nonexempt agenda materials furnished to Members for the meeting as required by the Virginia Freedom of Information Act and other applicable law. Committee Meetings will be held in locations accessible to the public.

2. Public Access

Committee Meetings shall be open to the public but may be closed for all or a portion of the Meeting as permitted by the Virginia Freedom of Information Act and other applicable law or regulation. The Committee Chair or assigned staff member will make arrangements for any persons needing accommodations or other services to access the Committee Meetings.

3. Rules of Order

Committee Meetings shall be run in accordance with the Special Rules of Order found in School Board Bylaws Appendix A and the current edition of *Robert's Rules of Order Newly Revised*.

C. School Board Standing Committees

The Committees listed below shall be considered Standing Committees of the School Board:

1. Internal Audit Committee

The Internal Audit Committee consists of three to four Members, including two or three Members of the School Board and one or more citizens of the City of Virginia Beach to serve as the third and/or fourth Member.

The Internal Audit Committee assists the full School Board in considering internal and external audit matters, including the timely reporting to the School Board of material actions or inactions of school employees that could lead to charges of malfeasance in office by School Board Members or School Division employees or agents. The Internal Audit Committee has established the Office of Internal Audit, which reports directly to the Internal Audit Committee, and through the Internal Audit Committee, to the full School Board, as more particularly set forth in Policy 3-96 and the Internal Audit Charter.

2. Policy Review Committee

The School Board Policy Review Committee (PRC) will consist of three School Board Members. The School Board, at its discretion, may appoint a citizen to serve as a voting member. School Board Legal Counsel, the Chief of Staff and other staff members appointed by the Superintendent will serve as liaisons to the PRC but will not be voting members.

The responsibilities of the PRC will be to consider input from the public, students, staff, the school administration or other stakeholders and advise the School Board and the Superintendent concerning the need to amend, adopt, repeal, and/or merge by-laws, policies and applicable regulations.

3. Planning and Performance Monitoring Committee

The Planning and Performance Monitoring Committee will consist of three School Board Members. The Superintendent and other staff members assigned by the Superintendent will serve as liaisons to the Committee but will not be voting members. The purpose of the Committee will be to provide transparent oversight of School Division resources and processes to ensure effective and efficient operations in support of the School Division's vision, mission and strategic goals as well as coordinating School Board Member engagement in strategic and operational planning, including budget development by:

a. Planning responsibilities will include, but not be limited to:

- 1) updating the strategic and operational planning/budgeting process and calendars;
- 2) establishing annual operating priorities and targets/goals to guide budget development;
- 3) identifying operational issues deserving special attention in the next year's budget (e.g., unmet needs, transportation, compensation, building safety);
- 4) identifying and prioritizing opportunities for significant innovation in particular areas;

b. Performance Monitoring responsibilities will include, but not be limited to:

- 1) recommending key planning "products" to the full School Board for review and approval (e.g., updates to the vision/mission statement, new strategic plan, the annual budget);
- 2) working with the School Administration in updating the content and format of performance reports being sent to the School Board (e.g., student testing,

program evaluation calendar and reporting, strategic plan/navigational marker reporting);

3) reviewing performance reports, identifying issues and opportunities; and

4) assisting with presentation of performance reports at regular School Board Meetings.

4. Governance Committee

The Governance Committee will consist of the School Board Chair and the Chairs of the Internal Audit Committee, the Policy Review Committee, and the Planning and Performance Monitoring Committee. Additionally, one other School Board Member will be appointed by the School Board Chair and approved by the School Board to also serve on the Committee. The Chair of the Governance Committee will be the Chair of the School Board. The Superintendent and School Board Legal Counsel will serve as the liaisons to the Committee but will not be voting members. The Governance Committee will be responsible for the following:

- a. building and monitoring the School Board-Superintendent working relationship and addressing relationship issues as they occur, including approval of routine matters related to the Superintendent's contract and employment, initially addressing issues and concerns regarding the Superintendent's conditions of employment, and communication with the School Board concerning such matters;
- b. developing procedures and an evaluation instrument for the Superintendent's evaluation;
- c. developing and presenting to the School Board annual goals for the Superintendent;
- d. establishing School Board- Superintendent communication and interaction guidelines and monitoring compliance with such guidelines;
- e. planning strategic and/or operational retreats at which values and vision statements will be updated (as needed), environmental trends will be assessed, and strategic issues will be identified and analyzed;
- f. identifying training and educational opportunities for School Board Members to become better informed about School Board governance issues and public education matters and monitoring an annual budget to fund such opportunities;
- g. coordinating School Board self-evaluation procedures, instruments and training;

h. developing guidelines for effective communication of School Board Committee work to the School Board, the School Administration, and the public;

i. developing long range agenda forecasts for School Board consideration; ~~and~~

~~i.j. reviewing and responding to complaints or concerns regarding School Board Members and developing procedures for handling such complaints; and~~

k. such other duties assigned to the Governance Committee by the School Board; ~~and~~.

5. Legislative Committee

The Legislative Committee will consist of three School Board Members, School Board Legal Counsel, the School Board's Legislative Consultant and those staff members appointed by the Superintendent who will serve as liaisons to the Committee but will not be voting members. The Legislative Committee is responsible for the development of the School Board's proposed annual legislative package. The legislative package, priorities and positions shall be based upon input from the School Board and the Superintendent. The Legislative Committee is also responsible for developing the School Board's regional legislative position and for acting as the School Board's liaison to the Virginia General Assembly as well as other publicly elected bodies.

6. Building Utilization Committee

The Building Utilization Committee (BUC) will consist of three School Board Members. The Superintendent may assign appropriate staff members to assist the BUC in its review but such staff members will not be voting members. The BUC will annually review enrollment projections and impact on optimal building utilization. At its discretion, the BUC may invite input from PTAs or other community groups directly impacted by any recommendation from the BUC.

7. Student Discipline Committees

Three Committees of the School Board shall be appointed to hear student discipline cases as needed. Each Committee shall consist of three (3) voting School Board Members and one (1) nonvoting School counselor. Each Member of a Committee, excluding the School counselor, has authority to make motions and vote on that Committee. Each Committee shall meet to determine cases dealing with expulsions and long-term suspensions as set forth in School Board policy or regulation. A unanimous decision of a Committee consisting of three School Board Members regarding long-term suspensions and expulsions is final. If a Committee's decision is not unanimous, or if the decision is made

by a Committee of less than three (3) School Board Members, the decision of the Committee may be appealed to the full School Board.

D. Joint Standing School Board and City Council Committees/Boards

The Committees listed below shall be considered Joint Standing Committees of the School Board and the City Council. The Chairman shall seek approval from the School Board for all Member appointments to such Committees. The Chairman shall take into consideration the experience of the School Board Members, their interest in membership, diversity of membership and continuity of membership on a Committee. The Chairman of each Joint Standing School Board/City Council Committee shall be selected by the Committee Members unless otherwise specified.

1. CIP/Modernization Review Committee

The School Board Chair will appoint and the School Board will approve two School Board Members and one alternate to serve on the Committee. The School Board Chair will appoint the Committee Chair.

E. School Board Ad Hoc Committees

A School Board Ad Hoc Committee and Ad Hoc Committee Chair shall be proposed by the School Board Chair and appointed by the School Board, as the need arises, to carry out a specified task, at the completion of which - that is, on presentation of its final report to the School Board, such Ad Hoc Committee will automatically cease to exist. An Ad Hoc Committee shall have those powers designated by the School Board. The following Committee(s) are designated School Board Ad Hoc Committee(s):

1. Ad Hoc School Site Selection Committee

The School Site Selection Committee is an Ad Hoc School Board Committee that is appointed as needed to assist the School Board in considering proposals for new school sites.

2. Other Ad Hoc Committees as needed.

F. School Division Standing Committees with School Board Member Liaisons

If requested by the Superintendent or as set forth by Policy, the School Board may assign School Board Members to serve as Members of School Division Standing Committees. In those instances, the appointed School Board Members serve only as liaisons and have no authority to bind the School Board on any matter. The Superintendent shall provide a list of all such Liaison positions to the School Board by June 1st of each year.

1. The following Committees are designated as School Division Standing Committees with School Board Members assigned as Liaisons:

a. Equity Council

The Equity Council addresses issues related to diverse populations and how the organizational climate contributes to fostering: greater student achievement; effective communication across all levels and with the greater community; honoring and listening to all voices; providing focused opportunities discussion, feedback, input and support to the implementation of Compass to 2020 and future School Board goals; reporting on all aspects of diversity and equity with a special focus on students of color; resources and support to further the work educational equity within the School Division. The Superintendent will designate a staff member to serve as the Chair of the Equity Council. No more than two (2) School Board Members will be assigned as liaisons to the Equity Council.

G. Outside Committees

The School Board Chair will appoint and the School Board will approve School Board Members to represent the School Board on Outside Committees. In those instances, School Board Members have authority to bind the School Board for the limited purpose for which the Outside Committee exists. The Superintendent shall provide a list of all Outside Committees to the School Board by June 1st of each year. The School Board Chair will appoint, subject to approval by the School Board, School Board Members to such Committees by majority vote. Outside Committees include, but are not limited to:

1. Access - College Foundation;
2. Governor's School for the Arts;
3. Mayor's Committee for Persons with Disabilities;
4. SECEP - Southeastern Cooperative Educational Program;
5. VSBA - Virginia School Board Association Delegate Assembly;
6. Hampton Roads Educational Telecommunications Association (HRETA) WHRO Educational Advisory Committee;
7. Sister Cities Association of Virginia Beach;
8. 403 (B) Compensation ~~Deferred Compensation~~ Board; and
9. Virginia Beach Human Rights Commission

Related Links

School Board Bylaws Appendix A

School Board Policy 3-96
School Board Internal Audit Charter, as amended.

Adopted by School Board: July 21, 1992
Amended by School Board: April 19, 1994
Amended by School Board: January 3, 1995
Amended by School Board: August 17, 1999
Amended by School Board: February 20, 2001
Amended by School Board: August 7, 2001
Amended by School Board: August 21, 2001
Amended by School Board: May 28, 2002
Amended by School Board: August 6, 2002
Amended by School Board: July 15, 2008
Amended by School Board: December 2, 2008
Amended by School Board: December 15, 2015
Amended by School Board: August 2, 2016
Amended by School Board: June 11, 2018
Amended by School Board: February 12, 2019
Amended by School Board: November 12, 2019
Amended by School Board: January 28, 2020

Amended by School Board:

ADMINISTRATION

Superintendent: Recruitment and Selection Procedures

The School Board will serve as the official search committee, with the chairman acting as the public spokesman in making official announcements. The School Board will publicly announce its procedures for recruitment and selection of a Superintendent. The School Board may engage consultants to assist the School Board with the recruitment and selection procedures. Current School Division personnel who meet the qualifications for candidacy may apply. The School Board shall furnish all applicants with the regulations concerning the minimum qualifications for the position of division superintendent. The School Board will follow all applicable law and regulation regarding the recruitment and appointment of the Superintendent.

Legal Reference

Code of Virginia § 22.1-59, as amended. Qualifications of superintendent.

Code of Virginia § 22.1-60, as amended. Appointment and term of superintendent; certain contractual matters.

Code of Virginia § 22.1-61, as amended. When Board to appoint superintendent.

Code of Virginia § 22.1-63, as amended. Certain officers ineligible for or to hold office of superintendent.

Virginia Board of Education Regulation 8 VAC 20-390-10, as amended. Qualifications.

Virginia Board of Education Regulation 8 VAC 20-~~232~~-600, as amended. Division Superintendent license.

Adopted by School Board: October 20, 1992

Amended by School Board: October 1, 2013

Amended by School Board:

ADMINISTRATION

Superintendent: Powers/Duties/Responsibilities

A. Generally

The Superintendent serves as the chief administrative officer of the School Division. The Superintendent shall perform those duties required by the Virginia Board of Education and the School Board. The Superintendent will provide leadership and direct the management of the School Division in accordance with policies adopted by the School Board. The Superintendent will maintain effective relationships with staff, students, parents and community, area school divisions and colleges, the Virginia Department of Education and other municipal, state and federal agencies.

B. Performance Responsibilities

The Superintendent's performance responsibilities shall be enumerated in the Superintendent's contract~~a job description for the position.~~

Legal Reference

Code of Virginia § 22.1-68, as amended. Records.

Code of Virginia § 22.1-69, as amended. Superintendent to attend meetings.

Code of Virginia § 22.1-70, as amended. Powers and duties of superintendent generally.

Virginia Board of Education Regulations 8 VAC 20-390 *et seq.*, as amended. Rules Governing Division Superintendent of Schools.

Adopted by School Board: October 20, 1992

Amended by School Board: October 1, 2013

Amended by School Board:

ADMINISTRATION

Superintendent: Evaluation

The School Board shall evaluate the Superintendent annually consistent with the performance standards set forth by the Virginia Board of Education and applicable law or regulation. The School Board Governance Committee shall have responsibility for the evaluation procedures.

Legal Reference

Code of Virginia, § 22.1-60.1, as amended. Evaluation of superintendent.

Code of Virginia § 22.1-253.13:5, as amended. Standard 5. Quality of classroom instruction and educational leadership.

Virginia Board of Education Guidelines for Uniform Performance Standards and Evaluation Criteria for Superintendents, as amended. July 1, 2012.

Adopted by School Board: October 20, 1992

Amended by School Board: October 1, 2013

Amended by School Board: June 17, 2014

Amended by School Board:

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

School Lunch and Breakfast Programs/Generally

A. Purpose and Objective

The School Board will attempt to provide facilities for serving breakfast and lunch to all students at school, and for employees of the School Division. Cafeteria food shall be sold to students and others at a price which will pay the cost of maintaining the cafeteria.

Breakfast and lunches shall constitute balanced meals provided at moderate cost to the student.

The cost of meals to school employees shall be higher than the cost to students and shall reflect the actual cost to the School Division of preparing and serving said meals.

B. Operations

The School Board is responsible for any school lunch program operated on school property. The School Board shall fix the price of meals and authorizes the Superintendent or designee to determine the adequacy, safety, and conformation to all applicable legal standards and statutes, of all facilities apparatus, and procedures used.

The School Board directs the Superintendent to subscribe to the ~~f~~Federal School Lunch and Breakfast Programs which provide balanced hot meals. In order to participate, the School Board ~~C~~chairman and the Superintendent are authorized to certify that the School Division complies with state and federal regulations.

C. School Meals Availability

Lunch and breakfast under the federal National School Lunch Program and the federal School Breakfast Program administered by the U. S. Department of Agriculture shall be made available pursuant to such programs to any student who requests such a meal, regardless of whether such student has the money to pay for the meal or owes money for meals previously provided, unless the student's parent/guardian has provided written permission for the School Division to withhold such meal from the student. The Superintendent or designee is authorized to collect payment for meals provided pursuant to this program, however a nongovernmental third-party debt collector may not be utilized to collect on such debt. The Superintendent or designee is authorized to solicit and receive any donation or other funds for the purpose of eliminating or offsetting any school meal debt at any time and shall use any such funds solely for such purpose.

Editor's Note

See also Virginia Beach City Public Schools "Food Services Operational Manual."

Legal Reference

Code of Virginia § 22.1-79.7:1, as amended. School meals; availability to students.

Code of Virginia § 22.1-79.7, as amended. School meal policies; donations.

Virginia Board of Education Regulations Governing School Lunch Sale of Food Items, 8 VAC 20-290-10, as amended.

U.S. Department of Agriculture Rules and Regulations, National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010, 7 C.F.R. Parts 210 and 220, as amended.

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. § 1751, as amended.

Adopted by School Board: February 16, 1993

Amended by School Board: August 19, 2014

Amended by School Board: 2020

PERSONNEL

Grievances and Grievance Procedures: Teachers

The School Board will provide an orderly and timely procedure for resolving disputes and recommendations for dismissal or other disciplinary action regarding teachers.

A. Grievability

1. Determination of Grievability

Decisions regarding whether or not a matter is grievable shall be made by the School Board at the request of the School Administration or the grievant and such decision shall be made within ten (10) business days of such request. The School Board shall reach its decision only after allowing the School Administration and the grievant the opportunity to present written or oral argument regarding grievability. The decision as to whether the arguments shall be written or oral shall be in the discretion of the School Board. Substantial compliance with the grievance procedures shall not be grievable and the Superintendent or designee is authorized to make the determination whether the grievant has substantially complied with the grievance procedures. If the grievant alleges that the School Administration has failed to substantially comply with the grievance procedures, the matter will be referred to legal counsel to determine whether the School Administration has substantially complied. Legal counsel will advise the School Board regarding the alleged failure to comply and the School Board will make a determination regarding whether the failure to comply entitles the grievant to proceed to the next grievance step.

B. Election of Hearing Before a Hearing Officer or School Board

Upon the appeal of a Part II grievance by any employee or the appeal of a Part III grievance by a teacher, the School Board elects that all such appeals shall be heard first by a hearing officer. At its sole discretion, the School Board may elect to hold a hearing for any such appeal without having a hearing officer first hear the appeal and make a written recommendation to the School Board.

Editor's Note

~~Effective July 1, 2013 the Code of Virginia amended the grievance procedures for teachers. The Virginia Department of Education did not amend the corresponding regulations. Accordingly, inconsistencies exist between the Code of Virginia and Procedure for Adjusting Grievances as currently set forth in 8VAC20-90 et seq. The procedures set forth in this Regulation will be followed until such time as the Virginia Board of Education adopts regulations consistent with the Code of Virginia. Should the Virginia Board of~~

~~*Education regulations become effective before this Regulation is amended, the School Board will follow the Virginia Board of Education regulations.*~~

Legal Reference

Code of Virginia § 22.1 306, as amended. Definitions.

Code of Virginia § 22.1 308, as amended. Grievance procedure.

Code of Virginia § 22.1- 311, as amended. Hearing before school board or hearing officer.

Code of Virginia § 22.1 314, as amended. Decision of school board; issue of grievability; appeal.

Virginia Board of Education Regulations 8VAC20-90 *et seq.*, as amended. Procedure for Adjusting Grievances.

Adopted by School Board: July 19, 1973

Amended by School Board: February 19, 1974

Amended by School Board: August 23, 1974

Amended by School Board: September 16, 1975

Amended by School Board: November 16, 1976

Amended by School Board: August 21, 1979

Amended by School Board: October 18, 1983

Amended by School Board: June 18, 1985

Amended by School Board: May 17, 1988

Amended by School Board: November 15, 1988

Amended by School Board: August 21, 1990

Amended by School Board: July 16, 1991

Amended by School Board: July 13, 1993 (Effective August 14, 1993)

Amended by School Board: March 19, 2002

Amended by School Board: February 4, 2003

Amended by School Board: October 15, 2013

Amended by School Board: October 18, 2016

Amended by School Board: 2020

PERSONNEL

Equal Employment Opportunity, Non-discrimination and anti-harassment and Compliance Officers

A. Purpose

The School Board is committed to maintaining an environment that is free from discrimination and harassment based on race, color, religion, national origin, sex, sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, genetic information or veteran status. Employees are expected to conduct themselves in a manner built on mutual respect, to understand and appreciate differences, and to treat all persons fairly and with respect and courtesy. The School Board directs the Superintendent to take prompt and appropriate action to investigate and resolve all complaints made under this Policy and to publish and provide training regarding this Policy and any supporting regulations.

B. Equal Employment Opportunity

The School Board is an equal opportunity employer and is committed to hiring and retaining qualified individuals. Accordingly, all recruiting, hiring and promoting for all job classifications, rates of pay or other forms of compensation, all employment actions or conditions of employment are made without regard to race, color, religion, national origin, sex, sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, genetic information or veteran status or any other basis protected by applicable federal, state or local law or regulation except where such categories are bona fide occupational qualifications.

C. Employee Compliance

School Board employees will comply with this Policy and with any regulations promulgated by the Superintendent to ensure that this Policy of non-discrimination and non-harassment is implemented. The Superintendent is directed to take appropriate actions with regard to any employee who fails to comply with this Policy and supporting regulations including discipline up to and including dismissal from employment.

D. Compliance Officers

Any employee or applicant for employment who experiences or perceives discrimination and/or harassment under this Policy should report the complaint to the below listed designated contacts who handle compliance with this Policy.

1. **Title VI of the Civil Rights Act (race) and Title IX of the Education Amendments of 1972 (sex discrimination) regulations for personnel** employment policies and practices – Chief Human Resources Officer, 2512 George Mason Drive, Building 6 Room 122, Municipal Center, Virginia Beach, Virginia 23456, telephone (757) 263-1133, facsimile (757) 263-1081.
2. **Title VI of the Civil Rights Act (race) and Title IX of the Education Amendments of 1972 (sex discrimination) regulations for student programs** – Director of the Office of Student Leadership, Laskin Road Annex, 1413 Laskin Road, Virginia Beach, Virginia 23451, telephone (757) 263-2020, facsimile (757) 263-2022.
3. **Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1974-(disability discrimination) for personnel** – Chief Human Resources Officer, 2512 George Mason Drive, Building 6 Room 122, Municipal Center, Virginia Beach, Virginia 23456, telephone (757) 263-1133, facsimile (757) 263-1081.
4. **Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Act (disability discrimination) for students** – Director of Guidance Services and Student Records, Plaza Annex, 641 Carriage Hill Road, Virginia Beach, Virginia 23452, (757) 263-1980, facsimile (757) 493-5437 or Director of the Office of Programs for Exceptional Children, Laskin Road Annex, 1413 Laskin Road, Virginia Beach, Virginia 23451, telephone (757) 263-2400, facsimile (757) 263-2067.

Complaints may also be filed directly with the United States Department of Education Office for Civil Rights at the address below:

United States Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg.
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone: 800-421-3481
FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

Legal Reference

Americans with Disabilities Act of 1990, 42 U.S.C. §12101, *et seq.*, as amended.

Title IX of the Education Amendments of 1972, 20 U.S.C. §§1681-88, as amended.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794, 34 C.F.R. Section 104.7 (a) and (b), as amended.

Virginia Human Rights Act, Virginia Code § 2.~~27~~-3900, as amended.

Pregnancy Discrimination Act of 1978, P.L. 95-555, 92 Stat: 2076, as amended.

Equal Pay Act of 1963, 29 U.S.C. §201, *et seq.*, as amended.

Civil Rights Act of 1964 (Title VII), P.L. 88-352, as amended.

Age Discrimination in Employment Act of 1976, P.L. 90-202, U.S.C. §621, *et seq.*, as amended.

Adopted by School Board: July 13, 1993 (Effective August 14, 1993)

Amended by School Board: June 8, 2004

Amended by School Board: November 19, 2013

Amended by School Board: August 18, 2015

Amended by School Board: November 15, 2016

Amended by School Board: October 10, 2017

Amended by School Board: January 23, 2018

Amended by School Board: 2020

STUDENTS

Interscholastic Competition

A. Generally

The School Board endorses the ideals of good sportsmanship, ethics, and integrity in all extra-curricular and co-curricular activities and charges all division schools with:

1. Encouraging and maintaining attitudes and actions indicative of good sportsmanship in the Virginia Beach City Public Schools;
2. Promoting the establishment of an organized program of sportsmanship activities; and
3. Recognizing the efforts of those individuals and organizations that develop and implement a sound philosophy and program.

B. Virginia High School League, Inc.

The School Board endorses membership by its high schools in the Virginia High School League, Inc. (VHSL) but imposes higher scholastic standards than the VHSL, as set forth in this Policy.

(Please note that the 2.0 grade point average or higher in courses taken in the second semester of the 2019-2020 school year will not be a requirement for participation during the first semester of the 2020-2021 school year as outlined in this Policy and the corresponding Regulation.)

C. Academic Requirements for Participation in Interscholastic Competition

1. It is the policy of the School Board that, to obtain eligibility to participate in interscholastic activities, students shall be required to have passed five or more classes with a 2.0 grade point average or higher in courses taken in the semester immediately preceding the semester in which they want to participate. Final grades earned in courses taken during summer school will be averaged with the semester grades the student earned in courses taken during the second semester to determine the student's second semester grade point average. The School Board grants to each student one probationary semester for use during the middle school years while a student attends Virginia Beach City Public Schools and one probationary semester for use during the high school years while a student attends Virginia Beach City Public Schools, during which time the 2.0 grade point average requirement is waived.
2. Students with disabilities eligible for special education and related services under the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA), in order to

participate in interscholastic activities, must: (a) make standard progress, as determined by the Individualized Education Program (IEP) team, toward the goals and objectives in their IEPs in special education courses; and (b) meet the academic requirements set forth in paragraph C.1. above in all courses. Students with disabilities who are taking less than five subjects, due to an IEP team determination that a reduced course load is appropriate, are eligible to participate in interscholastic athletics provided they meet the other requirements of this subsection.

Regulatory AuthorityLegal Reference

Virginia High School League, Inc. Handbook and Policy Manual, as revised.

Virginia Board of Education, 8 VAC 20-81-100(H)(2), as amended. Free Appropriate Public Education.

Adopted by School Board: July 16, 1991

Amended by School Board: June 15, 1993 (Effective August 14, 1993)

Amended by School Board: September 2, 1997

Amended by School Board: March 21, 2000

Amended by School Board: October 3, 2000

Amended by School Board: September 20, 2011

Amended by School Board: April 21, 2015

Amended by School Board: 2020

STUDENTS

Student-Athletes – Sudden Cardiac Arrest Prevention Awareness

The Superintendent or designee will develop guidelines and procedures to inform and educate coaches, student-athletes, and student-athletes' parents/guardians about the nature and risk of sudden cardiac arrest; procedures for the removal from and return to play, and risks of not reporting symptoms. Such guidelines and procedures shall be reviewed and updated biennially for compliance with applicable law and regulation and be posted on the School Division's website. Prior to participation in any extracurricular physical activity, student-athletes and parents/guardians of student-athletes will be required to annually review and a statement acknowledging receipt of such information.

Legal Reference

Code of Virginia § 22.1-271.8, as amended. Sudden cardiac arrest prevention in student-athletes.

Adopted by School Board: 2020

COMMUNITY RELATIONS

Community Use of School Facilities/Generally

The School Board encourages the use of the auditoriums, gymnasiums, other areas and appurtenances of school buildings by reliable community agencies and institutions, and responsible individuals for civic, cultural, recreational, and limited commercial purposes, subject to certain terms and conditions, provided it does not interfere with regular school functions and operations and provided it does not unlawfully discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, genetic information or veteran status~~sex, age, race, color, religion, disability, political affiliation or national origin~~ in the provision of any service.

Charges and fees for the use of these school facilities are designed not to limit or prohibit use, but to protect citizens from expenditures of public money appropriated for classroom instruction and for other purposes.

Regulations governing the use of school facilities are stated in order to protect the public's property and to promote the safety of citizens enjoying the use of such facilities.

Editor's Note

~~See School Board Policy 5-53 Activities: Access to School Facilities;
School Board Policy 7-49 Organizations Eligible to Use School Facilities;
School Board Policy 7-55 Fees for Use of School Facilities; and
School Board Regulation 7-55.1 Fees for Use of School Facilities.~~

Legal Reference

Code of Virginia § 22.1-131, as amended. Boards may permit use of school property; general conditions.

Code of Virginia § 22.1-132, as amended. Boards may impose certain conditions on use of property.

Related Links

School Board **Policy 5-53**

School Board **Policy 7-49**

School Board **Policy 7-55**

School Board **Regulation 7-55.1**

Adopted by School Board: October 21, 1969

Amended by School Board: October 15, 1974

Amended by School Board: September 19, 1978

Amended by School Board: August 21, 1990

Amended by School Board: July 16, 1991

Amended by School Board: October 20, 1992

Amended by School Board: September 2, 2003

Scrivener's Amendments: May 23, 2014

Amended by School Board: 2020



Subject: Discussion of Status of FY20 Committee Assignments **Item Number:** 9C

Section: Information **Date:** June 8, 2020

Senior Staff: N/A

Prepared by: Carolyn T. Rye, School Board Chair

Presenter(s): Carolyn T. Rye, School Board Chair

Recommendation:

That the School Board discuss status of current committee assignments for the term ending June 30, 2020.

Background Summary:

Source:

Budget Impact: