



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Services

Beverly M. Anderson, Chair
At-Large

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

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

Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting MINUTES

Tuesday, April 30, 2019

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

INFORMAL MEETING

- 1. Convene School Board Workshop:** The School Board convened in the einstein.lab in workshop format at 4:03 p.m. In addition to Superintendent Spence, all School Board members were present with the exception of Ms. Holtz and Ms. Weems who Chairwoman Anderson announced would be absent from the meeting. Ms. Rye arrived late at 4:07 p.m.

A. School Board Administrative Matters and Reports:

- 1. Virginia School Boards Association (VSBA) Legislative Positions Proposal(s) Determination:** On behalf of the School Board's Legislative Committee, Vice Chair Melnyk reported the VSBA's Legislative Positions were aligned with the School Board's Legislative Agenda; and, therefore, no additions or amendments are recommended.

Chairwoman Anderson noted a closed session will take place at the conclusion of the School Board's formal meeting. The School Board then engaged in a discussion regarding individual School Board member requests for information that requires an excessive amount of staff time, and the need to provide Superintendent Spence direction on how to direct staff priorities beyond the normal course of business. Superintendent Spence explained a recent request for contract information for a period of more than five years that he noted was not related to any impending School Board action item, but would require staff halt their day-to-day duties to research this broad request. Ms. Manning clarified the request was related to information presented as part of a recent budget transfer request for Chromebooks and felt the data should be readily available similar to the City's platform. Superintendent Spence presented the School Board with a report on technology related contracts, sole source technology related contracts, and purchase orders for the period January 2014 through April 2019; and Kevin Beardsley, Director of Purchasing Services, spoke to the purchasing process explaining the challenges of



generating ADA compliant documents required for posting to the division's website. Additionally, he reported on the new purchasing repository established out of a recent audit report, and explained the more expansive data published on the division's website as compared to what is summarized on the City's platform.

As chair of the School Board's Retreat Planning Ad Hoc Committee, Vice Chair Melnyk presented the committee's final report for the Retreat to be held at Old Donation School commencing after lunch on July 8 and continue for a full-day on July 9, 2019 followed by an abridged regular School Board meeting. She summarized the committee's considerations related to selecting a facilitator for governance training within a strict budget as requested by the School Board, and concluded the best option was the training provided by the Virginia School Boards Association (VSBA) at a cost of \$1,000. Noting VSBA requires one-hundred percent participation, she reported Ms. Hughes' and Ms. Manning's refusal to participate in any VSBA activity, and advised the committee determined the only remaining option was for Superintendent Spence to share an opportunity for the School Board to create a new committee structure. The Department of Food Services was selected for catering services, and retreat topics will include school start times, cell phones, employee compensation strategies, *Compass to 2020* update, and development of the division's next strategic plan. Additionally, if time allows, transformational learning, communication audit update, and development of the 2019-20 legislative priorities were identified as other potential topics to be discussed. Ms. Manning stated the reason for establishing an ad hoc committee was to remove the Superintendent from the planning process and inquired as to whether other consultants were considered. School Board Legal Counsel, Kamala H. Lannetti, Deputy City Attorney, spoke to the recommendation to consider a specific judge advising typically they are not authorized to do private work, and the cost would exceed the budget. In response to Ms. Manning's suggestion that other options be explored, Vice Chair Melnyk advised the work of the ad hoc committee is complete and plans are moving forward as reported.

Mr. Edwards spoke to a communication he sent to Superintendent Spence that had been taken out of context when quoted at a City Council meeting. He explained the e-mail recognized the complexities associated with school funding grants and federal laws regarding supplanting funds for full-day kindergarten programs, and acknowledged the public relations challenge in relaying complicated information. He recognized staff's efforts in paring back the cost to now be less than \$5 million, and stressed the importance of public perception in attempts to relay factual information in an environment that does not wish to embrace the facts. Following discussion, this portion of the workshop concluded at 4:37 p.m.

- B. Technology Infrastructure and Security Update: Ramesh K. Kapoor, Chief Information Officer, Department of Technology, presented a report on the state of technology in the division, technology trends, and challenges. He provided examples of instructional systems, administrative, and student information systems supported, and presented an overview of technology trends that continue to fuse in K-12 education. Challenges were



described in the area of security and financial impact, ongoing maintenance, support and replacement costs, and plans needed for the upgrade and replacement of application systems necessitated by change in technology and requirements.

This portion of the workshop concluded at 5:04 p.m.

- C. Instructional Technology Update: Kipp D. Rogers, Ph.D., Chief Academic Officer, Department of Teaching and Learning, presented information related to the progress of instructional technology. He explained *Compass to 2020* Goal 2 – Multiple Pathways, Strategy #2, which leverages technology to increase flexibility with respect to when and how learning occurs and to monitor the progress of students throughout their academic careers. A review of the 14 Digital Learning Anchor Schools and learning path was presented along with an overview of currently used instructional technology programs to include Schoology, IXL Learning, NoRedInk, Gale - A Cengage Company, and Achieve3000.

This portion of the workshop concluded at 5:39 p.m.

2. **Closed Meeting**: None at this time. See Item 18.
3. **School Board Recess**: The School Board recessed at 5:39 p.m. to reconvene in School Board Chambers for the formal meeting at 6:00 p.m.

FORMAL MEETING

4. **Call to Order and Electronic Roll Call**: Chairwoman Anderson called the formal meeting to order in School Board Chambers at 6:02 p.m. In addition to Superintendent Spence, all School Board members were present with the exception of Ms. Holtz and Ms. Weems who were absent from the meeting.
5. **Moment of Silence followed by the Pledge of Allegiance**
6. **Student, Employee and Public Awards and Recognition**:
 - A. Virginia Lottery Contest Winners: The School Board recognized two Virginia Lottery contest winners: Green Run High School teacher Bridgette Berthold for being named a “Made in Virginia” contest winner which honors Virginia graduates who have found success in their career, overcome adversity or demonstrated a passion for service to their community; and Princess Anne Middle School student Kaycie Colton who won the middle school category in the “Thank a Teacher” art contest where her artwork was selected from over 700 submissions and stood out as it shows many people working together to help lift up others – the essence of what teachers do every day.
 - B. School Forensics Champions: Three students from Salem High School, two students from First Colonial High School, and two students from Landstown High School were recognized by the School Board for winning first place in their respective events at the 2018-2019 Virginia High School League (VHSL) State Forensics Championship meet. The events won included Impromptu Speaking, Original Oratory, Serious Dramatic Interpretation, Prose Interpretation and Humorous Duo Interpretation.



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- C. All Virginia Honor Music Ensembles: The School Board recognized students who earned All Virginia Honors for the 2018-19 school year for their respective ensembles that include All Virginia Band and Orchestra, All Virginia Jazz Band, All Virginia Chorus, All Virginia Senior Honor Choir and All Virginia Middle School Chorus.
- D. Honor Bands and Blue Ribbon Schools: The School Board recognized seven high school State Honor Bands for receiving superior ratings at the Marching Band Assessment in the fall and at the Concert Band Assessment in the spring. Additionally, ten schools were recognized for achieving Blue Ribbon status after the band, chorus and orchestra from each school received superior ratings at the respective district assessments.
- Superintendent Spence also acknowledged Fine Arts Coordinator for Music/Drama John Brewington, and Instructional Specialist Holly Sunderland in these accomplishments.
7. **Superintendent's Report**: In his tradition of recognizing the newest member(s) of the *Compass Keepers Club*¹, Superintendent Spence's report was related to the Month of the Military Child in combination with Teacher Appreciation Week by featuring Kingston Elementary School teacher Stephanie Frisbee and her efforts to welcome and support a 3rd grade student who was new to the area and to a public school system whose father had been recently deployed. Ms. Frisbee's experience as a military spouse strengthened her ability to relate to her student's situation and offer assistance to his family.
8. **Hearing of Citizens and Delegations on Agenda Items**: The School Board heard comments from R. M. Marsh about policies on the Consent Agenda related to relations with the public, access to records, and communication with the public; and Ginger Robinson, Thalia Elementary School Library Media Specialist, regarding the proposed General Fees Schedule for SY2019-20 requesting the tuition rate for non-resident secondary students of division employees be maintained.
9. **Approval of Minutes: April 9, 2019 Regular School Board Meeting**: Ms. Manning made a motion, seconded by Ms. Rye, that the School Board approve the minutes of their April 9, 2019 regular meeting as presented. The motion passed (ayes 8, nays 0).
10. **Adoption of the Agenda**: Vice Chair Melnyk made a motion, seconded by Mr. Edwards, that the School Board adopt the agenda as published. The motion passed (ayes 8, nay 0).
11. **Consent Agenda**: After Chairwoman Anderson's overview of items presented for approval as part of the Consent Agenda, Ms. Riggs made a motion, seconded by Vice Chair Melnyk, that the School Board approve the Consent Agenda as presented. The motion passed (ayes 8, nays 0), and the following items were approved as part of the Consent Agenda:

¹ Members of the Compass Keepers Club are students, staff or community supporters who truly represent Virginia Beach City Public Schools with dedication, determination, passion and drive



A. Resolutions:

1. Teacher Appreciation Week as follows:

TEACHER APPRECIATION WEEK RESOLUTION

MAY 5-11, 2019

WHEREAS, research shows that classroom teachers have significant impact on student achievement and success; and

WHEREAS, teachers' efforts in planning, teaching and assessing directly impacts student growth; and

WHEREAS, teachers work in collaboration with school administrators to engage families and the community to create challenging, authentic learning opportunities for children; and

WHEREAS, the School Board appreciates the hard work and time teachers dedicate to support student achievement both in and outside of the classroom; and

WHEREAS, this dedication contributes to a strong, positive school culture; and

WHEREAS, the school division has partnered with our parents and community members to express our appreciation for teachers through the "We Are VB Schools: Great Dreams need Great Teachers" campaign; and

WHEREAS, the school division uses this campaign to highlight the work of our extraordinary instructional staff throughout the entire school year but especially during Teacher Appreciation Week.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach officially recognizes May 5-11, 2019 as Teacher Appreciation Week; and be it

FURTHER RESOLVED: That the School Board of the City of Virginia Beach encourages all community members to support and participate in activities designed to recognize teachers for their tireless work as educational leaders; and be it

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

FURTHER RESOLVED: That a copy of this resolution be distributed to each school in the division to be posted in a prominent location.

2. School Nurse Appreciation Day as follows:

SCHOOL NURSE APPRECIATION RESOLUTION

WHEREAS, school nurses are individuals in the forefront who work with families, teachers, and administrators to ensure students of Virginia Beach City Public Schools have the safest and healthiest possible environment in which to learn; and

WHEREAS, good health is essential to the learning process and student achievement; and

WHEREAS, the goal of every professional school nurse is to help each student reach or maintain an optimum level of wellness; and

WHEREAS, school nurses provide direct nursing care, provide health screenings and follow-ups, provide health-related programs within the school system, provide health counseling and act as resources to teachers on health education issues; and

WHEREAS, school nurses serve the children of Virginia Beach schools with dedication, working diligently to make health a priority for children during their regular school day.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach designates May 8, 2019, as School Nurse Appreciation Day in Virginia Beach; and be it

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



- B. Textbook Adoption Secondary Math: Digital resource *Mathspace* as recommended by the Secondary Mathematics Digital Resource Adoption Committee for implementation in the fall of 2019 for all mathematics courses from grade 6 to Algebra II with Trigonometry (excluding Algebra, Functions, and Data Analysis)
- C. Religious Exemption Case Number RE-18-26
- D. Policy Review Committee Recommendations:
 - 1. Policy 5-47 Clubs and School Organizations: Minor scrivener changes
 - 2. Policy 5-61 First Aid/Emergency Care: Updates made to the legal reference mandating that each school in the division shall have in the building a minimum of three school employees that have current certifications or training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED)
 - 3. Policy 7-1 Relations with the Public: Minor scrivener changes
 - 4. Policy 7-2 Notification of School Board Meetings: Reviewed for legal sufficiency
 - 5. Policy 7-3 Access to Records: Reviewed for legal sufficiency
 - 6. Policy 7-6 Relations with the News Media: Reviewed for legal sufficiency and to update language related to electronic recording of students
 - 7. Policy 7-10 Communications with the Public: Language added to include the notification of the Department of Media and Communications of public petitions, complaints or concerns
 - 8. Policy 7-15 Distribution/Announcement of Outside Communications: Minor scrivener changes
- E. Nomination of Virginia Beach City Public Schools' High School Career Test Drives job shadow program with program partners Junior Achievement of Greater Hampton Roads, and Central Business District Association, etc. for the Virginia School Boards Association (VSBA) Excellence in Workforce Readiness Award

12. Action

- A. Personnel Report: Vice Chair Melnyk made a motion, seconded by Ms. Riggs, that the School Board approve the appointments and accept the resignations, retirements and other employment actions as listed on the Personnel Report dated April 30, 2019. The motion passed (ayes 8, nays 0). There were no administrative appointments recommended.
- B. Process and Timeline for the Interim Appointment to the District 3 Rose Hall School Board Vacancy: Ms. Felton made a motion, seconded by Ms. Rye, that the School Board approve a resolution outlining the process and timeline for the interim appointment to fill the District 3 Rose Hall School Board Vacancy. School Board Legal Counsel, Kamala H. Lannetti, Deputy City Attorney, explained the process to include a May 14 public hearing and potential for a special meeting to take place on May 21 for candidate interviews. Given the final date for appointment on June 5, it was suggested by way of a substitute motion made by Mr. Edwards and seconded by Ms. Manning, that the regular School Board meeting date of May 28th be added as a potential interview/appointment date also.



The substitute motion was approved (ayes 8, nays 0), and the resolution was approved as follows:

RESOLUTION APPROVING THE APPOINTMENT PROCESS FOR A SCHOOL BOARD MEMBER RESIDING IN DISTRICT 3 – ROSE HALL

WHEREAS, Mr. Joel A. McDonald was first elected to the District 3 – Rose Hall School Board seat for the term beginning January 1, 2013, and re-elected for the term ending December 31, 2020; and

WHEREAS, on March 8, 2019, Mr. McDonald announced a lapse in residency in District 3 – Rose Hall; and

WHEREAS, upon notification, and pending the outcome of a request for judicial declaration regarding status of a potential vacancy in the District 3 – Rose Hall seat, the School Board’s Legal Counsel filed for a Writ of Special Election with Virginia Beach Circuit Court which was accepted on March 14, 2019; and

WHEREAS, after hearing testimony on April 11, 2019 at the court appeal proceeding, Virginia Beach Circuit Court Judge Lewis declared the District 3 – Rose Hall School Board seat vacant and set April 22, 2019 as the date for the appointment process to begin; and

WHEREAS, in accordance with *Virginia Code* §24.2-228, §22.1-57.3, School Board Bylaw 1-15, and City Code §16.05, as amended, when a vacancy occurs on the School Board after an officer begins his term, the School Board shall, within forty-five (45) days of the office becoming vacant, appoint a qualified voter of the election district in which the vacancy occurred to fill the vacancy; and

WHEREAS, at least seven (7) days prior to an appointment, the School Board shall hold one or more public hearings to receive views of the citizens within the school division on the appointment, and the School Board shall give public notice of the hearing by newspaper publication at least ten (10) days in advance of the hearing. No person whose name is not considered at a public hearing shall be appointed; and

WHEREAS, the person appointed shall hold office until qualified voters fill the vacancy by special election at the next general election on November 5, 2019, results are certified and the elected School Board member for District 3 - Rose Hall is sworn in; and

WHEREAS, the School Board intends to provide adequate notice to the public of the appointment process and encourage qualified applicants to apply for such positions.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The School Board adopts the following schedule and appointment process:

- April 30thSchool Board approval of process for appointment
- Immediately thereafterApplications available to the public (online and through the Clerk)
- NLT May 4thPublic Notice published in a newspaper having a general circulation within the school division
- May 9th (3 p.m.).....Deadline for submission of applications to the School Board Clerk for transmission to the School Board via SharePoint
- May 14thPublic Hearing and School Board discussion on candidates for interviews
- May 21stPotential Special School Board Meeting for the interview of candidates and potential vote for appointment
- May 28thSchool Board Meeting for possible interview of candidates and potential vote for appointment
- June 5thFinal date for appointment

2. The School Board authorizes the Chair, the Superintendent, and School Board Legal Counsel to take all necessary actions for the application process, notice, public hearing, appointment, qualification and swearing in of the new School Board Member.

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

13. Information

- A. General Fees Schedule FY2019-20: Farrell E. Hanzaker, Chief Financial Officer, presented the proposed General Fees Schedule for FY2019-20 including rates for student fees for optional/ancillary services or activities highlighting changes from the prior year, and noting there are no proposed changes in student meal prices. In addressing comments



made during the hearing on agenda items related to non-resident, employees' student tuition fees, he acknowledged the proposal requires an adjustment to bring it into compliance with Policy 3-22 which outlines fees to be calculated based on the current year's tuition fees, plus annualized inflation (rounded to the nearest ten dollars) based on the most recent Consumer Price Index (CPI) or as otherwise approved by the School Board, resulting in a minimal increase of less than \$100 for the speaker who addressed the School Board on the topic.

- B. Interim Financial Statements – March 2019: Crystal M. Pate, Director of Business Services, presented the division's financial position as of March 31, 2019 reporting overall revenues remain acceptable at this point in the fiscal year. She explained a decline in the projected surplus in state revenue of approximately \$1.9 million reflects a decrease in the state's projected payment for the at-risk program, and includes the impact of a lower than projected March 31 Average Daily Membership (ADM). Federal revenues were reported on a favorable trend receiving approximately \$1 million or 108.4% more than the original budget year to date mainly due to Impact Aid receipts coming in over budget. She noted the final FY2018 Impact Aid payment of approximately \$827,000 will be reflected in April's financial statements. Sales tax receipts were reported on an acceptable trend at approximately \$1.3 million higher than the prior year; however, for April, there is a decrease of approximately \$149,000 when compared to the prior year. The expenditures/encumbrances trend was reported as continuing to remain acceptable at this point in the fiscal year.

- 14. *Standing Committee Reports:*** As the School Board's liaison to the School Health Advisory Committee, Ms. Rye relayed regrets from the Coordinator of Student Health Services/School Nurses, Mary Shaw, who was unable to be present for the School Board's passage of the resolution recognizing School Nurse Appreciation Day, and extended Ms. Shaw's appreciation for the School Board's continued support of the health services program.

As the School Board's liaison to the Strategic Planning Committee along with Ms. Riggs, Ms. Rye reported on the committee's progress in their review of present strategic plan goals to include analyzing the profile of a school graduate, and timeline for the development of possible goals and sub-goals by the committee for discussion at the School Board's summer retreat.

Ms. Riggs reported on the Sister Cities Expo with accolades conveyed for the organization and presence by departments and schools.

Several School Board members praised the Battle of the Bands held as part of the "Something in the Water" event noting the absence of one of the strongest bands because they were part of the Virginia Arts Festival 2019 Tattoo event being held in Norfolk.

In Ms. Weems's absence, Chairwoman Anderson announced tickets were still available for the Green Run Collegiate Gala.

- 15. *Conclusion of Formal Meeting:*** The formal meeting concluded at 7:02 p.m.



- 16. **Hearing of Citizens and Delegations on Non-Agenda Items:** The School Board heard comments from Leah Rowland regarding the health benefits of free play, and Audrey Malagon regarding the interpretation of the recess survey results and concerns about the survey.
- 17. **Convene School Board Workshop:** None at this time
- 18. **Closed Meeting: Legal Matters:** Vice Chair Melnyk made a motion, seconded by Ms. Riggs, that the School Board recess into a closed session pursuant to the exemptions from open meetings allowed by Section 2.2-3711, Part A, Paragraphs 7 & 8, of the *Code of Virginia*, 1950, as amended, for Legal Matters: Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, pursuant to Section 2.2-3711(A)(7); and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, Section 2.2-3711(A)(8); namely to discuss settlement offer in pending federal court litigation and to update on status of certain other pending legal matters.

The motion passed (ayes 8, nays 0) and the School Board recessed at 7:11 p.m. and reconvened in Room 113 in a Closed Meeting at 7:22 p.m.

Individuals present for discussion: School Board members with the exception of Ms. Holtz and Ms. Weems who were absent from the meeting; Superintendent Spence; School Board Legal Counsel, Kamala H. Lannetti, Deputy City Attorney; outside legal counsel Ann Sullivan from Sullivan Law Group, P.L.C.; and Dianne P. Alexander, Clerk of the School Board.

The School Board reconvened in an open meeting at 8:43 p.m.

Certification of Closed Meeting: Vice Chair Melnyk made a motion, seconded by Mr. Edwards, that the School Board certifies that to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification applies, and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered. The motion passed (ayes 8, nays 0).

- 19. **Vote on Remaining Action Items:** None
- 20. **Adjournment:** There being no further business before the School Board, Chairwoman Anderson adjourned the meeting at 8:44 p.m.

Respectfully submitted:

Dianne P. Alexander, Clerk of the School Board

Approved:

Beverly M. Anderson, School Board Chair