



VIRGINIA BEACH CITY PUBLIC SCHOOLS CHARTING THE COURSE

School Board Services

Beverly M. Anderson
At-Large

David Culpepper
District 8

Staci Martin
District 4

Trenace B. Riggs
District 1 – Centerville

Kathleen Brown
District 10

Jennifer S. Franklin
District 2 – Kempsville

Kimberly A. Melnyk
District 2

Carolyn D. Weems
District 9

Michael Callan
District 6

Victoria C. Manning
At-Large

Jessica L. Owens
District 3 – Rose Hall

Aaron C. Spence, Ed.D.
Superintendent

School Board Organizational / Regular Meeting MINUTES **Tuesday, January 10, 2023**

Holland Road Annex
2323 Holland Road
Virginia Beach, VA 23453
(757) 263-1000

1. ***Administrative, Informal, and Workshop:*** Vice Chair Melnyk convened the Administrative, Informal, and Workshop session at 4:01 p.m. on the 10th day of January 2023 and announced members of the public will be able to observe the School Board meeting through live streaming on vbschools.com, broadcast on VBT Channel 47, and on Zoom; welcomed members of the public both in person and online.

In addition to the Superintendent, the following School Board members were present at the Holland Road Annex – Einstein Lab: Vice Chair Melnyk, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Owens, Ms. Riggs, and Ms. Weems.

Vice Chair Melnyk called for any items for administrative matters; Ms. Weems recommended establishing a Career and Workforce Development Committee, mentioned workforce readiness skills and trade skills, need to assess what we have currently, assess community needs, committee be comprised of two City Council members and two School Board members, six-month time period for committee to work, recommendations by November 2023; Ms. Riggs mentioned the situation at Newport News Public Schools and how VBCPS may help; Ms. Anderson mentioned her interest in being a part of the Career and Workforce Development Committee; suggested a moment of silence for the teachers and students of Newport News Public Schools.

A. ***Annual Recruitment, Staffing, and Retention Update:*** Cheryl Woodhouse, Chief Human Resources Officer and Anne C. Glenn-Zeljenjak, Coordinator Recruitment & Retention provided the School Board the annual presentation on Recruitment, Staffing, and Retention; Ms. Woodhouse provided an overview of the presentation and introduced Ms. Glenn-Zeljenjak; Ms. Glenn-Zeljenjak continued the presentation and reviewed the topics of the presentation; market conditions and challenges: teacher shortage continuing to impact the applicant pool, fewer students choosing teaching career, teachers compensated less than their college-educated peers in other professions, retention of teachers, critical shortage positions, affordable housing; national causes of teacher and staffing shortages: recruiting challenges - negative perception of the teaching profession (high cost of becoming a teacher, differing state licensure requirements), retention challenges – lack of support for current teachers (teacher compensation, school workplace culture); VBCPS retirements and resignations 2021-2022: 760 teachers, 2021-2022 teacher retention: 87.72%; school year opened with 35 instructional vacancies; results: 489 new teachers (8 Virginia Beach Future Teacher (VTfT) award winners, 32 early commitment acceptances, 194 letters of intent); reviewed retirements and resignations numbers from September-December 2022: 33 classified retirements, 11 instructional retirements, 145 classified resignations, 68 instructional resignations; current instructional vacancies as of January 6, 2023: 67 (30 elementary, 23 middle, 14 high); current classified, custodial and food service vacancies as of January 6, 2023: 33 classified (13 elementary, 6 middle, 14 high), 80* custodial (35 elementary, 23 middle, 22 high), 63* food services (28 elementary, 17 middle, 18 high); *note: this does not include 7 department custodians and 19 food service central office vacancies that work directly with schools.

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Recruitment strategies: advertisement posters – QR Codes, business cards – QR Codes, YouTube advertisements, radio campaigns and Spotify ads, paid advertising on Social Media sites, Virginia Employment Commission – Work Force Connection, media outlets; additional recruitment strategies: VBSchools hiring fairs, recruitment participation (virtually and in-person), Walk-Up Wednesdays, Student Teacher/School Counseling Interns Outreach, attractive benefits package (retirement program, paid leave); reviewed recruitment and retention vitality: incentives, grants, substitution rates, early commitment agreements, VB Future Teacher Awards, Teachers-in-Residence, custodial substitute initiative, Retiree Opportunity Program (ROP); VBCPS continues recruitment efforts: application enhancements, letters of intent, international teachers, substitute recruitment at school events, centralized custodial staffing; reviewed summary – year-long recruitment, promote and support the field of education, partnerships, hiring fairs, marketing campaigns, community outreach; shared tips to supporting staffing efforts: elevate education as a profession, speak to others about employment opportunities with VBCPS, follow and share the division’s social media posts, apply for vacant positions at VBSchools.com.

The presentation continued with questions and comments regarding advancement opportunities for food services; retaining food service workers; certifications for different food service positions; utilizing PTSA to get information out; receiving information regarding the enhanced employee process – update at later School Board meeting; possibility of increasing number of future teacher award winners; completion of course requirements; increasing letters of intent; health benefit package; instructional vacancies; and long term substitutes.

- B. Childcare Program – Introduction: Cheryl Woodhouse, Chief Human Resources Officer presented the School Board information regarding the recommendation from the Department of Human Resources to expand our partnership with VB Parks and Recreation and establish a new partnership with the YMCA to bring additional childcare opportunities to our staff in the 17 identified Title I schools; reviewed topics of the presentation; mentioned the Child Care Program Introduction Planning Committee members; provided an overview of the timeline of events: March 2022 – topic surfaced as a possible recruitment and retention initiative; August/September – first brainstorming meeting with VBCPS staff, investigated other school divisions that offer childcare to employees; October – first meeting of the full Planning Committee; November – virtual meeting with staff from Carrollton, TX, launched childcare interest survey to Title I staff; December – Planning Committee meetings continued, toured preschool classrooms at the Technical and Career Education Center; January 10, 2023 – Child Care Program update to the School Board; reviewed interest survey results: 25% of staff in our Title I schools responded, 58% of respondents are “very interested” in attending a childcare program at either Parks and Recreation or the YMCA, 40% of staff were interested in a full-day option, 30% of staff were interested in before and after care options, most of the children were between 3 and 10 years of age.

Phase 1 – Implementation: Title I staff, VB Parks and Recreation and YMCA centers, available spots/expand capacity, children ages 3 and 4 only, registration cost – TBD, registration in April, memorandum of understanding; list of Title I Schools: Bayside ES, Bayside MS, Bayside Sixth Grade Campus, B. F. Williams ES, Birdneck ES, Brookwood ES, College Park ES, Diamond Springs ES, Green Run ES, Holland ES, Luxford ES, Lynnhaven ES, Newtown ES, Parkway ES, Point O’View ES, Rosemont ES, and Seatack ES; Phase 1 – next steps: finalize the number of seats available to staff; develop, finalize, and communicate the application and selection process to Title I staff; Title I staff make their selection (Parks and Recreation or YMCA); complete the admissions application; verification of employment at a Title I school; selection process notification; possible financial support to offset childcare cost; Phase 2 – future plans: memorandum of understanding expansion; site identification – classrooms in Title I schools; possible financial support to offset childcare costs; work experiences and internships for VBCPS students; potential hiring agreement upon graduation; Model Partnership recognition.

The presentation continued with questions and comments regarding how many facilities; working with Parks and Recreation and the YMCA; for staff at 17 Title I schools; application with Parks and Recreation and YMCA to see if qualify for discounted rate; holding slots available; number of respondents to survey: 353; staffing burden for Parks and Recreation and/or YMCA; future plans looking at using classrooms at two schools; work with division services to make sure space available; schools selected based on availability; application process and when open for school staff verses the public.

2. Closed Session: At 5:05 p.m., Vice Chair Melnyk made the following motion That the School Board recess into Closed Session in accordance with the exceptions to open meetings law set forth in Code of Virginia §2.2-3711 to deliberate on the following matters:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or

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employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals.

7. 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. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

Namely to discuss:

- A. Appointment of a hearing officer for a discrimination complaint appeal hearing
- B. Pending litigation matters

Kamala H. Lannetti, School Board Attorney, added the following to the motion for Closed Session:

Add Subsection 2 – 2.2-3711 Code of Virginia subsection 2

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student of any public institution of higher education in the Commonwealth or any state school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.

And also, Code of Virginia 2.2-3711 to deliberate on section 19

19. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2, where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system, or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

Namely to discuss:

- C. Security matter and response to a specific school incident/student discipline matter

Ms. Lannetti noted this information was published in the agenda. Vice Chair Melnyk noted the additions and called for a second; Ms. Anderson seconded the motion. There were ten (10) ayes in favor of the motion to recess into Closed Session: Vice Chair Melnyk, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Riggs, and Ms. Weems. The motion passed, 10-0-0.

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

A. Appointment of a hearing officer for a discrimination complaint appeal hearing: School Board members: Vice Chair Melnyk, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Riggs, and Ms. Weems; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.

Note: Ms. Owens entered the Closed Session at 5:10 p.m.

B. Pending litigation matters: School Board members: Vice Chair Melnyk, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Owens, Ms. Riggs, and Ms. Weems; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.

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C. Security matter and response to a specific school incident/student discipline matter: School Board members: Vice Chair Melnyk, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Owens, Ms. Riggs, and Ms. Weems; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.

At 5:17 p.m. the following staff members joined the Closed Session for discussion regarding security matter and response to a specific school incident/student discipline matter: Donald E. Robertson, Ph.D., Chief of Staff; Matthew Delaney, Chief Schools Officer; Jack Freeman, Chief Operations Officer; Thomas A. DeMartini, Director, Office of Security and Emergency Management.

The School Board reconvened at 5:37 p.m.

Certification of Closed Session: Vice Chair Melnyk read the Certification of Closed Meeting:

WHEREAS, the School Board of the City of Virginia Beach has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by this School Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the School Board of the City of Virginia Beach hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification applies, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered.

Ms. Manning made the motion, seconded by Ms. Martin. There were eleven (11) ayes in favor of the motion for Certification of Closed Session. The motion passed unanimously, 11-0-0.

Vice Chair Melnyk made the following motion: that the School Board authorize Richard Hailey to serve as a student discrimination complaint hearing officer. The motion was seconded by Ms. Riggs. The were eleven (11) ayes in favor of the motion. The motion passed unanimously, 11-0-0.

3. **School Board Recess:** Vice Chair Melnyk adjourned the Administrative, Informal, and Workshop session at 5:39 p.m.
4. **Formal Meeting (Holland Road Annex – School Board Room/Auditorium) 6:00 p.m.**
5. **Call to Order and Roll Call:** Superintendent Spence, serving as Chair pro-tem called the School Board Annual Organizational meeting to order at 6:05 p.m. The following School Board members were present in the Holland Road Annex School Board Room/Auditorium: Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, Ms. Owens, Ms. Riggs, and Ms. Weems.
6. **Moment of Silence followed by the Pledge of Allegiance:** Superintendent Spence took a moment to recognize our colleagues in Newport News City Public Schools and asked during the moment of silence to keep them in your thoughts and prayers.
7. **School Board Organizational Matters:** After reviewing the nomination and voting procedures to be used for the election of School Board Chair and Vice Chair, without any objections, motions, or questions, Superintendent Spence called for nominations in the election of School Board Chair.
 - A. Election of School Board Chair: Ms. Weems stated her decision not to run for School Board Chair and nominated Ms. Trenace Riggs for School Board Chair for the 2023 calendar year. Without any other nominations for School Board Chair, votes were cast with the following results: Ms. Riggs received eight (8) votes: Ms. Anderson, Mr. Culpepper, Ms. Franklin, Ms. Martin, Ms. Melnyk, Ms. Owens, Ms. Riggs, and Ms. Weems. Kamala H. Lannetti, School Board Attorney announced pursuant to Bylaw 1-18, the nominee with the most votes is declared the Chair and at this time Ms. Riggs has the most amount of votes. Ms. Riggs was declared School Board Chair for the 2023 calendar year. Superintendent Spence turned the meeting over to Chair Riggs to proceed with the meeting. Chair Riggs thanked the School Board and Ms. Weems.
 - B. Election of School Board Vice Chair: Chair Riggs mentioned the same election procedure for Chair will be followed for the election of School Board Vice Chair. Chair Riggs called for nominations for School Board Vice Chair. Chair Riggs nominated Ms. Carolyn Weems for Vice Chair. Without any other nominations for School Board Vice Chair, votes were cast with the following results: Ms. Weems received eleven (11) votes: Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, Ms. Owens, Ms. Riggs, and Ms. Weems. The

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School Board Clerk announced it was a unanimous vote for Carolyn Weems and declared School Board Vice Chair for the 2023 calendar year. Vice Chair Weems shared some thoughts and thanked the School Board members.

- C. **Appointment of Clerk and Deputy Clerk:** Chair Riggs called for a motion to approve the Superintendent's recommendation to appoint Regina M. Toneatto as Clerk of the School Board and Susan L. Keipe as Deputy Clerk of the School Board for the 2023 calendar year. Ms. Melnyk made the motion, seconded by Ms. Franklin. Without discussion, Chair Riggs called for a vote to approve the appointment of the Clerk and Deputy Clerk. The School Board Clerk announced the motion passed unanimously, 11-0-0.
- D. **Schedule of Meetings: January 2023 through June 2024:** Chair Riggs opened the floor for any discussion regarding the Schedule of Meeting: January 2023 through June 2024; Ms. Manning mentioned the June 6 special meeting for the Superintendent's evaluation and having the evaluation as part of the June 12 meeting; a discussion followed regarding the length of the meeting for the Superintendent's evaluation; need for a dedicated meeting for evaluation; start meeting earlier; could suspend the workshop; work schedule of board members.
Ms. Manning made a motion to suspend the workshop on June 12th and move the June 6th Special Meeting to June 12th meeting in place of the workshop, the motion was seconded by Mr. Culpepper. A brief discussion following regarding the start time of the meeting; importance of the evaluation; length of time for evaluations in the past; graduation schedules the week of June 12; time allotment for evaluation; Ms. Manning amended her motion to move the Superintendent's evaluation to May 23rd and start at two o'clock and suspend the workshop, Mr. Culpepper agreed and seconded the amended motion. A brief discussion followed regarding clarification on suspending the workshop and timeline to complete the evaluation; clarification on removing the June 6th Special Meeting so there is not an additional meeting; for clarification, Ms. Manning noted additional amendment to her amended motion to eliminate the June 6th meeting and Mr. Culpepper seconded the amendment. A brief discussion following regarding the start time on May 23 and work schedules; keeping the June 6th Special Meeting for the Superintendent's evaluation. Chair Riggs called for a vote on Ms. Manning's second motion. The School Board Clerk announced there were three (3) ayes in favor of the second motion: Mr. Culpepper, Ms. Manning, and Ms. Martin. There were eight (8) nays opposed to the second motion: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Melnyk, and Ms. Owens. The motion failed, 3-8-0.
Ms. Melnyk made a motion to keep the schedule as presented, the motion was seconded by Vice Chair Weems. Without discussion, Chair Riggs called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Melnyk, and Ms. Owens. There were two (2) nays opposed to the motion: Ms. Manning, and Ms. Martin. The motion passed, 9-2-0.

8. Student, Employee and Public Awards and Recognition: There were no awards or recognitions presented at the meeting.

9. Adoption of the Agenda: Chair Riggs called for any modifications to the agenda as presented; Kamala H. Lannetti, School Board Attorney mentioned an addition on Consent item 15B – there was a scrivener change on the deed and the information was added to the packet and there is not a need for a Closed Session after the formal meeting, Agenda Item #18; Ms. Manning made a motion to move Consent Agenda Item #15A – Positive Behavioral Interventions and Supports (PBIS) to Action Item #16C; Mr. Culpepper seconded the motion. Chair Riggs called for a motion to adopt the agenda as amended; Ms. Anderson made the motion, seconded by Ms. Franklin. Chair Riggs called for a vote. The School Board Clerk announced the motion passed unanimously, 11-0-0.

10. Superintendent's Report: There was no report presented at the meeting.

11. Approval of Meeting Minutes

- A. **December 13, 2022 Regular School Board Meeting:** Chair Riggs called for any modifications to the December 13, 2022 regular School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve. Ms. Anderson made the motion, seconded by Ms. Franklin. Chair Riggs called for a vote. The School Board Clerk announced there were eight (8) ayes in favor of the motion: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. There were three (3) abstentions: Ms. Brown, Mr. Callan, and Mr. Culpepper since they did not attend the meeting. The motion passed, 8-0-3.

12. Public Comments (until 8:00 p.m.)

Chair Riggs announced the School Board will hear public comments until 8:00 p.m. on matters relevant to Pre-K public education in Virginia Beach and the business of the School Board and the School Division. Chair Riggs mentioned information regarding speaker process and submitting comments via group email. There were thirty-five (35) in person speakers and one (1) online speaker (including twenty-one (21) in person student speakers); topics discussed were VDOE

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model policy; transgender students; preferred name and pronoun; gender identity; protecting transgender students; staffing needs; compensation package; employee wellness; retention of staff; bonuses for staff; and PALS teachers.

Public Comments were suspended at 8:00 p.m. for the Information portion of the agenda.

13. **Information**

- A. American Rescue Plan Act ESSER III Update: Crystal Pate, Chief Financial Officer provided the School Board an update on the American Rescue Plan (ARP) Act Elementary and Secondary School Emergency Relief (ESSER) III allocation; provided an overview of the funds; \$82.5 million has been allocated to VBCPS; reviewed allowable uses of funds; addressing learning loss – must reserve not less than 20% to address learning loss, ensure that such interventions respond to students academic, social, and emotional needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups; plan requirements for ARP ESSER III: plan for safe return to in-person instruction and continuity of services; plan for the use of ASP ESSER III funds; VBCPS invited the community to participate in a survey to provide input on how ARP funds should be allocated; survey was open from November 21, 2022 through December 2, 2022; participants: 3,585 parent/guardian; 1,130 employee; 73 community member (non-parent/guardian; 11 student; top three responses for prevention and mitigation strategies: maintaining healthy facilities, improvements to HVAC and ventilation systems, support for vaccinations; top three responses for addressing unfinished learning: evidence-based interventions and instructional resources, enhanced summer learning program, expanding tutoring programming during evening hours; top three responses for addressing student needs: mental health needs, social-emotional needs, support for at-risk student populations; top three responses for other uses of funds: support teacher and staff retention and recruitment strategies, facility improvements, technology; update on spending: award amount: \$82,502,193.98, amount obligated/spent: \$29,920,283.30, amount remaining: \$52,581,910.68; reviewed other pandemic-relief funding.
- The presentation continued with questions and comments regarding incentives; incentives for PALS staff; staff in allocated FTE positions; PALS teachers are temporary employment staff; state funding; consideration of PALS teachers and incentives; significant number of positions that are not full-time; gather information for the School Board on positions and share at a later time.
- B. Policy Review Committee (PRC) Recommendations: That the School Board approve Policy Review Committee (PRC) recommendations regarding review, amendment, and repeal of certain bylaws and policies as reviewed by the PRC at its December 8, 2022 meeting. School Board Attorney, Kamala H. Lannetti presented the following:
1. Regulation 5-6.2/Appeals and Appeals Procedures/Non-Disciplinary Actions: The PRC recommends update to the appeals of the 2.0 Waiver Rule as reflected by change in VHSL Rules. Additional updates to indicate appropriate designee to handle appeal.

14. **Return to public comments if needed**: The School Board continued Public Comments at 8:21 p.m. Topics discussed were Board leadership; Oath of Office; budget; Library Media Specialist (LMS); books in library collection; VDOE Model Policy; transgender students; service learning; high school elective in service learning; Tides Prep Academy; and parental rights. The Public Comments ended at 8:59 p.m.

15. **Consent Agenda**

Positive Behavioral Interventions and Supports (PBIS): Year 2 Tier I Evaluation: Note – item moved to Action Agenda item #16C; see agenda item #9 Adoption of the Agenda.

Chair Riggs read the following items on the Consent Agenda:

- A. Landstown Middle School Dominion Energy Easement Agreement: Recommendation that the School Board approve a motion authorizing the Chair to execute a 15' x 30' public utility easement agreement with Dominion Energy Virginia, which will allow the extension of underground utilities needed to provide a padmount transformer location near Landstown Middle School.
- B. Energy Performance Contract: Recommendation that the School Board approve a motion authorizing the Superintendent to execute an energy performance contract with Noresco in the amount of \$3,104,415. This contract authorizes the construction phase of the process. Facilities included in this project are College Park Elementary, Creeds Elementary, Larkspur Middle, Plaza Middle and the Technical and Career Education Center.

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Recommended work includes lighting and building envelope improvements.

C. Recommendations of General Contractor:

1. Kempsville and Ocean Lakes High Schools Turf/Track Field Improvements: Recommendation that the School Board approve a motion authorizing the Superintendent to execute a contract with LandTek Group, Inc. for the Kempsville High School Track and Field Improvements and Ocean Lakes High School Turf Field Conversion in the amount of \$3,868,500.
2. Hermitage and Newtown Elementary Schools Boiler Replacement: Recommendation that the School Board approve a motion authorizing the Superintendent to execute a contract with E&P Electrical Contracting Company for the Hermitage and Newtown Elementary Schools Boiler Replacement in the amount of \$1,055,820.
3. Kingston Elementary School HVAC Replacement: Recommendation that the School Board approve a motion authorizing the Superintendent to execute a contract with ColonialWebb Contractors Company for the Kingston Elementary School HVAC Replacement in the amount of \$3,524,675.

Chair Riggs called for any objections to the School Board voting on the Consent Agenda items. Hearing none, Chair Riggs called for a motion to approve all of the items on the Consent Agenda as presented. Ms. Melnyk made the motion, seconded by Ms. Brown. Chair Riggs called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. There was one (1) nay opposed to the motion: Mr. Callan. The motion passed, 10-1-0.

16. Action

- A. Personnel Report / Administrative Appointments: Chair Riggs called for a motion to approve the January 10, 2023 personnel report and administrative appointments. Ms. Melnyk made the motion, seconded by Ms. Owens that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the January 10, 2023 personnel report along with administrative appointments as recommended by the Superintendent. Without discussion, Chair Riggs called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. There was one (1) abstention: Mr. Culpepper, not familiar with the people. The motion passed, 10-0-1.
- Superintendent Spence introduced the following: Kelly A. Padilla, Assistant Principal, Green Run Elementary School as Principal, W.T. Cooke Elementary School; Ronald D. Berkebile, Executive Management Team – Assistant General Manager, City of Virginia Beach as Demographer – GIS Manager, Office of Facilities Services; Zachary L. Bucholz, Assistant Principal, Brandon Middle School as Human Resources Specialist, Department of Human Resources; and Karen W. Woodson, School Board Internal Auditor which the School Board approved at the December 13, 2022 School Board meeting.
- B. Resolution: Regarding the City Council Ordinance to Amend Section 15-5.2 of the City Code Pertaining to the Business License Fees and Taxes: Chair Riggs called for a motion to approve the resolution regarding the City Council Ordinance to amend Section 15-5.2 of the City Code pertaining to the business license fees and taxes. Ms. Manning made the motion, seconded by Ms. Brown; there was a brief discussion regarding City Council and funding; impact on budget; help business owners; additional revenues from City; Vice Chair Weems read the following resolution:

**RESOLUTION REGARDING THE CITY COUNCIL ORDINANCE TO AMEND SECTION 15-5.2 OF THE CITY CODE
PERTAINING TO BUSINESS LICENSE FEES AND TAXES AND TO PROVIDE REVENUE OFFSETS**

WHEREAS, the City Council approved an ordinance on December 6, 2022 titled “AN ORDINANCE TO AMEND SECTION 15-5.2 OF THE CITY CODE PERTAINING TO BUSINESS LICENSE FEES AND TAXES AND TO PROVIDE REVENUE OFFSETS;” and

WHEREAS, the Ordinance directs the School Board to provide the offset required by the City Schools Revenue Sharing Policy in the amount of \$495,453; and

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WHEREAS, the School Board could not take action regarding this Ordinance until the School Board meeting scheduled for January 10, 2023; and

WHEREAS, a memo sent to Kevin Chatellier, Director of Budget and Management Services on January 3, 2023 advised that the offsets to cover the \$495,453 reduction of the local revenues to Virginia Beach City Public Schools during this fiscal year will be offset in the budget through teacher vacancies; and

NOW, THEREFORE, BE IT

RESOLVED: that the School Board has provided the specific budget shortfall offset information in this Resolution; and

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

The discussion continued regarding small business owners; opening business in Virginia Beach; better communication from City Council; return on investment. Without further discussion, Chair Riggs called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion: Chair Riggs, Vice Chair Weems, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. There was one (1) nay opposed to the motion: Ms. Anderson. There was one (1) abstention: Ms. Franklin – conflict of interest as business owner. The motion passed, 9-1-1.

- C. Positive Behavioral Interventions and Supports (PBIS): Year 2 Tier I Evaluation: Chair Riggs called for a motion to approve. Ms. Franklin made the motion, seconded by Ms. Melnyk. A brief discussion followed regarding data results; effectiveness of program; PBIS in action; results take time; PBIS as a return on investment; time to implement; based on elementary school – useful, making an impact; look at total picture (pandemic, staffing, retention); effective when consistent; no alternative. Without further discussion, Chair Riggs called for a vote. The School Board Clerk announced there were six (6) ayes in favor of the motion: Chair Riggs, Ms. Anderson, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. There were five (5) nays opposed to the motion: Vice Chair Weems, Ms. Brown, Mr. Callan, Mr. Culpepper, and Ms. Manning. The motion passed, 6-5-0.

- 17. Committee, Organization or Board Reports**: Ms. Franklin mentioned the Community Advisory Committee for Gifted Education meeting last night, changes discussed are being implemented, doing testing on all first graders, create a local norm, distance learning, providing opportunities to both make-up work and get ahead; Ms. Owens mentioned the Mental Health Task Force meeting yesterday, continue to work on different initiatives, collaboration between community partners, staff members and student representatives, in February starting Securely After-Hours Program; Chair Riggs mentioned committee openings and the School Board Clerk will be sending the information to the School Board members, share interest with Chair Riggs, School Board Clerk will also provide committee descriptions and Bylaw 1-28; committee assignments are from January to June; mention of Bylaw 1-28.
- 18. Return to Administrative, Informal, Workshop or Closed Session matters**: There was no Closed Session after the formal meeting; see agenda item #9 – Adoption of the Agenda.
- 19. Adjournment**: Chair Riggs adjourned the meeting at 9:35 p.m.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Trenace B. Riggs, School Board Chair