



School Board Services

Trenace B. Riggs, Chair
District 1 – Centerville

Carolyn D. Weems, Vice Chair
District 9

Beverly M. Anderson
At-Large

Kathleen J. Brown
District 10

Michael R. Callan
District 6

David Culpepper
District 8

Jennifer S. Franklin
District 2 – Kempsville

Victoria C. Manning
At-Large

Staci R. Martin
District 4

Kimberly A. Melnyk
District 2

Jessica L. Owens
District 3 – Rose Hall

Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting MINUTES
Tuesday, March 14, 2023

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

- 1. Administrative, Informal, and Workshop:** Chair Riggs convened the Administrative, Informal, and Workshop session at 4:00 p.m. on the 14th day of March 2023 and announced members of the public will be able to observe the School Board meeting through live streaming on schoolboard.vbschools.com/meetings/live, broadcast on VBT Channel 47, and on Zoom; welcomed members of the public both in person and online.

In addition to Superintendent Spence, the following School Board members were present in the Holland Road Annex/Einstein Lab: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens (arrived at 4:03 p.m.)

- A. School Board Administrative Matters and Reports: Chair Riggs mentioned the VSBA Spring Networking Forum on April 24 at 5:00 p.m.; information about the event was passed to the School Board members; shared Virginia Beach is seeking input on future election systems, City of Virginia Beach will be holding listening sessions – March 25 through April 1, Chair Riggs will send information to the School Board members, information is on the City of Virginia Beach website, direct mailing will also be sent; Ms. Owens had questions regarding a concern at a high school, Ms. Lannetti, School Board Attorney provided brief information regarding the Title IX complaint and investigation. Chair Riggs mentioned changes to the agenda regarding removing agenda item 14B – Resolution for Opioid Settlement Class Action Suit, resolution passed in February and was sufficient, as per the Attorney General, and the addition of agenda item 15B – The Ad Hoc Workforce Development Committee; see agenda item #8 – Adoption of the Agenda.
- B. Advancement Via Individual Determination (AVID): James Smith, Ed.D., Senior Executive Director, Middle Schools, Department of School Leadership, and Natalie Meiggs, Coordinator of Military Connect and Academy Support Program provided the School Board information regarding the Advancement Via Individual Determination (AVID) Program in Virginia Beach City Public Schools (VBCPS); Dr. Smith provided an overview of the presentation and introduced Ms. Meiggs; Ms. Meiggs continued the presentation and mentioned WICOR (writing, inquiry, collaboration, organization, and reading); shared a video on the AVID Program; AVID alignment to *Compass to 2025* strategic action agenda connection: advancing educational equity, using integrated systems of support, creating future-ready students; reviewed the AVID College and Career Readiness Framework (CCR); what students need: rigorous academic preparedness, opportunity knowledge, student agency; what educators do: insist on rigor, break down barriers, align the work, advocate for students; reviewed framework for future ready students; reviewed how AVID accelerates learning: helps educators take collective action, sets rigorous expectations, nurtures collaboration, establishes a supportive and open culture, enables high engagement, fosters student agency; AVID coaching and certification schoolwide domains: instruction, systems, leadership, culture; provided an overview of the timeline of AVID in VBCPS; mentioned there are four AVID National Demonstration schools are located in Virginia, with Great Neck Middle School and Salem Middle School representing VBCPS; AVID Professional Learning Workshop (APLW) a two-day training that provides high-engagement professional learning and resources for classroom teachers and building leaders; Ms. Meiggs introduced Mr. Dwight Robinson and Mrs. Laura Willey, both VBCPS AVID Coaches and certified as a National AVID Trainer; teachers and students shared their personal experiences of the AVID program.

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The presentation continued with questions and comments regarding the program – elective course; goal to spread program school-wide; praise for program; number of students in the classes; WICOR strategies; training for teachers; AVID in elementary schools; praise for student speakers; excited about the program; ways to promote program.

- C. Mental Health Task Force Update: Robert Jamison, Executive Director, Office of Student Support Services, provided the School Board an update from the Mental Health Task Force; overview of the presentation topics (current needs and challenges, organizational structure of the Mental Health Task Force, updates on progress and accomplishments, and next steps); reviewed current needs and challenges; shared data from the American Academy of Pediatrics; shared data for suicide risk assessment totals for VBCPS; introduced Stephanie Osler, LCSW, Director of the mental health division at Children’s Hospital of The King’s Daughters (Norfolk, VA): Ms. Osler shared the following data: Virginia Beach is the largest referral source for CHKD, about 30% of outpatient referrals come from Virginia Beach, Emergency Department – more children in mental health crisis than in a medical crisis, in October opened inpatient psychiatric unit with 24 beds open out of 60 beds, with 30% coming from Virginia Beach; CHKD partnership with VBCPS to help support students.

Mr. Jamison continued the presentation; discussed task force members and community partners; mention School Board members, Ms. Weems and Ms. Owens, for being on the task force; thanked all participating members; reviewed organizational structure – identified barriers impacting mental health: access, awareness, identification, and stigma; provided information on the Mental Health Task Force recommendations for each area (access, awareness, identification, stigma); reviewed Mental Health Task Force work teams and departments/offices; work team progress – access: return to School Plan of Action meeting tool, Student Support Services response team protocol, VB Child and Youth Behavior Health and VBCPS Rapid Response Program, CHKS and VBCPS Bridge Program, Care Solace is a new feature coming to VBCPS that navigates the mental health care system to find available providers matched to specific needs; work team progress – awareness: coffee with the Counselor at Bettie F. Williams, community presentations at Old Donation School, conversations with student groups about mental health, Consolidated Benefits – BeWell on Tour, hosting student interns from the Legal Studies Academy; work team progress – identification: professional learning opportunities, Securly Update, increase available staff to support students and schools (10 elementary student support specialists, three additional behavior intervention specialist for the 2023-24 SY, contracting psychological services to expand capacity to serve; work team progress – stigma: assess the current state of resources available to students, staff, and families addressing stigma, determine the scope of the needs around stigma, continue to share information on available resources; shared story on the impact of the Mental Health Task Force; next steps: continue efforts, meet with Old Dominion University Department of Counseling & Human Services – discuss plan to promote ODU Wellness Counseling Clinic, coordinate Family and Student Wellness Expo, report outcomes at the School Board retreat in July.

The presentation continued with questions and comments regarding work of the task force; referral process; helping students; BeWell program; EAP (Employee Assistance Program); messaging system - Snapcom; sharing information on resources available; thanks for wonderful work.

- 2. **Closed Session:** There was no closed session during the Administrative, Informal, and Workshop session.
- 3. **School Board Recess:** Chair Riggs adjourned the Administrative, Informal, and Workshop session at 5:33 p.m.
- 4. **Formal Meeting (Holland Road Annex – School Board Room/Auditorium) 6:00 p.m.**
- 5. **Call to Order and Roll Call:** Chair Riggs convened the meeting of the School Board at the Holland Road Annex, School Board Room/Auditorium at 6:00 p.m. on the 14th day of March 2023 and welcomed members of the public both in person and online.

In addition to Superintendent Spence, the following School Board members were present: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens.

- 6. **Moment of Silence followed by the Pledge of Allegiance**
- 7. **Student, Employee and Public Awards and Recognition**
 - A. VHSL Individual State Wrestling Champions: The School Board recognized Yuta Otero, a student at Landstown High School, who is a Region 6A State Wrestling Champion. The School Board also recognized First Colonial High School students, Thomas Stofka and Colin Pedersen, who are Region 5A State Wrestling Champions.
 - B. 2023 VHSL Scholastic Bowl State Champions: The School Board recognized the Princess Anne High School Scholastic Bowl Team for winning the 2023 VHSL Scholastic Bowl State Championship.

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- 8. Adoption of the Agenda:** Chair Riggs noted the following modification to the agenda as presented: adding agenda item 15B – Ad Hoc Workforce Development Committee and item 14B – Resolution for Opioid Settlement Class Action Suit to be removed (see agenda item #1A); Chair Riggs called for any additional modifications to the agenda. Without any further modifications, Chair Riggs called for a motion to adopt the agenda as amended. Ms. Anderson made the motion, seconded by Ms. Brown. Without discussion, Chair Riggs called for a vote to approve the agenda. The School Board Clerk announced the motion passed unanimously, 11-0-0.
- 9. Superintendent’s Report:** There was no report presented at the meeting.
- 10. Approval of Meeting Minutes**
- A. February 21, 2023, Special School Board Meeting: Chair Riggs called for any modifications to the February 21, 2023 special School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve the February 21, 2023 minutes as presented. Ms. Franklin made the motion, seconded by Ms. Martin. Without discussion, Chair Riggs called for a vote to approve the February 21, 2023 minutes as presented. The School Board Clerk announced the motion passed unanimously, 11-0-0.
- B. February 28, 2023, Regular School Board Meeting: Chair Riggs mentioned the February 28, 2023 regular School Board meeting minutes were updated to note the meeting adjournment time as 1:02 a.m. not p.m. Chair Riggs called for any additional modifications to the February 28, 2023 regular School Board meeting minutes as updated on March 13 and presented. Hearing none, Chair Riggs called for a motion to approve the February 28, 2023 minutes as presented. Ms. Melnyk made the motion, seconded by Mr. Callan. Without discussion, Chair Riggs called for a vote to approve the February 28, 2023 minutes as presented. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Riggs, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. There was one (1) abstention: Vice Chair Weems – left the meeting early due to a family emergency. The motion passed, 10-0-1.
- 11. 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 – 12 public education in Virginia Beach and the business of the School Board and School Division. Chair Riggs mentioned information regarding speaker process and submitting comments via group email. There were sixteen (16) in person speakers (including twelve (12) student speakers) and two (2) online speakers (including one (1) student speaker); topics discussed were VDOE Model Policy; preferred student name and pronoun; rights of transgender students; fear of change; human rights; parental rights; equity among students; respect for transgender students; bullying; Policy 6-65; rating system of books; library books; mental health; transparency; FOIA requests; valedictorian and salutatorian; and academic excellence.
- The Public Comments ended at 7:01 p.m.
- 12. Information:** There were no items under information.
- 13. Return to public comments if needed:** As noted under agenda item #11, Public Comments ended at 7:01 p.m.
- 14. Consent Agenda:** Chair Riggs read the following items on the Consent Agenda:
- A. 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 February 9, 2023, meeting.
- Policy 2-1/Management Plan/Goals and Objectives: The PRC recommended scrivener’s changes.
 - Policy 2-2/Definition: No recommended changes.
 - Policy 2-5/Superintendent: Qualifications: The PRC recommended scrivener’s changes.
 - Policy 2-6/Superintendent: Recruitment and Selection Procedures: The PRC recommended scrivener’s changes.
 - Policy 2-7/Superintendent: Appointment/Term of Office/Oath/Compensation: No recommended changes.
 - Policy 2-8/Superintendent: Powers/Duties/Responsibilities: No recommended changes.
 - Policy 2-9/Superintendent: Evaluation: No recommended changes.
 - Policy 2-10/Superintendent: Vacancy in Office/Acting Superintendent/Fines/Suspension/Separation/Conditions of Employment: The PRC recommended scrivener’s changes.
 - Policy 2-13/Job Descriptions: The PRC recommends adding language to make the job description available to the public.
 - Policy 2-14/Organizational Structure: No recommended changes.
 - Policy 2-19/Administrative Action in Absence of Policy: No recommended changes.

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12. Policy 2-20/Review of Administrative Decisions/Board Requests of Administrators: No recommended changes.
 13. Policy 2-33/Coordinators: Title IX/Section 504/ADA: Amended to reflect current language.
 14. Policy 7-49/Organizations Eligible to Use Facilities: The PRC recommended changes to reflect addition of Girl Scouts and the change in the Boy Scouts' Organizational name.
- B. Resolution for Opioid Settlement Class Action Suit: The item was removed from the agenda; see agenda item #1A - School Board Administrative Matters and Reports and agenda item #8 – Adoption of the agenda.

After reading the items on the Consent Agenda, Chair Riggs called for any objections to the Consent items. Mr. Culpepper mentioned an error in Policy 7-49 – paragraph B1, change in punctuation; scrivener's change will be made before publishing the policy. Without any further concerns, Chair Riggs called for a motion to approve the items on the Consent Agenda. Mr. Culpepper made the motion, seconded by Ms. Melnyk. Without any recusals, Chair Riggs called for a vote to approve the Consent Agenda. The School Board Clerk announced the motion passed unanimously, 11-0-0.

15. Action

- A. Personnel Report / Administrative Appointments: Chair Riggs called for a motion to approve the March 14, 2023 personnel report and administrative appointments. Ms. Owens made the motion, seconded by Ms. Melnyk that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the March 14, 2023 personnel report along with administrative appointments as recommended by the Superintendent. Without discussion or any recusals, Chair Riggs called for a vote to approve the March 14, 2023 personnel report and administrative appointments. The School Board Clerk announced the motion passed unanimously, 11-0-0. Superintendent Spence introduced the following: Tiffany L. Jacobs, Assistant Director, Maintenance Services, Office of Facilities and Maintenance Services as Grants Manager, Office of Budget Development.
- B. Ad Hoc Workforce Development Committee: Note, item added during Adoption of the Agenda – see agenda item #8) Before Chair Riggs read the motion, Ms. Anderson called for a point of order to request a copy of the motion for all the School Board members.

The School Board recessed at 7:10 p.m. and reconvened at 7:14 p.m.

Chair Riggs made the following motion, I move that the School Board appoint the following Ad Hoc Committee in accordance with Bylaw 1-28 (E)(b) AD HOC WORKFORCE DEVELOPMENT COMMITTEE. The purpose of the Ad Hoc Workforce Development Committee is to prepare a report to the School Board and the City Council regarding the needs of the City of Virginia Beach for current and future workforce development. The Ad Hoc Workforce Development Committee will complete its work and send its report to the School Board and the City Council by April 1, 2024. The Ad Hoc Committee will be chaired by School Board member, Carolyn Weems. One additional School Board member and one alternate School Board member will also be appointed by the School Board to serve on the Ad Hoc Committee. The City Council may appoint two City Council members and one alternate City Council member as Committee members. The School Board members and City Council members will appoint School or City staff members as well as members of the community with relevant experience to serve on the Ad Hoc Committee. All members will serve without remuneration.

Ms. Franklin seconded the motion. Chair Riggs opened the floor for discussion. A discussion followed with questions and comments regarding the motion; getting motion in advance; preparation of meeting notice for pre-planning meeting; need School Board to vote on committee; discussion on committee back in January; upcoming meeting to discuss parameters of the committee; for transparency posting meeting information; FOIA and posting meeting notice; mention of Bylaw 1-28; trying to be transparent with the School Board regarding the committee; the need for the committee; need clarity on logistics and goals of committee; serving on the committee; support for the committee; what are the needs of the school and city; determination for committee to be an Ad Hoc Committee; purpose of preliminary meeting with Vice Chair Riggs and Vice Mayor; mention of the General Advisory Council for Technical and Career Education; clarification on voting for the appointment of School Board members to the committee; motion tonight was just to start the Ad Hoc Committee.

Ms. Anderson called a point of order regarding appointing people and the Chair to the committee, did not like how information was presented, if there is a need for this committee, purpose of the Ad Hoc Committee; not a political issue; problem with getting information/motion today; unclear of purpose of Ad Hoc Committee; Ms. Owens made a substitute motion that if we're going to vote today that we vote to include the rest of the members on this committee, Ms. Anderson seconded the substitute motion.

Chair Riggs stated she would pull her motion and asked for Ms. Franklin to concur, in order to bring it back at the next meeting with the people that will be on the committee; Ms. Franklin agreed.

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Vice Chair Weems stated for clarification, it would be the School Board members not the City Council members. Ms. Manning called for a point of order regarding the motion on the floor; Ms. Owens stated she would withdraw her motion and Ms. Anderson agreed. Chair Riggs restated she is going to withdraw her motion tonight and Ms. Franklin agreed. Mr. Culpepper called for a point of order regarding since debate has started that requires leave of entire board and requires a vote; Chair Riggs restated the motion is to withdraw the Ad Hoc Workforce Development Committee, to withdraw that vote for tonight and to bring it back at the next meeting, Ms. Franklin seconded the motion. Chair Riggs called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to withdraw: Chair Riggs, Vice Chair Weems, Ms. Anderson, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. There were two (2) nays opposed to the motion to withdraw: Ms. Brown, and Mr. Culpepper. The motion passed, 9-2-0.

Chair Riggs made a motion to withdraw the entire move that the School Board appoint the following Ad Hoc Committee in accordance with Bylaw 1-28, Ms. Franklin seconded the motion. A discussion followed regarding withdrawing the motion; committee not completely set-up; need to collaborate with City Council; use resources to benefit students; may not come back to the School Board; allow to go forward with committee – brief organizational meeting on Monday.

Ms. Manning made a substitute motion that we adopt the Ad Hoc Workforce Development Committee with Ms. Weems as Chair as presented to us in the document in front of us, Ms. Melnyk seconded the substitute motion. A discussion followed regarding process to apply to be on the committee; mention of Bylaw 1-28; resubmit interest to School Board Chair; clarification on wording in motion regarding chair of committee; approving a committee without knowing who the members will be; mention of presentation to City Council by Dr. Lockett; need to move forward with committee; share outcome of meeting.

Ms. Melnyk requested Ms. Manning amend her substitute motion to reflect the proposed chair, to put that language in; Ms. Manning mentioned the bylaws require that the Ad Hoc Committee is recommended by the Chair and then the Board votes on it; Chair Riggs restated the substitute motion to bring back this Ad Hoc Workforce Development Committee to approve it tonight, noted Ms. Melnyk seconded the substitute motion. Chair Riggs called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the substitute motion: Chair Riggs, Vice Chair Weems, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. There was one (1) nay opposed to the substitute motion: Ms. Anderson. The substitute motion passed, 10-1-0.

- 16. *Committee, Organization or Board Reports:*** Ms. Brown mentioned Green Run High School's NJROTC won first place in the area 5 competition and will be going to Nationals, and are looking for donations for the trip to Nationals which can be dropped off at Green Run High School; Ms. Franklin mentioned the Community Advisory Committee for Gifted Education had a meeting last Monday, members are sharing site reports from visiting different schools, next meeting is scheduled for April 3 from 6:30 p.m. to 8:00 p.m.; Ms. Anderson mentioned the flyer shared with the School Board members regarding the Sister Cities event on March 24, event on March 25 at Red Wing Park celebrating Miyazaki, Japan, event on March 26 at the Norwegian Lady at the beach; Vice Chair Weems mentioned the Mental Health Task Force meeting yesterday, mentioned the BeWell Program, Employee Assistance Program, Life's A Beach podcast, Snapcom, are resources available to employees, mentioned opioid education and curriculum – speaking panel of community members, made 31 presentations in our middle and high schools about opioids and substance use disorder.
- 17. *Return to Administrative, Informal, Workshop or Closed Session matters:*** At 8:12 p.m., Vice Chair Weems made a motion, seconded by Ms. Franklin 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, Part A, Paragraph 1, 2, 7, and 8, as amended, 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 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.
 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.

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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. Employee request for reimbursement of legal fees
 - B. Pending student matters
 - C. Consultation with legal counsel regarding participation in a procurement matter, probable litigation and pending litigation matters

The School Board Clerk announced there were ten (10) ayes in favor of the motion to recess into Closed Session: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Owens. The motion passed, 10-0-0.

At 8:15 p.m., the School Board recessed into Closed Session in the Einstein Lab.

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

- B. Pending student matters: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.
Note: Ms. Manning recused herself and left the Closed Session at 8:21 p.m. David Din, Chief Information Officer stepped into the Closed Session at 8:22 p.m. and left at 8:23 p.m.

Ms. Manning returned to the Closed Session at 8:25 p.m.

- A. Employee request for reimbursement of legal fees: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.
- C. Consultation with legal counsel regarding participation in a procurement matter, probable litigation and pending litigation matters: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.

The School Board reconvened at 9:06 p.m.

Certification of Closed Session: Vice Chair Weems 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.

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Vice Chair Weems made the motion, seconded by Ms. Melnyk. Chair Riggs called for a vote. The School Board Clerk announced the motion for Certification of Closed Session passed unanimously, 11-0-0.

Chair Riggs read the following resolution:

RESOLUTION
REGARDING PAYMENT OF EMPLOYEE LEGAL FEES
Barbara Rogers

WHEREAS: That on April 1, 2022, a VBCPS school bus driver was charged with assault and battery of a minor student; and

WHEREAS: That the charge against the bus driver was dismissed by the Virginia Beach General District Court on July 26, 2022 and the charge was later expunged from the bus driver's criminal record by the Circuit Court October 24, 2022; and

WHEREAS: That the bus driver and her attorney are seeking payment of legal fees in accordance with Policy 2-59 in the amount of \$1,514.00 in legal fees and costs incurred in defending this charge and having her criminal record expunged; and

WHEREAS: That School Board Policy 2-59 allows the School Board to pay an employee's legal fees incurred as a result of a lawsuit filed against the employee in their official capacity and provided that the lawsuit is later dismissed against the employee.

NOW, THEREFORE, be it:

RESOLVED: That the School Board authorizes payment of the employee's legal fees and costs in the amount of \$1,514.00;

FURTHER RESOLVED: That the Clerk is directed to send a copy of this Resolution to the bus driver, the bus driver's attorney, School Board Attorney, the Chief Financial Officer, the Director of Business Services, and the Chief Human Resources Officer who is directed to place a copy of this Resolution in the employee's personnel file.

Adopted by the School Board of the City of Virginia Beach, Virginia this 14th day of March 2023.

Chair Riggs made the motion, seconded by Ms. Melnyk. Without discussion, Chair Riggs called for a vote. The School Board Clerk announced the motion about the resolution regarding payment of employee legal fees passed unanimously, 11-0-0.

18. Adjournment: Chair Riggs adjourned the meeting at 9:11 p.m.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Trenace B. Riggs, School Board Chair