



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**

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**School Board Regular Meeting MINUTES**  
**Tuesday, March 28, 2023**

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

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- 1. Administrative, Informal, and Workshop:** Chair Riggs convened the Administrative, Informal, and Workshop session at 4:00 p.m. on the 28<sup>th</sup> 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](https://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.

- A. School Board Administrative Matters and Reports: Ms. Anderson made a brief comment regarding a correction to information she shared in an email, Latin Honor distinction is not printed on the diplomas but is on the student transcript; Vice Chair Weems shared an overview of the meeting from March 20 regarding the Ad Hoc Workforce Committee, members present, topics discussed, members on the committee; next meeting scheduled for April 17; Chair Riggs mentioned the need to vote on a School Board member to be on the Ad Hoc Workforce Committee, suggested to put under agenda item 15 – Action agenda, School Board members concurred, a request to have a written motion for School Board members for the vote; Chair Riggs also discussed the Access College Foundation and assigning a School Board member, Ms. Manning mentioned need to vote on the Bylaw first, the vote for the member to the Access College Foundation can be done at the next School Board meeting on April 4.
- B. Website Update: Natalie Allen, Chief Communications and Community Engagement Officer and Jason Nichols, Public Relations Coordinator provided the School Board the opportunity to learn more about the decision making process for the new VBSchools.com websites. One of the primary functions of the Department of Communications and Community Engagement (DCCE) is to effectively communicate to internal and external stakeholders. The new division website will allow the department to achieve the mission of supporting and communicating the division's goals, strategic information, education initiatives and student and staff success to the entire VBPCS community. Ms. Allen provided a brief introduction and Mr. Nichols continued the presentation; older version of the website: difficult to navigate, only 10 language options, site mapping was inconsistent, lacked ease of use for guests, outdated by 5-plus years; reviewed recommendation from communication audit report – continue to refine the design and functionality of the VBCPS website to meet the needs of stakeholders; analytics – tracking individual page visits and user trends, tracking demographics, device types, languages; overview of voice groups responses (family voice group, student voice group, principal voice group); reviewed the approach to redesign the website: site mapping, streamlined the data, managed existing website while making updates on the old and new sites, built two additional websites (School Board and Environmental Studies), launched the new 89 websites on February 3; School Board website – clean and consistent look, easy to find, transparent, has own URL for the website, one click items on the home page, larger viewing screen and HD stream for meetings; new websites – visually appealing, 30 plus language options, information is easy to find, technology is current.

The presentation continued with questions and comments regarding ease of use; excited about improvements; division and school pages look similar; schools having a person to help with website; ability to make one change to update all sites (i.e., inclement weather); accessing different languages; and easy to navigate.

- C. High School Scheduling Update: Matthew Delaney, Chief Schools Officer provided the School Board with an update on the high school scheduling model; overview of *Compass to 2025* and high school redesign – to develop future-ready students; flexible scheduling – a scheduling model that maximizes opportunities provided to students as well as the efficient use of teachers and staff; increased opportunities for: advanced courses, elective courses, work-based learning, simultaneous participation in advanced courses and specialty center enrollment, advanced diploma opportunities, opportunities for credit recovery; 2023-23 high school schedule – core classes on the 4x4 model, special education, AP, IB, Academy, Band, Orchestra, Chorus, AVID, Dual Enrollment, VTFT, ESL, and other specialty programming on A/B schedule, aligned across the division to mitigate impact on student transfers; reviewed action steps 2022-2023: summer 2022 – finalized master schedules, October – master scheduler meeting, December-March – meetings with school leaders; reviewed challenges and positive impacts; challenges: pacing of 4x4, ability to pair content courses and AP A/B courses, teachers and students with 4x4 and A/B classes, attendance; positive impacts: 246 students graduated in January, first semester industry certifications: 7,142, retention of information in 4x4, ability to retake course during the year, teachers focused on smaller number of students; shared a video on flexible scheduling; adjustments for 2023-24: pairing of content courses with A/B AP classes, opportunities for students to complete graduation requirements earlier, emphasis on students with disabilities to provide additional opportunities, ability to include common planning time for specific content areas; things to watch: increased collaboration within schools and with central support, future ready as measured by the CCCRI, tracking on-time graduation rates, advanced world language requests, advanced coursework opportunities (math sequencing, dual enrollment).

The presentation continued with questions and comments regarding 4x4 schedule; math and world languages staffing concerns; counselors available to help students; teachers adjusting to the new schedule; teachers with both A/B and 4x4 classes; parents as advocates for students – parents engage with school counselors; homework each night for classes; teachers dealing with new schedule and Canvas; positive feedback but still challenges; concerns with scheduling; students retaining information better; SOL testing (winter and spring); pacing of courses; impact of 4x4 on math; staffing challenges; pairing of classes; ninth grade students and Algebra I; IEP students and class scheduling; academic support block; online options; dual enrollment; and work based learning.

- D. School Hours for 2023-2024 – Transportation Recommendations: Jack Freeman, Chief Operations Officer and James Lash, Executive Director of Transportation and Fleet Management Services provided the School Board recommendations from the Office of Transportation and Fleet Management Services regarding school hours and bell times and how changes would impact students, schools, bus drivers, and buses; provided an update about Virginia Beach City Public Schools assisting with transportation for Something in the Water; Mr. Freeman provided a brief overview and Mr. Lash continued the presentation; reviewed additional resources for returning to Pre-Covid/2018-2019 school year hours; middle school: add 10 minutes to seat time for students, start and dismiss earlier, reinstate transportation services to all zero bell programs that received transportation Pre-Covid; elementary school: adjust the bell times within new schedule with minimal impact; high school: keep morning arrival the same, reinstate transportation to all Pre-COVID transported programs; historical reasoning for bell changes (middle school dismissal change by 10 minutes from 3:50 p.m. to 4:00 p.m.): gain efficiency in routing, allowing ridership increases, reduce the number of school bus accidents and safety related incidents, accommodating the transportation needs of new off-bell programs and additional academies; result of 10-minute change: close to 95% on-time rate when mostly staffed, number of preventable bus accidents went down, decreased resource needs from 640 to 610 school bus drivers, ridership for regular education and academy buses increased for most buses, fewer academy and zero bell program buses needed to drop early at high school sites; bell schedule modification impacts: safety, ridership, on-time rate, resources, community satisfaction; reviewed student transportation numbers; estimate a return to 47,000 students in 2023-2024 SY; shared historical bell times for core school tiers; reviewed analysis results; recommendation: Tier 1 High School – 7:20 a.m. to 2:00 p.m., Tier 2 Elementary A – 8:05 p.m. to 2:35 p.m., Tier 3 Elementary B – 8:45 a.m. to 3:15 p.m., Tier 4 Middle School – 9:25 a.m. to 4:05 p.m.

The presentation continued with questions and comments regarding transportation numbers for SY2023-2024; middle school seat time; state requirements; contract time; Mr. Freeman continued the presentation regarding Something in the Water music festival shuttle transportation; partnership – City event staff are still working with transportation staff to finalize operational details, MOU expected to be presented to City Council shortly, similar process from 2019 festival, final scheduling details will be arranged by April 20; plan of action and security – those

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who have paid for parking passes will park at amphitheater to be transported directly to the festival on Atlantic Avenue, all passengers will be screened, and security checks performed before boarding any bus, no weapons, alcohol, drugs, or paraphernalia will be allow on the bus, transportation supervisors and staff onsite at both locations to assist with any school bus driver issues; service does not interfere with the transportation of VBCPS students; the presentation continued with questions and comments regarding dismissal on April 28 – no impact on instructional day; extra gas use; traffic volume at/around amphitheater; notifying parents of possible delay; bus driver absenteeism after the event; safety of bus drivers; security measures; liability coverage; MOU; and bus driver start time on Monday after event.

- E. Forecast of Regular School Board Meeting Agenda Topics FY 23 4<sup>th</sup> Quarter: Superintendent Spence provided the School Board information on the Administration’s forecast of agenda topics to be presented at School Board meetings during the fourth quarter (April, May, June) of the 2022-2023 school year; noted the document is dynamic and subject to change; reviewed upcoming workshop topics, such as: April – instructional and library materials, PPEA interim agreement brief, new science standards update, mentoring process for new teachers, professional learning annual requirement; May – impact of AI, literacy update, Your Voice – enhanced EIP meetings, equity update, PPEA interim agreement update; June – legislative update, recovery school, dual language immersion update, mental health taskforce – data results, student discipline date year-end review; noted if have specific items wanted – contact Dr. Spence; and Governance Committee working on retreat agenda for summer.

- 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 5:34 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 6:05 p.m. on the 28<sup>th</sup> day of March 2023 and welcome 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. Virginia Interscholastic Athletic Administrators Association Outstanding Service Award: The School Board recognized Lisa Corprew, Student Activities Coordinator, Bayside High School who was the recipient of the 2023 Outstanding Service Award from the Virginia Interscholastic Athletic Administrators Association.
  - B. Friend of NAFIS (National Association of Federally Impacted Schools) Award: The School Board recognized Frances Thomas, Budget Analyst, Office of Budget Development who was the recipient of the Friend of NAFIS Award.
  - C. VHSL Class 6 Boys Swimming 500 Yard Freestyle State Champion – Ocean Lakes High School: The School Board recognized Robert Dinunzio, a senior at Ocean Lakes High School, who is the Virginia High School League (VHSL) Class 6 Boys Swimming 500 Yard Freestyle State Champion.
  - D. VHSL Class 5 Girls Basketball State Champions – Princess Anne High School: The School Board recognized the Princess Anne High School Lady Cavaliers for winning the 2023 VHSL Class 5 Girls Basketball State Championship.
- 8. **Adoption of the Agenda:** Chair Riggs noted the following modification to the agenda as presented: addition of agenda item #15C – Appointment to the Ad Hoc Workforce Committee. Without any further modifications, Chair Riggs called for a motion to adopt the agenda as presented and modified. Ms. Anderson made the motion, seconded by Ms. Brown. Without discussion, Chair Riggs called for a vote to approve the agenda as presented with the modification. The School Board Clerk announced the motion passed unanimously, 11-0-0.
- 9. **Superintendent’s Report:** Superintendent Spence shared the following information: 1) Virginia Beach Technical and Career Education Center celebrates 50 years. There will be an Open House tomorrow night from 6 p.m. to 8 p.m.; 2) Lynnhaven Elementary helped students be “future ready” before they even enter Kindergarten, Pre-K teacher Ms. Griffin organized career activities for three classes; 3) Kindergarten registration begins April 5, parents can go to vbschools.com to complete paperwork. Appointments will begin on April 25, also on April 25 parents may visit their school’s website on vbschools.com and watch an orientation video. In-person orientation will be in August; 4) Kudos to all the schools who participated in the Operation Smile Shamrock Final Mile on March 18. Operation Smile recognized Alanton Elementary

third grader, Farryn Kaley as a VIP runner; and 5) Students and staff celebrated National Reading Month with engaging and fun activities. Woodstock Elementary second graders read the book, “Rosie Revere, Engineer” and then designed their own helicopter prototypes. All our fifth graders are reading “EllRay Jakes is Magic!” this month for All District Reads. New Castle Elementary was one of several schools that hosted magic shows to help motivate our young readers.

**10. Approval of Meeting Minutes**

- A. March 7, 2023, Special School Board Meeting: Chair Riggs called for any modifications to the March 7, 2023 special School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve the March 7, 2023 minutes as presented. Mr. Callan made the motion, seconded by Ms. Martin. Without discussion, Chair Riggs called for a vote to approve the March 7, 2023 minutes as presented. The School Board Clerk announced the motion passed unanimously, 11-0-0.
- B. March 14, 2023, Regular School Board Meeting: Chair Riggs called for any modifications to the March 14, 2023 regular School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve the March 14, 2023 minutes as presented. Ms. Manning made the motion, seconded by Ms. Franklin. Without discussion, Chair Riggs called for a vote to approve the March 14, 2023 minutes as presented. The School Board Clerk announced the motion passed unanimously, 11-0-0.

**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 thirty-one (31) in person speakers (including nineteen (19) student speakers) and four (4) online speakers: topics discussed were VDOE Model Policy; transgender students; equitable treatment of transgender students; bullying; gender identity; preferred name and pronoun; transgender rights; parental rights; use of nicknames on class roster; help transgender students feel safe and valued; return of valedictorian and salutatorian; rewarding students for hard work; recognize academic success; library policy; staff retention; recruitment; school safety; class rank; academic distinction; Latin Honor System; reward excellence; Bylaw 1-32; Policy 4-5; and Policy 5-29.

The Public Comments ended at 7:57 p.m.

**12. Information**

- A. Interim Financial Statements – February 2023: Daniel Hopkins, Director of Business Services, presented the following financial information to the School Board; overall revenue trend remains acceptable at this point in the fiscal year; General Assembly is scheduled to reconvene on April 12 to go over the budget; School Board will be updated after final legislative action is taken; federal revenues showing an acceptable trend; received Impact Aid payments of approximately \$10 million year to date; other sources of revenue are acceptable at this point in the fiscal year; sale tax receipts are at an acceptable level; approximately \$3.4 million higher than the same time last year; March sales tax is down from the previous year by \$200,000; expenditures and encumbrances trend continue to remain acceptable at this point in the fiscal year.  
The presentation continued with questions and comments regarding over obligated line items; Grant fund expenditures; ViSSTA grant; and what items can be purchased with grant funds.
- B. Local Special Education Annual Plan – Application and Report for the Virginia Department of Education: Roni Myers-Daub, Ed.D., Executive Director of Programs for Exceptional Children presented the School Board information on the 2023-24 Special Education Annual Plan/Part B Flow-Through Application; annual review – required by IDEA 2004, VDOE Regulations Governing Special Education Programs for Children with Disabilities in Virginia (effective January 25, 2010); reviewed by local special education advisory committee (SEAC), local School Board; assurances – Free Appropriate Public Education (FAPE) will be available, an Individualized Education Program (IEP) will be maintained, policies and procedures are designed and maintained to prevent over-identification or disproportionate representation by race and ethnicity of children with disabilities; components of application – local Jain Education Program (JEP), Maintenance of Effort (MOE), Proportionate Set-Aside (PSA), Title VI-B Grant Funds; 2023-24 proposed Part B Section 611 & 619 budget; Section 611 budget: \$15,951,364 and Section 619 budget: \$537,375; Ms. Meghan Ashburn, member, Special Education Advisory Committee (SEAC) shared the committee’s recommendation of moving forward with plan; at the end of the presentation, Vice Chair Weems thanked the Dr. Daub and SEAC for all their hard work.

- C. 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 March 9, 2023 meeting. School Board Attorney, Kamala H. Lannetti presented the following:

Amendments

1. Bylaw 1-28/Committee, Organizations and Boards – School Board Assignments: The PRC recommends amending the Bylaw to add the Mental Health Task Force and the Access Tidewater Foundation.
2. Bylaw 1-32/Adoption, Amendment, Repeal or Suspension – Policies: The PRC recommends amending Bylaw 1-32 (C)(3) to add language that was adopted by the School Board in 2021 but failed to be incorporated into the posted Bylaw. There was a brief discussion regarding the language in the Bylaw; clarification on prior vote, procedurally the correct thing to do; vote on Bylaw 1-32 at the next meeting under Action then send back to the Policy Review Committee; put on the PRC agenda for April 5; fix the procedural issue.
3. Appendix B/School Board Standing Rules/Time and Place for Regular Meetings: The PRC recommends amending Section D (5) to add that recognitions will be done at the first and second monthly meetings. Superintendent Spence provided a brief explanation and clarification on recognitions.
4. Policy 4-5/Criminal Charge Filed Against an Employee: Notification of Superintendent: The PRC recommends amendments to the Policy regarding employee notification of CPS investigations and findings. There was a brief discussion regarding the policy and recommendation to send back to the Policy Review Committee.
5. Policy 4-10/ Conditions of Employment: The PRC recommends adopting Policy 4-10 which is the current Policy 4-75 and repealing Policy 4-75 for ease of reference. There was a brief discussion regarding coaching verse volunteers; extending contracts only by Human Resources; coaching contracts; distinction of “paid” employment; adding the word “paid” in front of coaching; policy to have wording “paid coaching” under Section E.
6. Policy 4-22/ Drug and Alcohol Testing of Motor Vehicle Drivers: The PRC recommends Amendments to the Policy regarding scrivener’s changes and removing the Editor’s Notes.
7. Policy 4-34/ Personnel Protection from Assault/Other Acts: The PRC recommends adopting Policy 4-34 which is currently Policy 4-41 and repealing Policy 4-41.
8. Policy 4-35/ Salaries and Compensation: The PRC recommends repealing Policy 2-48 and adopting it as Policy 4-35 under the Personnel section for ease of reference.
9. Policy 4-55/ Leave With/Without Pay for Family and medical Purposes: The PRC recommends amending the Policy to remove Section B Regulation References and removing the A title from the formatting as well as amending the language to designate the Superintendent or designee as the person responsible for ensuring compliance.
10. Policy 4-56/ Duties and Responsibilities of Professional Teaching Staff: The PRC recommends amendments to remove regulatory references and to update links to policies that have been renumbered. The policy was recommended to be returned to the Policy Review Committee.

Adoption

11. Policy 4-27/ Gifts to Staff Members: The PRC recommends repealing current Policy 7-37 and adopting it is new Policy 4-27 which moves the Policy under the Personnel section for ease of reference.
12. Policy 4-43/ Payment to Estate of Deceased Employees: The PRC recommends adopting Policy 4-43 which is currently Policy 4-21 and repealing Policy 4-21.

Repeal

13. Policy 2-48/ Salaries and Compensation (to be removed and renumbered Policy 4-35): The PRC recommends repealing this Policy and adopting it as Policy 4-35 under the Personnel section, for ease of reference.
14. Policy 4-21/ Payment to Estate of Deceased Employees (to be removed and renumbered Policy 4-43): The PRC recommends adopting Policy 4-43 which is currently Policy 4-21 and repealing Policy 4-21.
15. Policy 4-41/ Personnel Protection from Assault/Other Acts (to be removed and renumbered Policy 4-34): The PRC recommends repealing Policy 4-41 and renumbering it as Policy 4-34. The policy was recommended to be returned to the Policy Review Committee.
16. Policy 4-75/ Conditions of Employment (to be removed and renumbered Policy 4-10): The PRC recommends repealing Policy 4-75 and adopting it as Policy 4-10 for ease of reference.
17. Policy 7-37/ Gifts to Staff Members (to be removed and renumbered Policy 4-27): The PRC recommends repealing current Policy 7-37 and adopting it as new Policy 4-27 which moves the Policy under the Personnel section for ease of reference.









Manning, Ms. Martin, and Ms. Melnyk. There was one (1) nay opposed to the motion to approve Policy 5-29: Ms. Owens. The motion passed, 10-1-0.

C. Appointment to the Ad Hoc Workforce Committee: Note, item was added to agenda – see agenda item #8 – Adoption of the Agenda. Chair Riggs called for a motion to appoint Ms. Staci Martin to the Ad Hoc Workforce Committee. Vice Chair Weems made the motion, seconded by Ms. Franklin. There was a brief discussion regarding an alternate to the committee; contacting the Chair and Vice Chair if cannot attend a meeting; Chair will appoint someone to take their place. Without further discussion, Chair Riggs called for a vote for the appointment to the Ad Hoc Workforce Committee of Ms. Staci Martin and Ms. Carolyn Weems. The School Board Clerk announced the vote passed unanimously, 11-0-0.

**16. Committee, Organization or Board Reports**: Ms. Manning mentioned the Mayor’s committee for persons with disabilities and the award ceremony, Brian Malsch, a school employee, was nominated to receive an award and also TJ Maxx at Red Mill Commons; Ms. Franklin mentioned Gifted CAC on Monday, and Pitch Night at the Entrepreneurship & Business Academy at Kempsville High School on May 10 beginning at 5:00 p.m.; Ms. Melnyk mentioned the Governor’s School for the Arts regional board meeting tomorrow, if School Board members are interested in attending any of the events – reach out to Ms. Melnyk; Vice Chair Weems mentioned she attended the Special Education Advisory Committee meeting, also attended the subcommittee of the Mental Health Task Force; Chair Riggs mentioned the Sister Cities had their Youth Ambassador Gala Friday night, first time having a male as the Youth Ambassador, would like to introduce him to the School Board in an upcoming meeting if possible, Chair Riggs attended the General Advisory Council for Technical and Career Education meeting on March 22 – engineering students from the ATC made a presentation; Ms. Brown shared the Green Run High School performing arts department is doing the show Annie – will have three performances on March 30, March 31 and April 1; Superintendent Spence mentioned Official for a Day program tomorrow; and Chair Riggs mentioned the Pearls of Wisdom event on Saturday, April 1.

**17. Return to Administrative, Informal, Workshop or Closed Session matters**: At 9:48 p.m., Vice Chair Weems made a motion, seconded by Ms. Melnyk, 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.
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. Student Discrimination Complaint appeal decision
- B. Student Discrimination Complaint regarding Student Discipline hearing
- C. Status of alleged Title IX complaint investigation

- D. Consultation with legal counsel regarding participation in a procurement matter, probable litigation and pending litigation matters

Chair Riggs called for a vote. The School Board Clerk announced the motion to recess into Closed Session passed unanimously, 11-0-0.

At 10:00 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. Student Discrimination Complaint regarding Student Discipline hearing: 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.
- D. Consultation with legal counsel regarding participation in a procurement matter, probable litigation and pending litigation matter: 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. Status of alleged Title IX complaint investigation: 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.
- A. Student Discrimination Complaint appeal decision: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, 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, School Board members, Mr. Callan and Ms. Manning recused themselves from the Closed Session and left the meeting at 10:32 p.m.

At 10:36 p.m., Kamala H. Lannetti, School Board Attorney and Superintendent Spence left the Closed Session. Ms. Lannetti returned to the Closed Session at 10:43 p.m. and left at 10:45 p.m. Ms. Lannetti returned to the Closed Session again, at 10:50 p.m. Superintendent Spence returned to the Closed Session at 10:52 p.m.

The School Board reconvened at 10:56 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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Ms. Anderson made the motion, seconded by Ms. Owens. Chair Riggs called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion for Certification of Closed Session: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Culpepper, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. The motion passed, 9-0-0. As noted above, Mr. Callan and Ms. Manning left the meeting at 10:32 p.m.

Chair Riggs read the following resolution:

**RESOLUTION  
STUDENT DISCRIMINATION APPEAL  
(A.H.)**

**WHEREAS**, Student A.H., a high school student, filed a disability discrimination complaint against staff members at the high school; and

**WHEREAS**, the high school administration investigated the discrimination complaints and determined that they were unfounded; and

**WHEREAS**, Student A.H. appealed that determination and the School Board appointed a hearing officer to conduct an appeal hearing and render findings of fact and recommendation to the School Board; and

**WHEREAS**, the Hearing Officer rendered findings of fact and recommendation on March 9, 2023; and

**WHEREAS**, on March 28, 2023, the School Board considered the Hearing Officer's findings of fact and recommendation as well as the evidence submitted by Student A.H. and the School Administration.

**NOW THEREFORE, IT IS RESOLVED BY THE SCHOOL BOARD, that:**

1. The School Board adopts the finding of fact and recommendation of the Hearing Officer.
2. The Department of School Leadership is directed to assess the Volleyball Coach at the school.

**FURTHER RESOLVED**, that the Clerk shall provide a copy of this Resolution to Student A.H., the student's attorney, School Board Attorney, the Chief Schools Officer, and Chief Human Resources Officer.

Adopted by the School Board of the City of Virginia Beach this 28th day of March 2023.

Chair Riggs made the motion, Ms. Franklin seconded. 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. Culpepper, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. The motion passed, 9-0-0. As noted above, Mr. Callan and Ms. Manning left the meeting at 10:32 p.m.

**18. Adjournment:** Chair Riggs adjourned the meeting at 10:59 p.m.

Respectfully submitted:

\_\_\_\_\_  
Regina M. Toneatto, Clerk of the School Board

Approved:

\_\_\_\_\_  
Trenace B. Riggs, School Board Chair