



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, April 4, 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 4<sup>th</sup> day of April 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, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Melnyk. The following School Board member attended via Zoom: Ms. Owens (medical reason/sick). Mr. Culpepper was not present at the meeting.

- A. School Board Administrative Matters and Reports: There were no items discussed under School Board Administrative Matters and Reports.
- B. Update on Policies and Regulations for Instructional and Library Materials: Kipp Rogers, Ph.D., Chief Academic Officer, Department of Teaching and Learning provided the School Board an update related to the policies and regulations for instructional and library materials; reviewed VBCPS Core Value: Value Differences; schools work with individual families to honor their values and address their concerns; reviewed actions taken following the August School Board workshop; mentioned School Board Policy 6-11; reviewed what are instructional materials: textbooks, workbooks, videos, online digital resources, and library resources; noted – library materials are considered instructional materials when used for: completion of an assignment or as part of an academic or extracurricular educational program; reviewed instructional materials selection considerations; overview of purpose of Senate Bill 656; mention the provisions of the act shall not be construed as requiring or providing for the censoring of books in the public elementary and secondary schools; provided the Senate Bill 656 definition of sexually explicit content; reviewed Policy 6-11 guidance for addressing mature content in instructional materials; overview of alignment with Senate Bill 656 in the classroom - Step 1: teacher notifies parent of text to be studied via a form at 14 days in advance, Step 2: schools provide access to the text if requested; parent returns form to the teacher, Step 3: an alternative text is assigned to the student; shared image of parent notification form. The presentation continued with an overview of what are library materials: supplemental resources, books, periodicals, reference databases; overview of the function of a school library; reviewed how library materials are selected, criteria for selection and evaluation of library materials, and procedures for selection of library materials; shared parents have always had the ability to request limits on student access to certain materials in the library; 1) place limits on choice selection – parent submits a form to restrict book titles, authors, or book series; 2) review library material prior to instructional use – students will not be permitted to check out books used for instructional purposes without parental permission, parent request to review titles prior to student check out, parent contacted via email or phone; shared image of forms (request for limited access of library material and prior notification for student checkout of library materials to be used for instructional purposes); link on division and school websites to Senate Bill 656 (School Board policy 6-11); shared data on library media center materials: 1 million book titles in

the division library collection, 17 books challenged last year (2 on the English Supplementary List), 1 book appealed to Board and removed from libraries, 1 book series currently under review.

The presentation continued with questions and comments regarding grading of books; opting out of books/materials; timeliness of materials and classical literature; how can parents find out which books their child has checked out of the library; opt out of particular subject matter (opt out by author, title, or book series); SB 656; notifications to parents; information sent by email – if no email, a hard copy sent; process for books coming into library; critique of books; review of books; course content; AP coursework; and number of books ordered for schools.

- C. PPEA Interim Agreement Briefing: Jack Freeman, Chief Operations Officer, Department of School Division Services, and Melisa Ingram, Executive Director, Office of Facilities Services provided the School Board an update related to the upcoming public input process for the replacement of three schools, Princess Anne High School, Williams Elementary School/Bayside 6th Grade Campus, and Bayside High School; Mr. Freeman provide a brief introduction; Ms. Ingram continued the presentation; reviewed components of the PPEA interim agreement for design services; approved directives; public input meetings: meeting type 1 – Planning Advisory Team meetings: comprised of VBCPS teachers, staff, central office administrators, students, parents, and community members; meeting type 2 – Public Community Meetings: advertised meetings that are open to the general public; Planning Advisory Team – school staff, central office staff, community members, elected officials (2 School Board Members and 2 City Council Members per meeting); reviewed timeline: March-April: focus group interview, April-May: educational specification meetings, May: School Board workshop – educational specifications, May-June: design workshops, September-October: design workshops – conceptual design, September-October: School Board workshop (conceptual design) and City Council informal session (conceptual design), October-November: final schematic designs, November: School Board workshop (final schematic design) and City Council informal session (final schematic design); project financing plan and proposed GMP timeline: November-February: project financing plan, February-March: guaranteed maximum price (GMP) and proposed comprehensive agreement for construction services, March: School Board action (comprehensive agreement) and City Council action (comprehensive agreement); provided a recap of timeline.

The presentation continued with questions and comments regarding design; meetings with public; discussion of costs; request to serve on planning team (Ms. Manning); public input meetings advertised on website and AlertNow; School Board members attending public input meetings; and input from staff and community at meetings.

2. **Closed Session**: At 5:16 p.m., Vice Chair Weems read the following: 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, 3, and 8, as amended, to deliberate on the following matters:

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

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:

Request to join a class action lawsuit.

Status and contract issues related to the Laskin Road Annex sale.

Ms. Franklin made the motion, seconded by Ms. Brown. Chair Riggs called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to recess into Closed Session: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Melnyk. The motion passed, 9-0-0.

At 5:17 p.m., Ms. Melnyk recused herself and left the Closed Session.

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

School Board of the City of Virginia Beach  
Holland Road Annex  
2323 Holland Road  
Virginia Beach, VA 23453

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Status and contract issues related to the Laskin Road Annex sale: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, and Ms. Martin; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Jack Freeman, Chief Operations Officer, Department of School Division Services; Melisa Ingram, Executive Director, Office of Facilities Services; Regina M. Toneatto, Clerk of the Board.

The School Board reconvened at 5:35 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.

Ms. Anderson made the motion, seconded by Ms. Brown. Chair Riggs called for a vote. The School Board Clerk announced there were eight (8) ayes in favor of the motion for Certification of Closed Session: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, and Ms. Martin. The motion passed, 8-0-0.

3. **School Board Recess:** Chair Riggs adjourned the Administrative, Informal, and Workshop session at 5:36 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 6:02 p.m. on the 4<sup>th</sup> day of April 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, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Melnyk. The following School Board member attended via Zoom: Ms. Owens (medical reason/sick).  
Mr. Culpepper was not present at the meeting.
6. **Moment of Silence followed by the Pledge of Allegiance**
7. **Student, Employee and Public Awards and Recognition:** There were no awards or recognitions at the meeting.
8. **Adoption of the Agenda:** Chair Riggs noted the following modifications to the agenda as presented: change 15B – Appointment of the School Board Liaison to the Access College Foundation to 15D which renumbers the following agenda items – 15B – Authorize Superintendent to enter into MOA for *Something in the Water* transportation, 15C – Policy Review Committee (PRC) Recommendations, 15D – Appointment of the School Board Liaison to the Access College Foundation. Without any further modifications, Chair Riggs called for a motion to adopt the agenda as presented and modified. Mr. Callan made the motion, seconded by Ms. Brown. Without discussion, Chair Riggs called for a vote to approve the agenda as presented and modified. The School Board Clerk announced there were ten (10) ayes in favor of the motion to adopt the agenda as presented and modified: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk and Ms. Owens. The motion passed, 10-0-0.
9. **Superintendent’s Report:** There was no report presented at the meeting.
10. **Approval of Meeting Minutes**
  - A. March 28, 2023, Regular School Board Meeting: Chair Riggs called for any modifications to the March 28, 2023 regular School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve the March 28, 2023 minutes as presented. Ms. Manning made the motion, seconded by Ms. Martin. Without discussion, Chair Riggs called for a vote to approve the March 28, 2023 minutes as presented. The School Board

Clerk announced there were ten (10) ayes in favor of the motion to approve the March 28, 2023 minutes as presented: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk and Ms. Owens. The motion passed, 10-0-0.

**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 fifteen (15) in person speakers (including twelve (12) student speakers; topics discussed were: VDOE Model Policy; transgender students; diversity; acceptance of all students; students' pronoun and preferred name; treat students equally; school as a safe place; and supporting transgender students.

The Public Comments ended at 6:48 p.m.

**12. Information**

A. Technical and Career Education Carl Perkins SY24 Grant: Sara Lockett, Ed.D., Director of Technical and Career Education provided the School Board information on the Local Plan and Budget for Perkins Grant Funding for Career and Technical Education 2023-2024; provided overview of Carl Perkins Grant; reviewed performance measures: academic achievement, technical skill attainment, attainment of postsecondary credentials, non-traditional career preparation, participation in work-based learning, secondary school completion, post-secondary placement; reviewed the proposed Perkins V local budget submission for 2023-24; total budget: \$1,137,265.77.

**13. Return to public comments if needed:** As noted under Agenda Item #11, Public Comments ended at 6:48 p.m.

**14. Consent Agenda:** Chair Riggs read the following items on the Consent Agenda:

- A. Local Special Education Annual Plan – Application and Report for VDOE: Recommended that the School Board approves the 2023-24 Special Education Annual Plan/Part B Flow-Through Application.
- B. Policy Review Committee (PRC) Recommendations: Recommended 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.

Amendments

1. Policy 4-10/ Conditions of Employment: The PRC recommends changing the number of current Policy 4-75 to Policy 4-10 and deleting Policy 4-75.
2. Policy 4-22/ Drug and Alcohol Testing of Motor Vehicle Drivers: The PRC recommends updating the linked regulations and scrivener's changes.
3. Policy 4-35/ Salaries and Compensation: The PRC recommends changing the number of current Policy 2-48 to Policy 4-35 and deleting Policy 2-48.
4. Policy 4-55/ Leave With/Without Pay for Family and Medical Purposes: The PRC recommends removing paragraph B. Regulation References and updating the regulation under Related Links.

Adoption

5. Policy 4-27/ Gifts to Staff Members: The PRC recommends changing the number of current Policy 4-37 to Policy 4-27 and deleting Policy 4-37.
6. Policy 4-43/ Payment to Estate of Deceased Employees: The PRC recommends changing the number of current Policy 4-43 to Policy 4-21 and deleting Policy 4-43.

Repeal

7. Policy 2-48/ Salaries and Compensation (to be removed and renumbered Policy 4-35): The PRC recommends changing the number of current Policy 4-41 to Policy 4-34 and deleting Policy 4-41.
8. Policy 4-21/ Payment to Estate of Deceased Employees (to be removed and renumbered Policy 4-43): The PRC recommends changing the number of current Policy 4-43 to Policy 4-21 and deleting Policy 4-43.
9. Policy 4-75/ Conditions of Employment (to be removed and renumbered Policy 4-10): The PRC recommends changing the number of current Policy 4-75 to Policy 4-10 and deleting Policy 4-75.
10. Policy 7-37/ Gifts to Staff Members (to be removed and renumbered Policy 4-27): The PRC recommends changing the number of current Policy 4-37 to Policy 4-27 and deleting Policy 4-37.

After reading the items on the Consent Agenda, Chair Riggs called for any objections to the Consent Agenda items. Hearing none, Chair Riggs called for a motion to approve all the items on the Consent Agenda as presented. Ms. Martin made the motion, seconded by Ms. Anderson. Chair Riggs called for a vote to approve the Consent Agenda as presented.

The School Board Clerk announced there were there were ten (10) ayes in favor of the motion to approve the Consent Agenda as presented: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk and Ms. Owens. The motion passed, 10-0-0.

## 15. Action

- A. Personnel Report / Administrative Appointments: Chair Riggs called for a motion to approve the April 4, 2023 personnel report and administrative appointments. Ms. Franklin made the motion, seconded by Ms. Brown that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the April 4, 2023 personnel report along with administrative appointments as recommended by the Superintendent. Without discussion, Chair Riggs called for a vote to approve the April 4, 2023 personnel report and administrative appointments. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve the April 4, 2023 personnel report and administrative appointments: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk and Ms. Owens. The motion passed, 10-0-0. There were no administrative appointments.

(Note: See agenda item #8 – Adoption of the Agenda for modifications)

- B. Authorize Superintendent to enter into MOA for *Something in the Water* transportation: Chair Riggs called for a motion to authorize the Superintendent to enter into a Memorandum of Agreement (MOA) with the City for *Something in the Water* festival transportation. Ms. Anderson made the motion, seconded by Ms. Franklin. Kamala H. Lannetti, School Board Attorney provided the School Board with information regarding the MOA for transportation; overview of previous event from April 2019; City will reimburse the following up to \$265,000: \$45 per hour for school bus drivers, \$50 per hour for support personnel, \$60 per hour for supervisory personnel; school bus drivers paid for one additional hour to clean bus; per mile charges include maintenance expenses; City will provide insurance coverage and reimburse for damage to buses. The discussion continued with questions and comments regarding bus driver payment; security procedures for buses; maximum amount required to pay; contract amount and increased costs; insurance; term of contract – regarding if the event needs to be rescheduled; approval date; providing information sooner for review. Ms. Manning made the following substitute motion; I move to approve the MOA (Memorandum of Agreement) as presented with the qualifier that the Superintendent has the authority to address changes related to change of dates due to the rescheduling of festival under Item 2; Ms. Brown seconded the motion. Without further discussion, Chair Riggs called for a vote on the substitute motion. The School Board Clerk announced there were ten (10) ayes in favor of the substitute motion to approve the MOA (Memorandum of Agreement) as presented with the qualifier that the Superintendent has the authority to address changes related to change of dates due to the rescheduling of festival under Item 2: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk and Ms. Owens. The motion passed, 10-0-0.
- 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.
- Bylaw 1-28/Committee, Organizations and Boards – School Board Assignments: The PRC recommends adding Access Foundation to the list of Outside Committees, Organizations or Boards, and scrivener's changes. Chair Riggs called for a motion to approve Bylaw 1-28/Committee, Organizations and Boards – School Board Assignments. Ms. Anderson made the motion, seconded by Ms. Martin. Without discussion, Chair Riggs called for a vote to approve Bylaw 1-28/Committee, Organizations and Boards – School Board Assignments. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve Bylaw 1-28/Committee, Organizations and Boards – School Board Assignments: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk and Ms. Owens. The motion passed, 10-0-0.
  - Bylaw 1-32/Adoption, Amendment, Repeal or Suspension – Policies: The PRC recommends adding missing language to correct what was previously agreed upon in the November 22, 2022 PRC meeting. Chair Riggs called for a motion to approve Bylaw 1-32/Adoption, Amendment, Repeal or Suspension – Policies. Ms. Franklin made the motion, seconded by Ms. Manning. Without discussion, Chair Riggs called for a vote to approve Bylaw 1-32/Adoption, Amendment, Repeal or Suspension – Policies. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve Bylaw 1-32/Adoption, Amendment,

Repeal or Suspension – Policies: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk and Ms. Owens. The motion passed, 10-0-0.

3. Appendix B/School Board Standing Rules/Time and Place for Regular Meetings: The PRC recommends adding language regarding recognitions at meetings.

Chair Riggs called for a motion to approve Appendix B/School Board Standing Rules/Time and Place for Regular Meetings. Ms. Franklin made the motion, seconded by Ms. Anderson. Without discussion, Chair Riggs called for a vote to approve Appendix B/School Board Standing Rules/Time and Place for Regular Meetings. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve Appendix B/School Board Standing Rules/Time and Place for Regular Meetings: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk and Ms. Owens. The motion passed, 10-0-0.

- D. Appointment of School Board member to the Access College Foundation: Chair Riggs called for a motion to approve the appointment of Kimberly A. Melnyk as the School Board liaison to the Access College Foundation. Ms. Brown made the motion, seconded by Ms. Martin. Without discussion, Chair Riggs called for a vote to approve the appointment of Kimberly A. Melnyk as the School Board liaison to the Access College Foundation. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve the appointment of Kimberly A. Melnyk as the School Board liaison to the Access College Foundation: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk and Ms. Owens. The motion passed, 10-0-0.

- 16. *Committee, Organization or Board Reports***: Ms. Franklin attended the CAC for Gifted Education meeting, first year back with site visits, completed 20 visits, positive remarks from visits; Vice Chair Weems attended the Building Utilization Meeting (BUC) along with Mr. Callan and Mr. Culpepper, elected Mr. Culpepper as the Chair, demographer reviewed information, any questions can reach out to Mr. Culpepper; Mr. Callan attended the Hampton Roads Educational Telecommunications Association (HRETA) meeting on March 15, toured the facility and learned about their programs.

- 17. *Return to Administrative, Informal, Workshop or Closed Session matters***: At 7:28 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, 3, 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.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

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. Legal advice concerning an administrator's contract terms.  
B. Request to join a class action lawsuit.

- C. Status and contract issues related to the Laskin Road Annex sale.
- D. Consultation with legal counsel regarding probable litigation and pending litigation matters.

Chair Riggs called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to recess into Closed Session: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Melnyk. The motion passed, 9-0-0.

At 7:39 p.m., the School Board recessed into Closed Session in the Holland Road Annex/Einstein Lab.

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

- B. Request to join a class action lawsuit: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Melnyk; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.
- A. Legal advice concerning an administrator's contract terms: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Melnyk; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Regina M. Toneatto, Clerk of the Board.  
Superintendent Spence left the Closed Session at 7:55 p.m.
- C. Status and contract issues related to the Laskin Road Annex sale: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Melnyk; Kamala H. Lannetti, School Board Attorney; Regina M. Toneatto, Clerk of the Board.
- D. Consultation with legal counsel regarding probable litigation and pending litigation matters: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Melnyk; Kamala H. Lannetti, School Board Attorney; Regina M. Toneatto, Clerk of the Board.

The School Board reconvened at 8:35 p.m. Ms. Melnyk left the meeting at 8:35 p.m.

Certification of Closed Session: Vice Chair Weems read the Certification of Closed Session:

**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.

Vice Chair Weems made the motion, seconded by Ms. Anderson. Ms. Manning stated for the record, she is going to vote to not certify because the Closed Session topic went from the topic of the Superintendent's contract to an attack on her. Without further discussion, Chair Riggs called for a vote on the Certification of Closed Session. The School Board Clerk announced there were five (5) ayes in favor of the motion for Certification of Closed Session: Chair Riggs, Ms. Anderson, Mr. Callan, Ms. Franklin, and Ms. Martin. There were three (3) nays opposed to the motion for Certification of Closed Session: Ms. Brown, Ms. Manning, and Vice Chair Weems. The motion passed, 5-3-0.

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Chair Riggs read the following motion:

1. That the Superintendent or designee and the School Board Attorney are authorized to negotiate an extension of the Laskin Road Annex Purchase Agreement with TFJG Canopy, LLC.
2. That the Superintendent or designee and the School Board Attorney are authorized to negotiate and sign an agreement with TFJG Canopy, LLC regarding the storage of dirt/fill on or at 1413 Laskin Road.
3. That the Superintendent or designee are authorized to enter into additional agreements/arrangements related to 1413 Laskin Road that do not require School Board approval to implement.

Ms. Martin made the motion, seconded by Ms. Anderson. Without discussion, 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. Brown, Mr. Callan, Ms. Franklin, Ms. Manning, and Ms. Martin. The motion passed, 8-0-0.

**18. Adjournment:** Chair Riggs adjourned the meeting at 8:39 p.m.

Respectfully submitted:

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Regina M. Toneatto, Clerk of the School Board

Approved:

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Trenace B. Riggs, School Board Chair