



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, May 9, 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 3:30 p.m. on the 9th day of May 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 (arrived at 3:31 p.m.), Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens.

- A. School Board Administrative Matters and Reports: Vice Chair Weems mentioned for School Board members to review the agenda on Wednesday when it is posted for awards/recognitions and resolutions and request in advance by Monday if you want to read a certain award and/or resolution; Chair Riggs mentioned there are three presentations during workshop and would like to have them all presented; will be doing a time check and watching the clock.
- B. Literacy Update: Kipp Rogers, Ph.D., Chief Academic Officer and Lorena Kelly, Ph.D., Executive Director, Elementary Teaching and Learning, provided the School Board an update on winter academic performance of students based on mid-year Reading Inventory (RI) data, brief description of the literacy program, and an update on the Virginia Literacy Act; Dr. Rogers provided a brief introduction and Dr. Kelly continued the presentation; reviewed mid-year data results; mid-year division Reading Inventory data – grades 3-5: Fall 2022-2023: 49.3% compared to Mid-Year (January 2023): 59.9%; mid-year division Reading Inventory data – grade 5: Fall 2022-2023: 54.3% compared to Mid-Year (January 2023): 63.3%; noted the 2022-2023 mid-year results were slightly lower than 2021-2022 mid-year, which were: 64.1%; mid-year division Reading Inventory – grade 4: Fall 2022-2023: 47.4% compared to Mid-Year (January 2023): 58.3%; mid-year division Reading Inventory data – grade 3: Fall 2022-2023: 46.1% compared to Mid-Year (January 2023): 58.0%; reviewed elementary literacy instruction – what we teach: communication and multimodal literacy, reading, writing and research; how we teach – whole group, small group, individual conferences, deliver daily reading and writing instruction, implement instruction that is systematic, cumulative, and diagnostic; shared chart of components in a structured literacy program; reviewed simple view of reading – decoding (word recognition) x language comprehension = reading comprehension; Scarborough’s Reading Rope Model – word recognition (phonological awareness, decoding, sight recognition), language comprehension (background and vocabulary knowledge, language structures, verbal reasoning, literacy knowledge), skilled reading (fluent execution and coordination of word recognition and text comprehension); mentioned Virginia Literacy Act (VLA) and shared highlights of key terms regarding evidence-based literacy instruction, aligns curricula, screening and intervention methods, requires professional development and training; professional development: 2021 – administrators were invited to apply to have teams of teachers participate in LETRS, 2022 – LETRS expanded to

include an individual application process for teachers in grades K-5; professional development 2023-2025: LETRS Summer session, LETRS school year: implemented by VBCPS facilitators, teacher receive 2 professional learning days to utilize during school year to complete requirements; mentioned new website Virginia Literacy Partnerships; 2024-2025 full launch of Virginia Literacy Screener – new VDOE Screener for Virginia; new screener aligned with current evidence base, more comprehensive and useful screening information, better informed instruction and intervention, goal: improved reading and academic outcomes for Virginia students; mentioned Virginia Literacy Act 2024-2025 – students in K-3: receives core literacy instruction from an evidence-based literacy curriculum, teachers of students in K-3: uses evidence-based literacy curriculum; provided a literacy update summary: overall 59.9% of grade 3-5 students are meeting the end-of-year RI benchmark, VBCPS implements evidence-based literacy instruction and provides professional learning aligned to science-based reading research, 2023-2024 – implementation of new screener VALLSS (Virginia Language and Literacy Screening System), 2024-2025 – implementation of updated/new core curriculum; shared some pictures and highlighted samples from elementary schools.

The presentation continued with questions and comments regarding recertification points for LETRS training; phonics foundation; phonological awareness; evidence-based instruction; predictive technology; timeframe of screening; professional development for teachers; modules available; VALLSS used for PreK-3; SOLs for 3-5; evidenced based learning; and measure success.

- C. Bylaw Discussion on Student Representative to the School Board: Kamala H. Lannetti, School Board Attorney provided the School Board information regarding a student representative to the School Board and set forth the duties and responsibilities for the position; Bylaw 1-7 draft; number of student representatives – 2 students for each comprehensive high school (1 senior and 1 junior), 1 student from Green Run Collegiate Charter School, 1 student from Renaissance Academy, 1 student from Achievable Dream Academy – High School Program; reviewed eligibility to serve – enrolled in VBCPS, GPA of 2.5, no immediate family relationship with School Board or Superintendent, no felony charges or CPS findings, no pending long term disciplinary or expulsion matters while serving; selection process – Superintendent or designee develops selection and replacement process, striving for diversity of student opinions and concerns, encourage choice of students who are not currently in leadership positions; term of appointment – July 1 – June 30, first year may be different starting time, encourage appointment of junior representative to be the senior representative the following year; duties and responsibilities – serve in advisory capacity only; no voting rights; only have duties and responsibilities assigned by School Board, only one student representative serves at each meeting or retreat; representatives will attend one assigned meeting per year or find alternate; School Board mentor – Vice Chair serves as mentor and contact person, Superintendent will appoint administrator to provide training and supervision of student representatives and to develop a schedule for meetings.

Ms. Owens provided a brief background summary regarding the development of the student representative; explored with School Board member, Ms. Franklin; met with students at the Citywide SCA; provide an opportunity for student voice but no voting rights; Ms. Franklin shared this is a great leadership opportunity; develop communication skills; able to get student perspective; feedback from School Board members; Dr. Walter C. Brower, Jr., Senior Executive Director, High Schools shared information regarding the student representative from Norfolk Public Schools.

The presentation continued with questions and comments regarding City of Virginia Beach having student representatives on various boards; support for idea of student representative on School Board; selection process; lottery system; rotation of student representatives for each meeting; time for training; getting student input for meetings; collaboration between schools; representing the concerns of the school(s); input from student speakers; burden on administration; parliamentary procedure; selection by School Board; clarification on specific duties/responsibilities; getting student's viewpoint on certain matters; student forum; think through the process; room for improvements in the bylaw; and possibility of simple bylaw and then a policy with details.

- D. Procurement and SWAM: Carla Smith, Director of Procurement, and Melisa Ingram, Executive Director of Facilities Services provided the School Board information about procurement processes, reporting and data regarding Small, Women- and Minority- Owned (SWAM) businesses; Crystal Pate, Chief Financial Officer provided a brief comment on the presentation and introduced Ms. Smith; reviewed the presentation topics; mentioned School Board Policy 3-8; joint responsibility between Department of Budget and Finance and School Division Services to report on the following: small business, women-owned business, service-disabled veteran business, minority-owned business; SWAM business classifications are collected in two ways: formal procurements (bid's & RFPS) and when a supplier is added into Oracle (procurement system); Ms. Ingram shared information on how Capital Improvement Program

(CIP) SWAM business classifications are collected; during bid process – SWAM Participation Plan; at completion of the project – SWAM participation form; Ms. Smith shared information on current SWAM reporting: reporting is fiscal year based, spend data is for goods and services, data is pulled from three sources (Oracle, School Funds Online, and Bank of America Works); SWAM spend is 24%; noted 50% of our spend is comprised of 11 categories; mentioned categories of where opportunity may exist to increase minority spend (non-residential main building contractors, general contractors, and plumbing, heating & AC (HVAC) contractors; top spend is with large corporations where state or national cooperative contracts are used; Ms. Ingram shared School Division Services/Office of Facilities Services current SWAM reporting is project based, spend data in large CIP projects, data is provided by the general contractor and the subcontractor’s classifications; future SWAM reporting – Facilities Services SWAM Participation Forms will be integrated with all other end of fiscal year (FY) procurement reporting starting in FY25; Ms. Smith continued the presentation; current and potential SWAM support: VBCPS attends the annual minority business conference, VBCPS will begin to include SWAM businesses as supplemental suppliers on formal procurements and when quoting small procurements; mentioned City Disparity Study: conducted 2017-2018, 12 implemented recommendations; use of Oracle to improve reporting; VBCPS current annual SWAM participation is good (24%), comprised primarily of small business and woman-owned and not minority-business or service-disabled veteran business; VBCPS working towards improving SWAM identification and reporting; Ms. Smith shared the following recommendation: participation in the upcoming City disparity study, goals of VBCPS participation: uncovering SWAM participation blind spots, develop opportunities to increase SWAM identification and reporting. The presentation continued with questions and comments regarding large contracts; unbundle of large contracts; clarity on diversity chart types; data from disparity study; cost of participation in study; cannot make decision without knowing cost; what information looking to find out from disparity study; capacity for minority contracting verses actual participation; conversation with City about participation; a recommendation of areas need to study; and areas to increase minority spend.

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 5:31 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 9th day of May 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. National Nengajo Art Contest, first place - Brandon Middle School: The School Board recognized Maffe Tupaz, an eight-grade student at Brandon Middle School, first place winner in a national art contest. Her artwork was chosen from 119 entries from middle schoolers across the United States.
 - B. 2023 VSBA Tidewater Regional Art Contest – Woodstock Elementary, Virginia Beach Middle, Kellam High: The School Board recognized the following students as winners of the 2023 Virginia School Board Association Tidewater Regional Art Contest: Mara Dillenburg, a fourth-grade student at Woodstock Elementary; Kayla Spruill, a sixth-grade student at Virginia Beach Middle School; and Grace Miller, a junior at Kellam High School.
 - C. Virginia ProStart Invitation 2023 Culinary Management Competition - Kempsville High School: The School Board recognized the student culinary teams from Kempsville High School who won first and second place in the management competition at the 2023 Virginia ProStart Invitational competition last month at Old Dominion University. The first-place winners were Hayden Brice, Christopher Hodge, and Morgan Sutton.
 - D. Virginia DECA State Leadership Conference, first place, Quick Serve Restaurant Individual Series Event – Kempsville High School: Note: due to a scheduling conflict, this recognition will be presented at a later date.
 - E. 2023 VHSL Class 5 Theatre Festival, Outstanding Performer – Salem High School: The School Board recognized Maggie Southall-Bartz, a junior at Salem High School, who earned the title “Outstanding Performer” at the 2023 VHSL Theatre Festival.

- F. VBCPS 2022-2023 Virginia Association for the Gifted Outstanding Teacher of the Year Awards – Plaza Middle School and Thoroughgood Elementary School: The School Board recognized the 2022-23 VBCPS Outstanding Gifted Teachers of the Year: Laura Purvis, teacher at Plaza Middle School and Terri Darnell, teacher at Thoroughgood Elementary School.
- G. National AVID Demonstration Schools – Great Neck and Salem middle schools: The School Board recognized Great Neck Middle School and Salem Middle School as National AVID Demonstration Schools. This elite designation has been awarded to only 200 of 8,000 AVID schools in the United States and around the world.
- H. First Place in Public Forum Debate at VHSL State Debate Competition - Princess Anne High School: The School Board recognized the first-place winners in the VHSL State Debate Competition: Jessica Wu, a junior at Princess Anne High School and Nate Campion, a junior at Princess Anne High School.
- I. VHSL Division 5 State Debate Champions – First Colonial High School: The School Board recognized the First Colonial High School debate team as the VHSL Division 5 State Debate Champions. Students placed in the Lincoln Douglas category, the Congress division, the Public Forum category, and the Public Policy category.
- J. NJROTC Area 5 Drill, Athletic and Academic Championship, first place - Green Run High School: The School Board recognized the cadets from Green Run High School as the NJROTC Area 5 Drill, Athletic and Academic champions. The cadets took first place overall in Drill and Athletics, and they took first place overall for the 10th year in a row.

8. Adoption of the Agenda: Chair Riggs called for any modifications to the agenda as presented. Ms. Brown made a motion, seconded by Mr. Culpeper, to move item 12D (Resolution from a School Board Member) to the end of the meeting so that we have the opportunity to hear the 111 public comments that we have before we have the discussion. A discussion followed regarding School Board conversation on the resolution and meaning behind resolution; suggestion to leave the agenda as is; not change procedures; follow agenda – listen to speakers until 8:00 p.m. then return to the business of the School Board then resume speakers; not voting on topic tonight; social media posts; Ms. Manning called for a point of order regarding clarification on discussing moving an item or discussing the item/topic; Chair Riggs clarified the discussion is on moving the item; clarification on keeping Information agenda items A through C; moving item 12D after the return to Public Comments; item not for vote tonight, only on for information; maintain agenda as is. Without further discussion, Chair Riggs called for a vote to the amendment to the agenda and asked Ms. Brown to repeat the amendment. Ms. Brown restated her motion – that we move item 12D to after Public Comments is completed, to be moved before Action but after public comment is done. Chair Riggs clarified the order of the agenda – Information items A-B-C would be presented – then return to public comments – then before consent agenda, item 12D would be presented/discussed. Chair Riggs called for a vote on the amended agenda. The School Board Clerk announced there were four (4) ayes in favor of the amended agenda: Ms. Brown, Mr. Callan, Mr. Culpepper, and Ms. Manning. There were seven (7) nays opposed to the amended agenda: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. The motion to amend the agenda failed, 4-7-0. Chair Riggs called for a motion to adopt the agenda as presented. Ms. Melnyk made the motion, seconded by Ms. Anderson. Without discussion, Chair Riggs called for a vote to approve the agenda as presented. The School Board Clerk announced there were seven (7) ayes in favor of the motion to approve the agenda as presented: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. There were four (4) nays opposed to the agenda as presented: Ms. Brown, Mr. Callan, Mr. Culpepper, and Ms. Manning. The motion passed, 7-4-0.

9. Superintendent's Report (second monthly meeting) and recognitions (first and second monthly meetings): Superintendent Spence introduced Michael T. Tunney, Jr., Teacher, Advanced Technology Center as Coordinator, Engineering and Technology Education, Office of Technical and Career Education. It was noted, Mr. Tunney, Jr. appointment was voted on and approved at the April 25, 2023 School Board meeting.

10. Approval of Meeting Minutes

- A. April 25, 2023, Regular School Board Meeting: Chair Riggs called for any modifications to the April 25, 2023 regular School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve the April 25, 2023 minutes as presented. Ms. Brown made the motion, seconded by Mr. Callan. Without discussion, Chair Riggs called for a vote to approve the April 25, 2023 meeting minutes. The School Board Clerk announce there were ten (10) ayes in favor of the motion to approve the April 25, 2023 meeting minutes: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens. The School Board Clerk announced there was one (1) abstention: Ms. Martin (left the meeting early due to illness). 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 sixty-four (64) in person speakers (including twenty-three (23) student speakers) and ten (10) online speakers: topics discussed were School Board member resolution; non-discrimination of students; LGBTQ+ students; bullying; gender identity; VDOE Model Policy; transgender students; preferred name and pronoun; safety of students; mental health of transgender students; all students first; parental rights; parental involvement; importance of family; books in library; student representative to School Board; gun/firearm safety; Teacher Appreciation Week; student speakers; library materials; Policy 6-65; access to library books; parents rights and responsibility; clarification on resolution; First Amendment; women sports; athletics; personal safety; and VHSL.

The Public Comments were suspended at 8:00 p.m., to continue with the formal meeting and the items on the Information agenda.

12. Information

- A. Summer Learning Update: Lorena Kelly, Ph.D., Executive Director of Elementary Teaching and Learning presented the School Board an update related to summer learning opportunities; elementary summer learning opportunities: summer learning boost for all elementary – July 1, parent videos are posted each week to explain the learning intention and focus of each lesson, summer learning camp at select sites – July 5-26, tutoring funds provided for schools who do not have summer learning camp (site-based) – July 5-August 4; secondary summer learning opportunities: repeat face-to-face course (Independence MS & Salem MS, Green Run HS & Princess Anne HS), first time course (Virginia Beach Digital Campus); AVID Science Summer Bridge Program – opportunity for rising 7th and 8th graders at Bayside Middle School, Mission Possible - July 10-August 2; summer learning for students with disabilities: general education setting – many students with disabilities will have the opportunity to participate in the summer programs in the general education setting; Extended School Year (ESY) services – special education and/or related services provided beyond the typical school year, part of the IEP Process.
- The presentation continued with questions and comments regarding students taking Chromebooks home over the summer; where to find registration dates and deadlines; transportation for summer activities; and costs for learning camps.
- B. Federal Grant Applications: Lorena Kelly, Ph.D., Executive Director of Elementary Teaching and Learning presented the School Board information on the administrations intend to apply for federal grand for the 2023-2024 school year; provided a chart overview of past, current, and projected funding for each grant; Title I, Part A grant is anticipated for approximately \$13 million, funds provide additional financial assistance to school with high percentages of child from low-income families to help ensure that all children meet challenging state academic content and achievement standards; Title I, Part D grant is approximately \$183,000 dollars, funds supports education services for students in delinquent facilities, supports transition of students from those facilities and Juvenile Detention Center back to VBCPS, supports dropout prevention programs; Title II, Part A grant is anticipated for approximately \$2 million, funds for literacy leaders, mathematics coaches, cohorts for Reading Specialist and Math Specialist endorsements; Title III, Part A grant is anticipated at approximately \$230,000 dollars, funds for English Learner Instructional Specialist, professional learning, family engagement, elevation; Title IV, Part A grant is anticipated for approximately \$897,000, fund for integrated systems of support (graduation lab teachers, instructional coaches, 24/7 virtual tutoring) and future-ready students (learning supports, instructional resources and professional learning opportunities to support literacy and numeracy, AP and IB Assessments for free and reduced lunch recipients.)
- The presentation continued with questions and comments regarding the Title I, Part A grant; plans to support behavior; multi-tier system of support; discipline in classroom; support with training and additional staff; and what determines the amount of funding received.
- C. Bylaw Discussion on Student Representative to the School Board: Note: this topic was discussed during the Administrative, Informal, and Workshop session – see agenda item #1C; Ms. Franklin made a suggestion to send the Bylaw back to PRC (Policy Review Committee) for their review on Thursday; a discussion followed regarding the Bylaw; Kamala H. Lannetti, School Board Attorney reviewed draft of Bylaw 1-7; create a simple Bylaw and have a policy or regulation with specific details. Chair Riggs asked for motion; Ms. Franklin made a motion, seconded by Ms. Owens, that we withdraw (Bylaw) from information to take back to Policy Review (Committee) for their meeting on

Thursday and that they can review this shortened Bylaw and bring to the Board later; Chair Riggs opened the floor for discussion; a discussion followed regarding the shortened Bylaw; agenda set for PRC meeting - can add to agenda; concerns about Bylaw from Workshop discussion; need to establish rules and qualifications; will take back to PRC for discussion; need more direction from Ms. Franklin and Ms. Owens; needs to be School Board driven. Without further discussion, Chair Riggs called for a vote on the motion. The School Board Clerk announced there were eleven (11) ayes in favor of the motion. The motion passed unanimously, 11-0-0.

- D. **Resolution from a School Board Member:** Chair Riggs read a statement regarding social media post, Virginia High School League (VHSL) participation rules and apologized for any confusion; Ms. Owens provided some information regarding the resolution - from September - public comments from students, parents, teachers, and community members, advocate for students, safe place for students to feel valued, educational outcomes, mental health of students, value diversity, misinformation from media post, not a policy, VHSL rules and regulations, does not change anything that that district is doing, examples of other resolutions. Ms. Owens read the following resolution:

RESOLUTION Nondiscrimination Against LGBTQ+ Youth in Education

WHEREAS, VBCPS believes that every student is entitled to an education that is responsive to one's unique needs to reach their full potential and that all individuals have the right to a safe physical, emotional, and social environment where responsibility and respect are demonstrated daily and where students are engaged in learning and are active participants in the school community because they feel accepted and valued; and

WHEREAS, VBCPS, in accordance with its strategic plan, will continue to foster and build positive relationships between staff, parents, and students; and

WHEREAS, VBCPS encourages staff, parents, and students to respect differences, value the diversity of our school community and express themselves in a manner that is reflective of our core values and beliefs and promotes equitable education for all students of varying needs; and

WHEREAS, VBCPS is committed to eliminating all forms of unlawful discrimination in the educational environment. Accordingly, no student shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any VBCPS education program or activity based on sex, sexual orientation, gender, gender identity, gender expression, or on any other characteristic protected by state or federal law; and

WHEREAS, existing state and federal statutory and case law affirms the rights of both parents/guardians and students on issues of privacy and the right to freedom from discrimination under Title IX, Title VII and the Equal Protection Clause of the Fourteenth Amendment; and

WHEREAS, according to the Trevor Project, suicide is the second leading cause of death among young people (Center for Disease Control and Prevention, 2020), with LGBTQ+ youth being four times more likely to seriously consider suicide, to make a plan for suicide, and to attempt suicide than their peers; and

WHEREAS, LGBTQ+ youth who found their school to be LGBTQ+ affirming reported lower rates of attempting suicide; and

WHEREAS, LGBTQ+ youth who live in a community that is accepting of LGBTQ+ people reported significantly lower rates of attempting suicide than those who do not; and

WHEREAS, existing policies in VBCPS create welcoming learning environments and align with division core values and beliefs and state and federal statutory and case law; and

WHEREAS, VBCPS is committed to engendering respect for the abilities and accomplishments of all people and to provide governance free from any practices or policies which, if enacted, would violate state and federal law and go against the school division's core values.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach affirms, supports, and values each of our students and will continue to further our efforts to create a welcoming, safe, and inclusive learning environment providing protections for all students regardless of sex, sexual orientation, gender, gender identity, gender expression or on any other characteristic protected by state or federal law; and be it

FUTHER RESOLVED: That the School Board of the City of Virginia Beach will adopt no policies in violation of state or federal law that would impede our ability to provide these guaranteed protections to our students; and be it

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

A discussion followed regarding division policy and state law; division sports governed by VHSL; information on VHSL website; resolution does not address athletics; athletics not part of model policy; mentioned Virginia Code §22.1 -23.3 Treatment of transgender students; policies; activities and events do not include athletics; disagreement with opening statement from Chair; interpretation of resolution; already have non-discrimination policies in place; Model Policies; term “gender expression”; interpret “activity” to include sports; middle school sports; sports topic to discuss in the resolution; parental rights; fundamental rights of parents; revisit resolution; look at vague parts; redefine the use of word “activity”; Governor’s model policy; Regulation 5-7.1; Policies and Regulations 5-44; continue to follow VHSL guidelines; abide by state and federal law; acknowledgement of student speakers; suggestion to vote on resolution in June as part of pride month; resolution as an affirmation of what we do – not policy; resolution vague; don’t govern by resolutions; have non-discrimination in our policies, Bylaws and regulations already; use of student preferred name – not in resolution; resolution does not reference Model Policy; open to feedback from the School Board; resolution causes confusion; thank you to speakers; Virginia law and Federal law; no district policies listed in resolution; mention of case law in resolution – what is being referenced; stats from Trevor Project; policies in place to protect individuals. Ms. Brown made a motion, seconded by Mr. Culpepper, to defer this (resolution) until the 2022 model policies have been released by the State Superintendent. A discussion followed regarding the motion; don’t want to defer; resolution affirming what we are doing; don’t have a finalized model policy for the State Superintendent; bad idea to vote on resolution; if don’t agree with resolution can vote against it; model policies may never release; cannot support motion; make revisions to resolution then present to School Board again; have resolution be more celebratory; recraft verbiage of resolution; do not defer resolution; resolution needs clarity on sports and transgender participation in sports, parents’ rights, Governor’s policies if released. After the discussion, Chair Riggs asked Ms. Brown to restate her motion; Ms. Brown stated, motion is that we defer this resolution until after the model policies are released by the State Superintendent, the motion was seconded by Mr. Culpepper. Chair Riggs called for a vote on the motion. The School Board Clerk announced there were four (4) ayes in favor of the motion to defer the resolution: Vice Chair Weems, Ms. Brown, Mr. Culpepper, and Ms. Manning. There were six (6) nays opposed to the motion to defer the resolution: Chair Riggs, Ms. Anderson, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. There was one (1) abstention to the motion to defer the resolution: Mr. Callan. The motion to defer the resolution failed, 4-6-1. Ms. Franklin made a motion, seconded by Vice Chair Weems, to request that Ms. Owens take the feedback that she received tonight and revisit the verbiage and bring it back to the Board. There was a brief discussion on procedure with information items; Ms. Franklin withdrew her motion, and Vice Chair Weems agreed. Ms. Owens stated will take feedback and revisit the resolution and share with the School Board.

13. Return to public comments if needed: The Public Comments resumed at 9:53 p.m., and concluded at 12:09 a.m., on Wednesday, May 10, 2023. See agenda item #11 for topics discussed.

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

A. Resolutions:

1. School Nurse Appreciation Day: Recommended that the School Board approve resolution designating May 10, 2023 as School Nurse Appreciation Day in Virginia Beach in collaboration with the National Association of School Nurses’ day of recognition.

B. Policy Review Committee (PRC) Recommendations: Recommended that the School Board adopt, amend, or repeal School Board Bylaws and policies as recommended by the Policy Review Committee after the PRC’s April meeting.

1. Policy 2-3/Consultants: The PRC recommends amending the Policy to have the Superintendent provide a monthly report of consultants hired for services totaling over \$10,000.

2. Policy 3-68/Employee Lactation Support: The PRC recommends repealing Policy 3-68 and adopting Policy 4-29 as the new Employee Lactation Support policy.
 3. Policy 4-29/Employee Lactation Support: The PRC recommends adopting Policy 4-29 (formerly Policy 3-68) with certain amendments.
 4. Policy 4-34/Personnel Protection from Assault/Other Acts: The PRC recommends significant amendments to clarify the procedures that employees should follow when accused of assaulting or actions against others.
 5. Policy 5-19/Pregnant and Parenting Students, and Lactation Support: The PRC recommends amending Policy 5-19 to provide lactation support for students who are breast feeding their children.
- C. General Fees Schedule FY 2023-2024: Recommended that the School Board approve the proposed FY 2023/24 General Fees Schedule including the rates for student fees for optional/ancillary services or activities.

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. Melnyk made the motion, seconded by Ms. Franklin. Chair Riggs asked for the resolution to be read.

Ms. Anderson read the following resolution:

RESOLUTION
School Nurse Appreciation Day
May 10, 2023

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

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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach designates May 10, 2023, as School Nurse Appreciation Day in Virginia Beach; and be it

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

Adopted by the School Board of the City of Virginia Beach this 9th Day of May, 2023

After the resolution was read, Chair Riggs called for a vote to approve the Consent Agenda as presented. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve the Consent Agenda as presented: Chair Riggs, Vice Chair Weems, Ms. Anderson, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0. Note: Ms. Brown was not in the School Board Room/Auditorium when the vote was taken.

15. Action

- A. Personnel Report / Administrative Appointments: Chair Riggs called for a motion to approve the May 9, 2023 personnel report and administrative appointments. Ms. Martin made the motion, seconded by Ms. Owens that the School Board approve the appointments and the acceptance of the resignations, retirements, and other

employment actions as listed on the May 9, 2023 personnel report along with administrative appointments as recommended by the Superintendent. Without discussion, Chair Riggs called for a vote to approve the May 9, 2023 personnel report and administrative appointments. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve the May 9, 2023 personnel report and administrative appointments: Chair Riggs, Vice Chair Weems, Ms. Anderson, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0. Note: Ms. Brown was not in the School Board Room/Auditorium when the vote was taken.

Superintendent Spence mentioned the following: Laura E. Purvis, teacher, Plaza Middle School as Coordinator, Middle Years Program, Plaza Middle School.

- B. **Budget Transfers:** Chair Riggs called for a motion to approve the budget transfers within the FY2022/23 Operating Budget as presented in the agenda packet. Ms. Melnyk made the motion, seconded by Ms. Martin. There was a brief discussion regarding the budget transfers; funding in health insurance; mid-year review; estimate expenditures; and overall funds in health insurance. Without further discussion, Chair Riggs called for a vote to approve the budget transfers. The School Board Clerk announced there were eleven (11) ayes in favor of the motion to approve the budget transfers. The motion passed unanimously, 11-0-0.

- 16. Committee, Organization or Board Reports:** Ms. Franklin mentioned the Gifted CAC meeting last Monday, a presentation will be forthcoming, the meeting was the final meeting of the year; Superintendent Spence mentioned Teacher Appreciation Week, #lovevbteachers on district social media channels; and shared City Council did pass our budget tonight.
- 17. Return to Administrative, Informal, Workshop or Closed Session matters:** At 12:21 a.m., on Wednesday, May 10, 2023, 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.

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 Grievance No: 531-12-7-22- deliberations
- B. Evaluation and contract matters regarding a specific administrator
- C. Status updates on employee complaints or investigations
- 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 there were eleven (11) ayes in favor of the motion to recess into Closed Session. The motion passed unanimously, 11-0-0.

At 12:29 a.m., on Wednesday, May 10, 2023, 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. Evaluation and contract matter regarding a specific administrator: 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; Regina M. Toneatto, Clerk of the Board.
- C. Status updates on employee complaints or investigations and
- D. 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; Regina M. Toneatto, Clerk of the Board.
- A. Employee Grievance No: 531-12-7-22- deliberations: 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; Regina M. Toneatto, Clerk of the Board.

Kamala H. Lannetti, School Board Attorney left the Closed Session at 12:49 a.m. and returned to the Closed Session at 1:18 a.m. Mr. David Culpepper left the Closed Session at 1:20 a.m. and returned to the Closed Session at 1:22 a.m.

The School Board reconvened at 1:24 a.m., on Wednesday, May 10, 2023.

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. Chair Riggs called for a vote on the Certification of Closed Session. The School Board Clerk announced there were eleven (11) ayes in favor of the motion for Certification of Closed Session. The motion passed unanimously, 11-0-0.

Chair Riggs made a motion, seconded by Ms. Manning on the following:

WHEREAS, on March 24, 2023, the School Board's appointed hearing officer held a hearing regarding grievance 531-12-7-22; and

WHEREAS, on May 9, 2023, the School Board considered the findings of fact and recommendation, the exhibits and the transcripts from the March 24, 2023 hearing; and

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

1. The School Board does not accept the hearing officer's April 6, 2023 findings of fact and recommendation; and

2. The School Board finds that the present Summary Letter for this employee should be removed from the principal's file because it is duplicative of the reprimand.
3. The School Board recommends: to replace the present Conference Summary Letter with the Conference Summary letter stating the following: accusations by students were made against this employee. Due process was provided including an appeal. Notification of this information is documented in the Principal File only. It is not to be transferred to anyone else and should not be used in a punitive way or in personnel action.

FURTHER RESOLVED, that the Clerk shall provide a copy of this Resolution to the Employee, the Employee's attorney, School Board Attorney, the Director of Employee Relations, and Chief Human Resources Officer who shall place a copy of this Resolution together with a copy of the supporting documentation in the Employee's personnel file.

Adopted by the School Board of the City of Virginia Beach this 10th day of May 2023.

Chair Riggs called for a vote on the motion. The School Board Clerk announced there were eleven (11) ayes in favor of the motion for Certification of Closed Session. The motion passed unanimously, 11-0-0.

Ms. Melnyk made a motion, seconded by Ms. Anderson on the following:

This amendment number one (1) to the School Board Internal Audit contract is made this ninth day of May 2023 by and between the School Board of the City of Virginia Beach, here and after referred to as School Board, and Karen Woodson, here and after referred to as School Board Internal Auditor, whereas the parties entered into a contract for employment as the School Board Internal Auditor on 1/10/23 and whereas after consultation with the Department of Human Resources and the Internal Audit Committee, the School Board and the Internal Auditor agree that certain amendments are needed to the contract. Now therefore, the School Board and the Internal Auditor for consideration herein specified agree as follows:

Section 3 – Compensation, shall be amended to read as follows: The School Board Internal Auditor will receive the same communication allowances as other Senior Staff members, \$1,200 dollars annually or will receive \$100 dollars monthly, whichever is higher. The School Board Internal Auditor will receive the same data allowance as other Senior Staff members receive or \$540 dollars annually, whichever is higher. If the School Board Internal Auditor meets the eligibility requirements for other allowances available to comparable employees, the School Board Internal Auditor shall receive such allowances.

Section 3 – Compensation, will be amended to a new subsection (e) to read as follows: the School Internal Auditor will receive the same travel allowances as other Senior Staff members. In testimony, whereof the parties have approved this amendment number one (1) and caused this instrument to be executed by the Chair of the School Board or designee, and Karen Woodson, School Board Internal Auditor, as of the date listed above. (Date will be changed to the 10th of May.) And within that same vote, it is requested that the slide scale be removed from the Internal Auditor's evaluation and that we will proceed with a 1-2-3-4 rubric method.

Chair Riggs called for a vote on the motion. The School Board Clerk announced there were eleven (11) ayes in favor of the motion read by Ms. Melnyk. The motion passed unanimously, 11-0-0.

- 18. Adjournment:** Chair Riggs adjourned the meeting at 1:30 a.m., on Wednesday, May 10, 2023.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Trenace B. Riggs, School Board Chair