



School Board Services

Carolyn T. Rye, Chair
District 5 - Lynnhaven

Kimberly A. Melnyk, Vice Chair
District 7 – Princess Anne

Beverly M. Anderson
At-Large

Sharon R. Felton
District 6 – Beach

Jennifer S. Franklin
District 2 – Kempsville

Dorothy M. Holtz
At-Large

Laura K. Hughes
At-Large

Victoria C. Manning
At-Large

Jessica L. Owens
District 3 – Rose Hall

Trenace B. Riggs
District 1 – Centerville

Carolyn D. Weems
District 4 - Bayside

Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting MINUTES

Tuesday, December 7, 2021

School Administration Building #6, Municipal Center
2512 George Mason Drive
P.O. Box 6038
Virginia Beach, VA 23456
(757) 263-1000

- I. Administrative, Informal, and Workshop:** Chairwoman Rye convened the administrative, informal, and workshop session in the School Board chamber at 4:01 p.m. on the 7th day of December 2021 and announced pursuant to the Virginia State Health Commissioner’s Order of Public Health Emergency Statewide Requirement to Wear Masks in K-12 Schools issued August 12, 2021, and Virginia Acts of Assembly No. 1303, Chapter 456, and the Center for Disease Control and Prevention (CDC)’s guidance for K-12 schools, and the School Board’s 2021-2022 Reopening Plan adopted August 10, 2021, it is determined physical distancing will be used in School Board Chambers as a health mitigation strategy therefore there will be limited public seating available on a first-come, first- served basis beginning shortly before the Workshop session of the School Board Meeting. Members of the public will also be able to observe the School Board Meeting through livestreaming on www.vbschools.com, broadcast on VBTV Channel 47, and on Zoom.

It is the School Board’s protocol to break at 5:30 p.m. to prepare for the Formal Meeting to begin at 6:00 p.m. At 5:30 p.m., the School Board will conclude its administrative, informal, and workshop session unless the School Board votes to continue until 5:45 p.m. The session will conclude no later than 5:45 p.m. to allow the School Board and the School Administration to prepare for the Formal Meeting at 6:00 p.m.

The following School Board members were present in the School Board chamber: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens (arrived at 4:03 p.m.), Ms. Riggs, and Ms. Weems. Ms. Franklin was not in attendance at the meeting.

- A. School Board Administrative Matters and Reports: Chairwoman Rye mention a few upcoming meeting dates: summer retreat – tentative dates of July 18 and July 19, regular school board meeting on July 12, after the summer retreat next meeting in August.
- B. COVID Update: Eugene Soltner, Ed.D., Chief Schools Officer and Jack Freeman, Chief Operations Officer presented the School Board an updated regarding COVID-19 health and safety mitigations including data updates, as well as process and support improvements; Mr. Freeman began the presentation by thanking the nurses for all of their work in helping with COVID; reviewed connected cases – 90 people have developed COVID-19 as a result of an exposure that occurred in school; reviewed positive cases data and quarantine data; mentioned an expected increase in numbers due to holiday season; VDH level of community transmission – transmission level high, cases 124.7, percent positivity 7.3%; reviewed vaccine demographics as of December 5: fully vaccinated – 5 to 11 years 6.2%, 12 to 15 years 52.5%, 16-17 years 64.0%; at least one dose – 5 to 11 years 18.6%, 12 to 15 years 59.6%, 16-17 years 69.7%; vaccination clinics elementary sites – first dose total = 3,265, clinics continuing through December 14; reviewed layered prevention strategy; history of modifications – 14 to 10 days of quarantine, visitors and volunteers, field trips, screening testing for winter athletics and conditioning; discussed quarantine risk/benefit; next steps – suspend quarantine at high schools only, continue contact tracing, start date December 6, monitor data until January 24, use the data gained to inform decisions for middle and/or elementary schools; overview of quarantine decision

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criteria, 50% of student population is fully vaccinated and greater than 10 introduced cases will result in an additional case; reviewed masking decision criteria considerations, when quarantine has been suspended successfully for 3 weeks and 60% of student population is fully vaccinated.

Dr. Soltner continued the presentation and reviewed ViSTA K12 testing – currently 2,079 winter athletes, 1,565 vaccinated, 1,331 test have been completed in the first 3 weeks of testing, 14 athletes received positive results; reviewed VBCPS school relief update: central support substitute initiative – a total of 377 days (2,750 hours) of substitution has been recorded through December 3; early release days and impacts on transportation, Advanced Technology Center, Career and Technical Education and Environmental Studies Program (Brock Center); teachers report: critical planning time gained, increased sense of wellness; the presentation continued with questions regarding vaccination rate of 60% and mitigations; masking; layers of mitigation; benefit and risk of quarantine; over the counter test kits and reporting of numbers; early release days; hands on learning programs; administration staff substituting in buildings; contact tracing; looking at data from other states with no masking; local data; new health director for Virginia Beach; thank you to Dr. Welch for service as interim.

- C. **Health Plan Comparison:** The presentation was for informational purposes for budget considerations for FY 2022/2023; Crystal Pate, Chief Financial Officer provided a brief overview of the workshop presentation and introduced Linda Matkins, Director, Department of Consolidated Benefits; information on the department of consolidated benefits will be shared with the School Board in a memo; provided an overview of the reasons for study; Ms. Matkins introduced members from Mercer – David Keough and Monica Wasik; overview of report and tasks – compare benefits, evaluate neutrally, assess position; comparisons from school districts in Hampton Roads and across Commonwealth, comparisons for PPO/POS plans and high deductible health plans (HDHP); PPO/POS – VB Schools ranked 8th; reviewed estimated costs to improve PPO/POS ranking; HDHP – VB Schools ranked 7th; reviewed estimated costs to improve HDHP ranking; reviewed considerations: plan enhancements will increase reliance on the health fund and require a budget increase, migration to the higher cost POS plan is likely if that plan is made more attractive by reducing employee premium contributions and/or lowering the deductible, lower cost and improved benefits may lead to the enrollment of additional dependent children, discussion focused on active employees to solve for attraction and retention; reviewed investment summary (one year cost and three year cost).
The presentation continued with questions regarding not being combined with the City; salary raises and health insurance costs; more information to be discussed at Planning and Performance Monitoring Committee (PPMC) meeting.

- 2. **Closed Session:** None during the administrative, informal, and workshop session.
- 3. **School Board Recess:** Chairwoman Rye adjourned the administrative, informal, and workshop session at 5:37 p.m.
- 4. **Formal Meeting (School Board Chambers) 6:00 p.m.**
- 5. **Call to Order and Roll Call:** Chairwoman Rye called the formal meeting to order at 6:00 p.m. on the 7th day of December 2021 and announced pursuant to the Virginia State Health Commissioner’s Order of Public Health Emergency Statewide Requirement to Wear Masks in K-12 Schools issued August 12, 2021, and Virginia Acts of Assembly No. 1303, Chapter 456, and the Center for Disease Control and Prevention (CDC)’s guidance for K-12 schools, and the School Board’s 2021-2022 Reopening Plan adopted August 10, 2021, it is determined that physical distancing will be used in School Board Chambers as a health mitigation strategy therefore there will be limited public seating available on a first-come, first-served basis beginning shortly before the School Board Meeting. Members of the public will also be able to observe the School Board Meeting through livestreaming on www.vbschools.com, broadcast on VBT Channel 47, and on Zoom.

The following School Board members were present in the School Board chamber: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens (arrived at 4:03 p.m.), Ms. Riggs, and Ms. Weems. Ms. Franklin was not in attendance 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.
- 8. **Adoption of the Agenda:** Chairwoman Rye called for any modifications to the agenda. Hearing none, Chairwoman Rye called for a motion to approve. Ms. Riggs made a motion, seconded by Ms. Manning. Without discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the

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motion: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Note: Ms. Franklin was not in attendance at the meeting. The motion passed 10-0-0.

9. Superintendent's Monthly Report (second monthly meeting) – There was no Superintendent's report.

10. Approval of Meeting Minutes

A. November 23, 2021 Regular School Board Meeting: Chairwoman Rye called for any modifications to the November 23, 2021 regular School Board meeting minutes as presented. Hearing none, Chairwoman Rye called for a motion to approve. Ms. Weems made a motion, seconded by Ms. Holtz. Without discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Note: Ms. Franklin was not in attendance at the meeting. The motion passed 10-0-0.

11. Public Hearing on FY2022-23 School Operating Budget and FY2022-23 through FY2027-28 Capital Improvement Program (CIP): There were four (4) speakers for the public hearing.

12. Public Comments (until 8:00 p.m.): Chairwoman Rye announced the School Board will hear Public comments on matters relevant to PreK-12 public education in Virginia Beach and the business of the School Board and the School Division from citizens and delegations who signed up with the School Board Clerk prior to the meeting. Chairwoman Rye mentioned information regarding speaker process, decorum and order, and submitting comments via group email.

There were nine (9) in-person speakers (including 1 student speaker) and three (3) online speakers: topics discussed were Virginia Beach Youth of the Year (Boys and Girls Club); safety; weapons on grounds; Policy 5-4, CRT, DEI; rallies outside; decorum during meetings; student assignment; masks; Governance Committee meeting; masking for children; Policy 6-8; parental rights; expressive activities; First Amendment Rights; public comment; review of books and materials.

13. Information

A. Textbook Adoption: Angela Seiders, Executive Director of Secondary Teaching and Learning presented the following information to the School Board:

- Human Anatomy: Physiology: That the School Board review and approve the following high school Health Sciences Academy Human Anatomy textbook as recommended by the Health Sciences Academy Textbook Adoption Committee for implementation in the fall of 2022.

Course Title	Textbook	Publisher	Copyright
HSA Human Anatomy	Welsh, Hole's Essentials of Human Anatomy & Physiology, High School Edition, 2 nd Edition	McGraw-Hill	2021

14. Return to public comments if needed: Public comments concluded during Agenda item #11 at approximately 6:54 p.m.

15. Consent Agenda: Chairwoman Rye stated the items on the Consent Agenda. Chairwoman Rye asked that the resolution be read:

A. Resolution: Human Rights Month: Ms. Holtz read the following resolution:

**Resolution for Human Rights Month
December 2021**

WHEREAS, Human Rights Day is observed every year on December 10, which is the day the United Nations General Assembly adopted in 1948; and

WHEREAS, the 2021 theme is Equality for reducing inequalities and advancing human rights which is an opportunity to reaffirm the importance of human rights and our interconnectedness and shared humanity; and

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WHEREAS, human rights are universal rights that everyone should be treated with respect and free from and forms of discrimination; and

WHEREAS, human rights are at the core of the division’s strategic framework, core values, teaching and learning framework and educational equity policy, as in the absence of human dignity we cannot hope to accomplish our mission to ‘empower every student to become a life-long learner who is a responsible, productive and engaged citizen within the global community’; and

WHEREAS, the School Board of the City of Virginia Beach are positive advocates for the human rights of every member of our school division.

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach officially recognizes the month of December 2021 as Human Rights Month; and be it

FURTHER RESOLVED: That the School Board of the City of Virginia Beach encourage participation and solidarity in the various school and local activities during Human Rights Month; 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 7th day of December 2021.

- B. Entrepreneurship and Business Academy (EBA): Comprehensive Evaluation: That the School Board approve the administration’s recommendation that was proposed in response to the Entrepreneurship and Business Academy Comprehensive Evaluation.

- C. Textbook Adoption:

1. AP Chemistry: That the School Board review and approve the following high school textbook as recommended by the Secondary Science Textbook Adoption Committee for implementation in the fall of 2022.

Course Title	Textbook	Publisher	Copyright
AP Chemistry	Chemistry 2e	OpenStax – Feb 14, 2019	Licensed under Creative Commons Attribution License 4.0 Updated July 26, 2021

2. AP Environmental Science: That the School Board review and approve the following high school textbook as recommended by the Secondary Science Textbook Adoption Committee for implementation in the fall of 2022.

Course Title	Textbook	Publisher	Copyright
AP Environmental Science	Environment: The Science Behind the Stories, AP Edition; 7th Edition	Pearson Education, Inc. (Savvas Learning Company)	2021

3. AP Physics C: That the School Board review and approve the following high school textbook as recommended by the Secondary Science Textbook Adoption Committee for implementation in the fall of 2022.

Course Title	Textbook	Publisher	Copyright
AP Physics C: Mechanics	University Physics Volume 1	OpenStax – Sep 19, 2016	Licensed under Creative Commons Attribution License 4.0 Updated July 21, 2021

- D. Cox High School – Dominion Right of Way Agreement: That the School Board authorize the Chairman to execute the easement agreement with Dominion Energy which will allow existing overhead facilities to be relocated underground.

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- E. Policy Review Committee Recommendations: That the School Board approve Policy Review for Consent Committee (PRC) recommendations regarding review, amendment, and repeal of certain bylaws and policies as reviewed by the PRC at its November 10, 2021 meeting.
1. Policy 6-3 / Accreditation: The PRC recommends minor changes to reflect the current mission statement as well as scrivener's changes.
 2. Policy 6-6 / Kindergarten Program: The PRC recommends scrivener's changes.
 3. Policy 6-7 / Access to Programs: The PRC recommends amendments to clarify language and updates to the legal references.
 4. Policy 6-8 / Controversial Issues: The PRC recommends minor scrivener's changes.
 5. Policy 6-9 / Religion in Curriculum: The PRC recommends minor scrivener's changes and updates to the legal references.
 6. Policy 4-75 / Conditions of Employment: The PRC recommends amendments to reflect changes to the law effective July 1, 2021 as well as scrivener's changes.

After the resolution was read, Chairwoman Rye called for a motion to approve the items on the Consent Agenda. Ms. Riggs made a motion, seconded by Ms. Anderson. Chairwoman Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Note: Ms. Franklin was not in attendance at the meeting. The motion passed 10-0-0.

16. **Action**

- A. Personnel Report / Administrative Appointments: Chairwoman Rye called for a motion to approve. Ms. Holtz made a motion, seconded by Ms. Hughes that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the December 7, 2021 personnel report along with administrative appointments as recommended by the Superintendent. Without discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Note: Ms. Franklin was not in attendance at the meeting. The motion passed 10-0-0. There were no administrative appointments.
- B. Recommendation of General Contractor: An Achievable Dream Addition to Lynnhaven Middle School: Chairwoman Rye called for a motion to approve. Ms. Riggs made a motion, seconded by Ms. Owens. Chairwoman Rye opened the floor for discussion. Anthony Arnold, P.E., Executive Director, Facilities Services provided information regarding the construction budget, use of proposed reversion funding (\$1.1 million), under consideration by City Council; project date moved back due to redesign, delivery of supplies; loss of about 60 days on the project; construction scheduled to start after the first of the year; project delivery summer of 2023; currently five portable classrooms at Lynnhaven Middle School. The discussion continued with questions regarding the general contractor; need of additional portables; extracurricular activities for students at First Colonial; portables and construction site; completion date. Without further discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were eight (8) ayes in favor of the motion: Chairwoman Rye, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. There were two (2) abstentions: Ms. Melnyk (as a subcontractor abstains from all general contracting votes) and Ms. Hughes (relative works for architect.) Note: Ms. Franklin was not in attendance at the meeting. The motion passed 8-0-2.
- C. Positive Behavioral Interventions and Supports (PBIS): Year-One Tier I Evaluation: Chairwoman Rye called for a motion to approve. Ms. Melnyk made a motion, seconded by Ms. Felton. Open for discussion, Heidi Janicki, Ph.D., Director of Research and Evaluation, Office of Planning, Innovation, and Accountability briefly recapped the four recommendations from the Year-One Tier I Evaluation; without discussion, Chairwoman Rye called for a vote. The School Board Clerk announced there were seven (7) ayes in favor of the motion: Chairwoman Rye, Ms. Melnyk, Ms. Felton, Ms. Holtz, Ms. Owens, and Ms. Riggs. There were three (3) nays opposed to the motion: Ms. Hughes, Ms. Manning, and Ms. Weems. Note: Ms. Franklin was not in attendance at the meeting. The motion passed 7-3-0.

17. **Committee, Organization or Board Reports**: Ms. Manning called a point of personal privilege to acknowledge the 80th anniversary of the bombing of Pearl Harbor; Ms. Weems mentioned the Mental Health Task Force had a meeting on November 30th, task force has 10 recommendations, dividing the group into four workgroups (access,

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identification, stigma, and awareness) to work on the recommendations; need coverage for the School Health Advisory Committee meeting on Monday at 9:00 a.m., Mrs. Rye will attend if there are no other interested School Board members; Ms. Anderson called a point of personal privilege to discuss bullying and student speakers; Ms. Felton shared meeting with the General Advisory Council for Technical and Career Education, ATC and student recruitment, new robotics design, work based learning and STEM, PPMC will meet January 4, Legislative Committee – will not meet until end of January or early February; Chairwoman Rye reviewed alternative retreat dates of July 18 and 19, January 25, which is the second meeting in January, for the Superintendent’s mid-year review – closed session starting at 3:00 p.m., Governance Committee meeting times will change to 1:00 p.m. effective February, January meeting cancelled due to lack of topics, special meeting date of June 7 for Superintendent’s evaluation.

18. Return to Administrative, Informal, Workshop or Closed Session matters

Closed Session: Ms. Melnyk made a motion, seconded by Ms. Owens that the School Board recess into Closed Session in accordance with the exemptions to open meetings law set forth in Code of Virginia §2.2-3711 Part A, Paragraphs 1, 3, 7 and 8, as amended,

A.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.

Namely to discuss: Audit Committee recommendations regarding Internal Auditor’s Contract and staffing,

A.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.

Namely to discuss: update on the Laskin Road Annex RFP.

A.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 and

A.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 pending or probable litigation matters, settlement authority for certain cases and retention of outside counsel for certain matters.

The motion passed with ten (10) ayes: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Note: Ms. Franklin was not in attendance at the meeting.

The School Board members took a short break from 7:24 p.m. to 7:26 p.m. before going into closed session.

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

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A.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: School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems; Jack Freeman, Chief Operations Officer; Anthony Arnold, P.E., Executive Director, Facilities Services; Kathy Warren, Strategic Growth Manager, VB Strategic Growth Area (SGA) Office; Rebecca Deloria Kubin, Deputy City Attorney, VB City Attorney's Office; Superintendent Spence; School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board; Deborah Collins, Attorney (arrived at 7:43 p.m.)

A.8. Consultation with legal counsel: School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems; Deborah Collins, Attorney; Superintendent Spence; School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board.
Ms. Collins left the Closed Session at 8:36 p.m.

A.7. Consultation with legal counsel: School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems; Superintendent Spence; School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board.

A.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: School Board members: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems; Superintendent Spence; School Board Legal Counsel, Kamala Lannetti, Deputy City Attorney; Regina M. Toneatto, Clerk of the Board.

Certification of Closed Session: Ms. Melnyk read the Certification of Closed Meeting:

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

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

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

Ms. Owens made a motion, seconded by Ms. Riggs. The motion passed with ten (10) ayes: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Note: Ms. Franklin was not in attendance at the meeting.

After the Closed Session, Ms. Weems read the following resolution to be voted on:

RESOLUTION

A RESOLUTION OF THE SCHOOL BOARD OF THE CITY OF VIRGINIA BEACH, VIRGINIA APPROVING PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST MCKESSON, CARDINAL HEALTH, AMERISOURCEBERGEN, JANSSEN, AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING COUNSEL TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE PARTICIPATION IN THE SETTLEMENTS

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WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its political subdivisions by adversely impacting, amongst other things, the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services; and

WHEREAS, the Commonwealth of Virginia and its political subdivisions have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Virginia; and

WHEREAS, settlement proposals have been negotiated that will cause McKesson, Cardinal Health, AmerisourceBergen, and Janssen to pay up to \$26 billion nationwide to resolve opioid-related claims against them;

NOW THEREFORE BE IT RESOLVED, that the School Board of the City of Virginia Beach, Virginia, this 7th day of December, 2021, approves of participation in the proposed settlement of opioid-related claims against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities, and directs counsel to execute the documents necessary to effectuate participation in the settlements, including the required release of claims against settling entities.

BE IT FURTHER RESOLVED, the School Board authorizes the School Board Chair, the Superintendent and School Board Legal Counsel to take all further actions necessary in these matters.

Adopted by the School Board of the City of Virginia Beach, Virginia this 7th day of December 2021.

Chairwoman Rye called for a motion to approve. Ms. Holtz made a motion, seconded by Ms. Manning. Chairwoman Rye called for a vote. The School Board Clerk announced the motion passed with ten (10) ayes: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Note: Ms. Franklin was not in attendance at the meeting.

Ms. Melnyk made a motion, seconded by Ms. Anderson that the School Board authorize payment of Dr. Spence's outside counsel costs in the Swango v. Virginia Beach City Public Schools and Dr. Aaron Spence, subject to a reservation of rights letter to be provided by School Board Legal Counsel.

Chairwoman Rye called for a vote. The School Board Clerk announced the motion passed with ten (10) ayes: Chairwoman Rye, Ms. Melnyk, Ms. Anderson, Ms. Felton, Ms. Holtz, Ms. Hughes, Ms. Manning, Ms. Owens, Ms. Riggs, and Ms. Weems. Note: Ms. Franklin was not in attendance at the meeting.

19. Adjournment: Chairwoman Rye adjourned the meeting at 9:54 p.m.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Carolyn T. Rye, School Board Chair