



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, June 27, 2023

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

Closed Session: Chair Riggs convened the Closed Session at 3:32 p.m. and announced the administrative, informal, and workshop session will begin after the Closed Session. At 3:33 p.m., Vice Chair Weems made the following motion, seconded by Mr. Callan, 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 2, 7, and 8, as amended, to deliberate on the following matters:

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. Consultation with legal counsel regarding probable litigation and pending litigation matters related to student matters.

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

The School Board recessed into Closed Session at 3:35 p.m.

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

A. Consultation with legal counsel regarding probable litigation and pending litigation matters related to student matters: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; Dannielle Hall-McIvor, Senior School Board Attorney; Superintendent Spence; Donald E. Robertson, Ph.D., Chief of Staff; Kipp D. Rogers, Ph.D.,

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Chief Academic Officer; Lorena L. Kelly, Ph.D., Executive Director, Office of Elementary Teaching and Learning; Deborah Yeng Collins, Attorney, Yeng Collins Law, PLLC; Regina M. Toneatto, School Board Clerk.

School Board member, Ms. Brown joined the Closed Session at 3:38 p.m. Dannielle Hall-McIvor left the Closed Session at 4:43 p.m. and returned to the Closed Session at 4:46 p.m. Vice Chair Weems left the Closed Session at 4:51 p.m. and returned to the Closed Session at 4:55 p.m.

The School Board reconvened at 5:09 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.

Ms. Melnyk made the motion, seconded by Ms. Brown for Certification of Closed Session. There was a brief discussion; Ms. Manning noted she would not certify the Closed Session due to verbal attacks by Board Members against her for speaking to citizens that she represents (in her district) on the topic of ODS which was not the reason stated for the Closed Session. Without further discussion, Chair Riggs called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion for Certification of Closed Session: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. There was one (1) nay opposed to the motion for Certification of Closed Session: Ms. Manning. The motion passed, 10-1-0.

1. *Administrative, Informal, and Workshop*

- A. School Board Administrative Matters and Reports: There were no items discussed during the administrative matters and reports.
- B. Gifted Services Update: See agenda item #17 – Return to Administrative, Informal, Workshop or Closed Session matters.
- C. Process for Weighting of Grades: Angela Seiders, Executive Director of Secondary Teaching and Learning provided the School Board information regarding the current process Virginia Beach City Public Schools uses to weight credits; reviewed related administrative Codes of Virginia; “weighted course” means an advanced-level course in which credit is increased as determined by local school board policies and defined on the school profile; VBCPS Regulation – Recognition of Student Achievement 5-29.1; VBCPS Regulation – Dual Enrollment 6-89.1; reviewed calculating a weighted grade point average; the values are multiplied by the amount of credit assigned to the course, and the products for each computation will be totaled and divided by the number of graded, attempted credits; shared example of calculating a weighted grade point average; reviewed determining courses to receive weighted credit; next steps and considerations: research local and regional school divisions to compile a list of which courses receive weighted credit and how weighted credit is awarded, consider the following VBCPS courses in addition to AP and IB courses (dual enrollment, Governor’s School for the Arts, honor courses, select academy/advanced academic courses), VBCPS staff will meet to discuss collected information and the potential courses to receive weighted credit, provide the School Board with an update in the fall.
The presentation continued with questions and comments regarding other school divisions and weighted classes; gathering data and will provided feedback; AP courses and Dual Enrollment courses; list of college courses; honor courses; course catalog; consideration for a course to be weighted; impact on high schools; AP and IB courses.

After the presentation, Chair Riggs announced the workshop presentation for Gifted Services (agenda item #1B) and Forecast of Regular School Board Meeting Agenda Topics FY 24 – First Quarter: July, August, September (agenda item #1D) will be moved to agenda item #17 – Return to Administrative, Informal, Workshop or Closed Session matters.

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D. Forecast of Regular School Board Meeting Agenda Topics FY 24 – First Quarter: July, August, September: See agenda item #17 – Return to Administrative, Informal, Workshop or Closed Session matters.

2. **Closed Session:** There was no Closed Session during the Administrative, Informal, and Workshop session. There was a Closed Session prior to the Administrative, Informal, and Workshop session.
3. **School Board Recess:** Chair Riggs adjourned the Administrative, Informal, and Workshop session at 5:33 p.m.
4. **Formal Meeting (Holland Road Annex – School Board Room/Auditorium)6:00 p.m.**
5. **Call to Order and Roll Call:** Chair Riggs convened the meeting of the School Board at the Holland Road Annex, School Board Room/Auditorium at 6:01 p.m. on the 27th day of June 2023 and 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, School Board Room/Auditorium: 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. Top 20 Under 20 presented by the Hampton Roads Workforce Council, Kempsville High School Entrepreneurship and Business Academy: This recognition will take place at a later School Board meeting.
 - B. Outstanding Middle School Principal of Virginia – Bayside Sixth Grade Campus: The School Board recognized Ms. Shampriest Bevel, principal, Bayside Sixth Grade Campus. A panel of principals and superintendents representing the Principal Awards Committee of the Virginia Association of Secondary School Principals named Ms. Bevel the 2023 Outstanding Middle School Principal of Virginia.
 - C. Exemplar Performance, Virginia Board of Education – Strawbridge, Princess Anne, Three Oaks, Tallwood, North Landing, Parkway, White Oaks elementary schools; Old Donation School; Bayside, Green Run and Kempsville high schools: The School Board recognized the following schools who demonstrated exemplar performance to the Virginia Board of Education, met the criteria for the Highest Achievement Award: Strawbridge Elementary, Old Donation School, Princess Anne Elementary, Three Oaks Elementary, North Landing Elementary. The following high schools were recognized with Continuous Improvement Awards for increasing their graduation and completion index and decreasing their dropout rate: Bayside High School and Green Run High School. The following elementary schools were recognized with Continuous Improvement Awards for increasing achievement in mathematics and reading for two or more student groups: Parkway Elementary and White Oaks Elementary.
 - D. VHSL Class 5 Baseball Champions – Frank W. Cox High School: The School Board recognized the 2023 Cox High School baseball team who won the Region 5A baseball championship and went on to win the VHSL Class 5 championship.
 - E. VHSL Class 6 Boys Soccer State Champion – Kellam High School: The School Board recognized the Kellam High School boys soccer team as the VHSL Class 6 Boys Soccer State Champions. The team had a record of 21-0.
8. **Adoption of the Agenda:** Chair Riggs stated the following modifications to the agenda – the Ad Hoc Committee to study open space uses for school property on Jericho Road is on the information agenda, wants to also add the Ad Hoc Committee to study open space uses for school property on Jericho Road to Action for voting tonight under agenda item #15E; also amending the agenda under Action item #15B to #15B.1 – Bylaw 1-28 regarding the Policy Review Committee and #15B.2 – School Board Committee Assignments for the FY 2024; Ms. Melnyk seconded the modifications to the agenda. There was a brief discussion regarding Bylaw item on Action Agenda; should be on Information first; public input; voting on Bylaw change; Chair Riggs noted the item (Bylaw 1-28) will be under Information #12D first; Vice Chair Weems restated for clarity Information item #12C is the Ad Hoc Committee to Study Open Space uses for School Property on Jericho Road, item #12D is Bylaw 1-28, under Information. Without further discussion, Chair Riggs called for a vote on the amended and presented agenda. The School Board Clerk announced there were eight (8) ayes in favor of the agenda as amended and presented: Chair Riggs, Vice Chair Weems, Ms. Anderson, Mr. Callan, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. There were three (3) nays opposed to the agenda as amended and presented: Ms. Brown, Mr. Culpepper, and Ms. Manning. The motion passed, 8-3-0.
9. **Superintendent’s Report (second monthly meeting) and recognitions (first and second monthly meetings):** Superintendent Spence shared the following information: 1) More than 4,500 students graduated in 2023, as of June 16: total scholarships offered to our students \$97.9 million, accepted about \$62 million in scholarships, 2,602 graduates received the Virginia Department of Education Diploma Seal for exemplary performance; 2) on June 9, students from

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Parkway Elementary School and Green Run Elementary School celebrated a great year with their mentors at the Virginia Beach Law Enforcement Academy, the lead mentor, Judge Tim Quick recognized the students and mentors at a graduation event; 3) earlier in June, more than 150 students from our Title I schools participated in the Oceans of Success field trip at the Virginia Aquarium & Marine Science Center as a reward for improving their academic performance this school year; 4) at a recent luncheon, VBCPS thanked its more than 550 custodial staff members for keeping our schools clean and being pillars in our community; 5) congratulations to the Department of Communications and Community Engagement, for receiving multiple award from the National School Public Relations Association; and 6) save the date events: June 28 – annual golf tournament at Heron Ridge Golf Club that supports learning enrichment programs through the Virginia Beach Education Foundation (VBEF), June 30 – retirement celebration at the Holland Road Annex, August 12 – the Back-to-School Care Fair from 10 a.m. to 2 p.m. at the Virginia Beach Convention Center.

After the report, Superintendent Spence introduced the following appointments which were voted on and approved at the June 12, 2023 School Board meeting: Nicole E. Stanley, Administrative Assistant, Point O'View Elementary School as Assistant Principal, Point O'View Elementary School; Amie M. Wetmore, Administrative Assistant, Pembroke Elementary School as Assistant Principal, Pembroke Elementary School; Andrew R. Filipowicz, Assistant Principal, Kellam High School as Principal, Princess Anne Middle School; and Carey C. Manugo, Principal, Larkspur Middle School, as Principal, Salem High School.

10. **Approval of Meeting Minutes**

- A. **June 6, 2023 Special School Board Meeting:** Chair Riggs called for any modifications to the June 6, 2023 special School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve the June 6, 2023 minutes as presented. Ms. Melnyk made the motion, seconded by Vice Chair Weems. Without discussion, Chair Riggs called for a vote to approve the June 6, 2023 meeting minutes as presented. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve the June 6, 2023 meeting minutes as presented: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. The was one (1) abstention: Mr. Callan due to the fact he was not in attendance at the June 6, 2023 School Board special meeting. The motion passed, 10-0-1.
- B. **June 12, 2023 Regular School Board Meeting:** Chair Riggs called for any modifications to the June 12, 2023 regular School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve the June 12, 2023 minutes as presented. Ms. Anderson made the motion, seconded by Mr. Callan. Without discussion, Chair Riggs called for a vote to approve the June 12, 2023 meeting minutes as presented. The School Board Clerk announced there were eleven (11) ayes in favor of the motion to approve the June 12, 2023 meeting minutes as presented. The motion passed unanimously, 11-0-0.

11. **Public Comments (until 8:00 p.m.)**

Chair Riggs announced the School Board will hear public comments until 8:00 p.m. on matters relevant to PreK-12 public education in Virginia Beach and the business of the School Board and School Division. Chair Riggs mentioned information regarding speaker process and submitting comments via group email. There were thirty-seven (37) in person speakers (including one (1) student speaker) and five (5) online speakers; topics discussed were model policy; protecting all students; parental rights; well-being of students in schools; Regulation 5-7.1; gender identity; transparency; LGBTQ community; education of students; Policy 6-65; mental health of students; preferred name/pronoun; fentanyl crisis; Owens' resolution; parental input; bullying; library materials; long term effects of transitioning; ODS admissions; gifted resource teachers; selection process; educational scores; lowering of academics; gifted plan; role of School Board; parents first educators; VA Code 1-240.1; resolution to celebrate July 4; military students; student representative to School Board; committee assignments; student speakers; June 12 School Board meeting; local taxes supporting schools; and library books.

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. **Interim Financial Statements – May 2023:** Daniel Hopkins, Director of Business Services, presented the following financial information to the School Board: as of May, overall revenue trend remains acceptable at this point in the fiscal year; the Virginia Department of Education released the final FY2023 payment calculation template on June 8; revised projection of State revenue is a deficit of approximately \$1 million; key changes – increase in Sales Tax of

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\$11 million but an offsetting decrease of Basic Aid of \$10 million; federal revenues are showing a favorable trend; received Impact Aid payments of approximately \$15 million through the end of May; sales tax receipts are at an acceptable level; year-to-date through May, approximately \$2 million higher than same time last year; June sales tax is down from previous year by \$963,000; and expenditures and encumbrances trend continues to remain acceptable at this point in the fiscal year.

- B. Policy Review Committee (PRC) Recommendations: That the School Board review Policy Review Committee (PRC) recommendations regarding amendments or reviews of certain policies from its June 8, 2023 meeting. School Board Attorney, Kamala H. Lannetti presented the following:
1. Policy 2-40/Principals: The PRC recommends amending the Policy to remove the Editor's Notes which provides links also located in the Related Links section.
 2. Policy 2-41/Assistant Principals: The PRC has no recommended changes to this Policy.
 3. Policy 2-44/Department /Grade Level Chairpersons: The PRC has no recommended changes to this Policy.
 4. Policy 2-48/Salaries and Compensation: The PRC recommends amending the Policy to remove the Editor's Notes which provided links also located in the Related Links section.
 5. Policy 2-49/Recruitment and Selection: The PRC recommends amending the Policy to remove the Editor's Notes which provided links also located in the Related Links section.
 6. Policy 2-52/Probationary Terms and reassignments of Principals, Assistant Principals and Supervisors: The PRC recommends amending the Policy to remove the Editor's Notes which provided links also located in the Related Links section.
 7. Policy 2-53/Evaluation of Administrative Staff: The PRC has no recommended changes to this Policy.
 8. Policy 2-54/Administrative Compensation: The PRC has no recommended changes to this Policy.
 9. Policy 2-58/Professional Development: The PRC recommends amending the Policy to remove the Editor's Notes which provided links also located in the Related Links section.
 10. Policy 3-97/Naloxone Administration in Response To A Suspected Opioid Overdose In A School Setting: The PRC recommends adopting the proposed Policy drafted by the Office of Health Services in response to the February 10, 2023 Virginia Department of Health Standing Order permitting School Board employees who have completed training to administer Naloxone. There were brief comments regarding the policy; Ms. Manning thanked Ms. Sowala for her input and Ms. Lannetti; not required by law currently; discussions amongst legislators; not providing at elementary schools; required professional development; and school health manual.
 11. Policy 4-1/Personnel/Definitions: The PRC recommends amending the Policy to incorporate changes proposed by Human Resources to update the definition of a full-time employee. These changes will allow VRS retirees to work more hours with the School Division and without having any effect on their current VRS benefits.
 12. Policy 4-37/Retirement Plans/Insurance: The PRC recommends amending the Policy to incorporate changes proposed by Human Resources in order for employees to more easily locate information on the benefits they are entitled to. These changes were made by working closely with VDOE and VRS to make sure that current employee's benefits are not affected. There was a question regarding budget impact; no budgetary impact; may provide future savings.
 13. Policy 6-64/Acceptable Use: The PRC recommends amending the Policy to incorporate changes proposed by the Department of Technology which are needed to align with changes recently made to Regulation 6-64.1 in order to match COPPA and continue receiving federal funding.
- C. Ad Hoc Committee to Study Open Space Uses for School Property on Jericho Road: Vice Chair Weems discussed the purpose of the Ad Hoc Committee; discussed a few weeks ago at a previous School Board meeting; Ms. Weems would serve as Chair of the Ad Hoc Committee and Ms. Martin would also serve on the Ad Hoc Committee; committee to make recommendations to the School Board about the uses of the open space; committee will not exceed nine members; two City Council members would be invited to be part of the committee, along with the City Manager and Superintendent; staff members and community members to serve on the committee. The discussion continued with questions and comments regarding process and Bylaw; authority to appoint an Ad Hoc Committee; vote for creation of the Ad Hoc Committee; duties of Ad Hoc Committee; thanks to Vice Chair Weems and Ms. Martin for willingness to serve on the committee; outdoor space and parks in the area.

Chair Riggs made a motion that the School Board move information item 12C – Ad Hoc Committee to Study Open Space Uses for School Property on Jericho Road to the Action agenda for tonight's meeting, Ms. Melnyk seconded

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the motion. There was a brief discussion regarding voting on the Ad Hoc Committee; previously discussed at an earlier School Board meeting; public aware of Ad Hoc Committee – information was part of agenda packet; support to move to Action tonight. Without further discussion, Chair Riggs called for a vote on the motion to move Information item #12C to the Action agenda. The School Board Clerk announced there were eleven (11) ayes in favor of the motion to move Information item #12C to the Action agenda. The motion passed unanimously, 11-0-0.

- D. Bylaw 1-28/Committees, Organizations and Boards: Recommendations: amend the PRC membership to have five (5) School Board members (Bylaw 1-28.C.2) and remove the Mayor’s Committee for Persons with Disabilities (Bylaw 1-28.G.3); Chair Riggs provided information regarding the PRC and reasons for increasing the number of members; Chair Riggs provided information regarding the removal of the Mayor’s Committee for Persons with Disabilities; better served by having Superintendent and staff members who are familiar with issues. A discussion followed regarding committees; support for five people on PRC committee; committee work is extensive; too many committees; work on PRC important but not difficult; cannot support changing Bylaw; not a political issue (democrat/republican); School Board members wanting to be on PRC; stability of committee members; senior members and new members on committees; move committee assignments to another School Board meeting; having too many School Board members on a committee (PRC); help junior School Board members get more experience; PRC drives work of division; more voices at the table; legislative committee; different perspectives on committees; wording for Bylaw; voting on Bylaw; Chair can assign temporary members if needed; committee assignments carry over until vote on new committee assignments; vote on Bylaw change at another meeting; voting on committee assignments; notify the Chair of any committees School Board members would like to serve.

13. **Return to public comments if needed:** The Public Comments resumed at 9:00 p.m., and concluded at 9:30 p.m. See agenda item #11 for topics discussed.

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

- A. Citizens’ Advisory Committee Appointment Recommendations: Recommended that the School Board approve appointments to Citizens’ Advisory Committees for a three-year term beginning July 1, 2023 and ending June 30, 2026 reflecting the outcome of a School Board discussion of applications as personnel matters during a closed meeting on May 23, 2023 and introduced at the June 12, 2023 School Board meeting, as part of the Information agenda.
- B. Green Run Collegiate Charter Renewal: Recommended that the School Board approve the 2023 Renewal of the Charter Agreement for Green Run Collegiate Charter School effective July 1, 2023.
- C. Recommendation of General Contractor: Birdneck Elementary School Ceiling Replacement: Recommended that the School Board approve a motion authorizing the Superintendent to execute a contract with Contract Solutions, Inc. for the Birdneck Elementary School Ceiling Replacement in the amount of \$547,483.22.
- D. School Board Organizational Matters: Recommended that the School Board:
1. Superintendent’s Designee in the Absence of the Superintendent: Approve the Superintendent’s recommendation to appoint Donald E. Robertson, Ph.D., Chief of Staff, and Crystal M. Pate, Chief Financial Officer, as designees of the division superintendent to attend meetings of the School Board in the absence or inability to attend of the superintendent for the 2023-24 fiscal year pursuant to *Code of Virginia § 22.1-76*, ... approval of division superintendent’s designee.
 2. Superintendent’s Signature Authority: Authorize the Superintendent’s recommendation to extend the term of signature authority for Donald E. Robertson, Ph.D., Chief of Staff; and/or Crystal M. Pate, Chief Financial Officer, through June 30, 2024 to sign all Virginia Department of Education correspondence (VDOE), reports, documents, requisitions and other official correspondence in the absence of the division superintendent.
 3. Payroll Deductions: Authorize the following list of payroll deductions for the 2023-24 fiscal year pursuant to Board Policy 4-36 – Payroll Deductions; and its corresponding Regulation 4-36.1 – Payroll Deductions:

- | | | |
|------------------------------|-------------------------------------|--|
| 1. Health Plans | 10. Federal Tax Liens | 19. Salary/Leave Adjustments |
| 2. Dental Plans | 11. State Tax Liens | 20. Employee Authorized Payment(s) owed to the School Division |
| 3. Tax Sheltered Annuities | 12. Local Tax Liens | 21. VRS Service Buy Back |
| 4. Flexible Benefit Plans | 13. State Education (Student Loans) | 22. Workers’ Compensation Salary/Leave Adjustments |
| 5. Long Term Disability Plan | 14. Child Support | 23. Travel Advance and Other Purchase Repayments |

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6. Association Dues	15. Court Orders/Bankruptcies	24. Voluntary Benefits
7. United Way	16. Legal Resources	25. Administrative Processing Fees, where applicable
8. Deferred Compensation	17. Direct Deposit	26. VRS Retirement – Member Contribution Rate
9. Garnishments	18. VRS Optional Life Insurance	27. Virginia Beach Education Foundation

After reading the items on the Consent Agenda, Chair Riggs called for a motion to approve the items on the Consent Agenda. Ms. Franklin made the motion, seconded by Vice Chair Weems. A question was raised regarding the changes to the Green Run Collegiate Charter Renewal. Chair Riggs called for vote on the Consent Agenda. The School Board Clerk announced there were eleven (11) ayes in favor of the Consent Agenda. The motion passed unanimously, 11-0-0.

15. Action

- A. Personnel Report / Administrative Appointments: Chair Riggs called for a motion to approve the June 27, 2023 personnel report and administrative appointments. Ms. Melnyk made the motion, seconded by Ms. Franklin that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the June 27, 2023 personnel report along with administrative appointments as recommended by the Superintendent. There was a brief discussion regarding reassignments; clarification on administrative positions; reduction of student population; reassignments verses appointments; budget; appointments for tonight; improving middle school; teacher retention; employee relations position. Without further discussion, Chair Riggs called for a vote to approve the June 27, 2023 personnel report and administrative appointments. The School Board Clerk announced there were eleven (11) ayes in favor of the motion to approve the June 27, 2023 personnel report and administrative appointments. The motion passed unanimously, 11-0-0.

Superintendent Spence mentioned the following: Elizabeth C. Bianchi, retired VBCPS principal, as Principal, Pembroke Elementary School; Brianna L. Coburn, School Improvement Specialist, Salem Middle School, as Assistant Principal, Larkspur Middle School; and Emily A. Hitzemann, Administrative Assistant, Kempsville Middle School, as Assistant Principal, Corporate Landing Middle School.

- B. School Board Committee Assignments FY 2024: Ms. Anderson made a motion, that we vote on the Bylaw changes at the July 11 meeting and then vote on committee assignments for FY 2024 after we have voted on the Bylaw, Ms. Brown seconded the motion. Without discussion, Chair Riggs called for a vote on Ms. Anderson's motion. The School Board Clerk announced there were eleven (11) ayes in favor of the motion. The motion passed unanimously, 11-0-0.
- C. Virginia School Board Association (VSBA) Renewal: Chair Riggs called for a motion. Ms. Anderson made the motion, that we participate in the VSBA renewal, seconded by Ms. Franklin. There was a brief discussion regarding the VSBA; who is the representative; responsibilities of VSBA representative; School Board members attended a VSBA conference in January; from our School Board, we need a VSBA representative and an alternate; July 13 VSBA meeting in Richmond; concerns with VSBA; funds for professional development; reviewing conferences for budget development next year. Without further discussion, Chair Riggs called for a vote for the Virginia School Board Association (VSBA) renewal. The School Board Clerk announced there were ten (10) ayes in favor of the Virginia School Board Association (VSBA) renewal: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. There was one (1) abstention: Ms. Manning due to being a volunteer director of another School Board organization – School Board Member Alliance. The motion passed, 10-0-1.
- D. Salary Resolution: Chair Riggs called for a motion to approve the Salary Resolution for FY 2023-24 and the following attachments as presented in the agenda packet:
- Attachment A - Alphabetical Listing of Instructional Positions
 - Attachment B - Instructional Experience-Based Step Pay Scale (7/1/23 --- 6/30/24)
 - Attachment C - Unified Experience-Based Step Pay Scale Grade Assignments (7/1/23 --- 6/30/24)
 - Attachment D - Unified Experience-Based Step Pay Scale (7/1/23 --- 6/30/24)
 - Attachment E - Part-time Temporary Hourly Rates (7/1/23 --- 6/30/24)
 - Attachment F - Table of Allowances 2023/2024
 - Attachment G – High School Department Chairs and Non-Athletic and Athletic Supplements 2023/24
 - Attachment H - Student Activity Rates 2023/24

Ms. Anderson made the motion, seconded by Ms. Franklin. There was a brief explanation from Cheryl Woodhouse, Chief Human Resources Officer regarding Attachment C – Internal Auditor position removed from Grade 19 and placed in Grade 20, and Attachment D – Internal Auditor position removed from pay scale U19 and added to pay scale U20.

Chair Riggs read the following salary resolution:

SALARY RESOLUTION
June 27, 2023

WHEREAS, the mission of the Virginia Beach City Public Schools, in partnership with our entire community, is to ensure that each student is empowered with the knowledge and skills necessary to meet the challenges of the future; and

WHEREAS, the School Board has adopted a comprehensive strategic plan and school improvement priorities to guide budgetary decisions; and

WHEREAS, the School Board has studied the recommended School Operating Budget in view of state and federal requirements, additional demands for space and operations, the strategic plan, priorities, expectations, competitive compensation for employees and the best educational interests of its students; and

WHEREAS, the School Board Proposed Operating Budget has been reconciled to meet the funding from the City Council; and

WHEREAS, the proposed FY 2023/24 Operating Budget adjusts the Instructional Experience-based Step Pay Scale to provide 1.5% between each step consistently throughout the structure without adjusting the entry rate, and adds an experience step for all eligible employees on the scale, per the recommendation of the division's compensation study consultants; and

WHEREAS, the proposed FY 2023/24 Operating Budget adjusts the Unified Experience-based Step Pay Scale to provide a 1% adjustment for pay grades 0-14 and a 1.5% adjustment for pay grades 15 and above, and adds an experience step for all eligible employees on the scale; per the recommendation of the division's compensation study consultants; and

WHEREAS, the proposed FY 2023/24 Operating Budget establishes a new pay grade on the Unified Experience-based Step Pay Scale, Professional Level II, for Behavior Intervention Specialists, School Psychologists, Occupational Therapists, Positive Behavior Intervention Specialist (PBIS), Physical Therapists, and School Social Workers, per the recommendation of the division's compensation study consultants; and

WHEREAS, the proposed FY 2023/24 Operating Budget upgrades identified positions currently on pay grade 5 of the Unified Experience-based Step Pay Scale, which includes Bus Assistants, Cafeteria Assistants, Custodian I, and Fleet Shop Helper, to pay grade 7, which is closer to meeting the \$15.00 Virginia Minimum Wage requirement by 2026, and realigns other positions impacted by said move, per the recommendation of the division's compensation study consultants; and

WHEREAS, the Instructional Experience-Based and Unified Experience-Based Step Pay scales, Part-time Hourly Rates, Table of Allowances, High School Department Chairs, Non-Athletic Supplements, Athletic Supplements and Student Activity Rates titled below and as shown in the attachments are approved and will be effective as shown below; and

WHEREAS, the percent of compensation increases and the effective dates of the increases are shown below:

- Attachment A - Alphabetical Listing of Instructional Positions

- Attachment B - Instructional Experience-Based Step Pay Scale (7/1/23 --- 6/30/24)
- Attachment C - Unified Experience-Based Step Pay Scale Grade Assignments (7/1/23 --- 6/30/24)
- Attachment D - Unified Experience-Based Step Pay Scale (7/1/23 --- 6/30/24)
- Attachment E - Part-time Temporary Hourly Rates (7/1/23 --- 6/30/24)
- Attachment F - Table of Allowances 2023/2024
- Attachment G – High School Department Chairs and Non-Athletic and Athletic Supplements 2023/24
- Attachment H – Student Activity Rates 2023/24

NOW, THEREFORE, LET IT BE

RESOLVED: That the School Board of the City of Virginia Beach adopts the Salary Scales and the compensation increases as outlined in this resolution and attachments.

Adopted by the School Board this 27th day of June, 2023.

After reading the resolution, Chair Riggs called for a vote. The School Board Clerk announced there were eleven (11) ayes in favor of the Salary Resolution and the attachments A-H. The motion passed unanimously, 11-0-0.

- E. **Ad Hoc Committee to Study Open Space Uses for School Property on Jericho Road:** Note: See agenda item #12C. Vice Chair Weems made the following motion, that the School Board accept the Chair's recommendation to create an Ad Hoc Committee to study open space uses for school property on Jericho Road and to appoint Carolyn Weems as Chair, and Staci Martin, School Board member to serve as the other School Board member to the Ad Hoc Committee. The Ad Hoc Committee and the Ad Hoc Chair will have the powers set forth below in the document that you received in Bylaw 1-28 and Appendix C. Ms. Martin seconded the motion. Without discussion, Chair Riggs called for a vote on the Ad Hoc Committee to Study Open Space Uses for School Property on Jericho Road. The School Board Clerk announced there were eleven (11) ayes in favor of the motion for Ad Hoc Committee to Study Open Space Uses for School Property on Jericho Road. The motion passed unanimously, 11-0-0.

- 16. Committee, Organization or Board Reports:** Ms. Martin shared a Legislative Committee update, been in contact with Joel Andrus, in a holding pattern due to primaries and budget negotiations, reminder to School Board members regarding email sent on May 23 for any input on legislative priorities, movement in terms of Workforce issues – culinary certification, dual enrollment, Joel Andrus to come a brief the School Board after State budget passes.
- 17. Return to Administrative, Informal, Workshop or Closed Session matters:** Chair Riggs announced a recess before returning to the Workshop Session and Closed Session.

The School Board recessed at 10:11 p.m. and reconvened at 10:22 p.m. in the Einstein Lab.

Gifted Services Update: Kipp Rogers, Ph.D., Chief Academic Officer provided the School Board an update on the Old Donation selection process; reviewed continuum of gifted services; noted elementary school – resource-cluster program, Old Donation School, Gifted Visual Arts Program, Dance Education Program; overview of VBCPS Local Plan for the Education of the Gifted; defined what Old Donation School is – centralized, full-time, gifted school serving identified students in grades two through eight, admission is application-based and requires that students meet the criteria for gifted identification in VBCPS, an educational program, similar to an academy and is not considered a placement; questions from parents of students in ODS selection pool: rating scale, random selection process, appeal process; VBCPS journey – School Board Partnership - reviewed timeline of communication regarding gifted services; reviewed timeline of information shared with parents; shared the current Old Donation School selection process posted August 2022; included the 4-1 rating scale; January 2023, AlertNow message sent to Grade 1 parents with information and link to application; reviewed 2022-2023 testing process for first grade only; noted parent can opt-out or not move forward in the process; reviewed 2022-2023 testing process for fifth grade only; criteria used for ODS selection: gifted resource teacher information, teacher information, standardized test scores (national percentile ranking on NNAT and CogAT), student achievement, 1st grade performance based task (Grade 1 only); ranking for ODS selection: once students are identified gifted and families have not opted-out of ODS selection, student applications for ODS selection are thoroughly reviewed, a four-point (1-4) rating scale is used to rank students for ODS selection; reviewed ODS rating scale adjustment Grades 2-8; reviewed rating of ODS Selection for 2021-2022 SY, 2022-2023 SY, and 2023-2024 SY;

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showed example random selection process for 2021-2022 SY using 5-point rating scale; shared random selection for 2022-2023 SY using 4-point rating scale: 130 Grade 2 seats, 97 students rated 4-4-4, offered 97 seats at ODS, 93 students rated 4-4-3, placed in ODS selection pool, random selection process used to fill remaining 33 seats from the 93 students rated 4-4-3 in the selection pool; random selection for 2023-2024 SY using 4-point rating scale: 244 students rated 4 and placed in ODS selection pool, random selection process used to fill 130 seats; provided overview between lottery and random selection process; reviewed ODS selection application data from grade 2 and grade 6; Grade 2 total number of applications 2021-2021: 700; Grade 2 total number of applications 2022-2023: 996, increase in applications: 296; next steps: hire Director of K-12 and Gifted Programs position, conduct two summer Gifted Community Advisory Committee (GCAC) meetings to discuss recommended amendment of the Local Plan for the Education of the Gifted, bring recommendation from GCAC for the amendment of the Local Plan for the Education of the Gifted to the Board for consideration in August 2023, create a comprehensive communications plan to share 2024-25 ODS selection process and timeline with all stakeholders.

The presentation continued with questions and comments regarding how many classrooms/teachers in first grade; admissions for arts/dance; answering of questions; legal issues; lottery verses random selection; gifted plan; number of gifted schools in the Commonwealth of Virginia; gifted resource teachers at schools; demographer projections; capital improvement; gifted testing office; application automatically generated for students scoring in 90 percentile; updating gifted resource teachers - meet regularly throughout the year, beginning of year discuss application and roles in process; number of evaluators; hours of gifted instruction at clusters; meeting the needs of students; ranking; historical knowledge; are students identified as gifted in the same classroom; assignments of gifted resource teachers – how are they distributed; at least one in every building; and rating of students.

Chair Riggs noted the School Board will be going into Closed Session; thanked parents for staying and listening to presentation; mentioned the Forecast of Regular School Board Meeting Agenda Topics FY 24 – First Quarter: July, August, September will be discussed at the School Board Retreat.

At 11:53 p.m., Vice Chair Weems made the following 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, 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.
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.
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. Contracts and personnel matters related to the Superintendent search process.
- B. Discussion related to the acquisition or disposition of real property.
- C. Discussions with legal counsel regarding probably or pending litigation.

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Vice Chair Weems called for any discussion. Without any discussion, Vice Chair Weems called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion to recess into Closed Session: Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0. Note: Chair Riggs was not in the room when the vote was taken. Chair Riggs returned to the Closed Session at 11:56 p.m.

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

B. Discussion related to the acquisition or disposition of real property: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Donald E. Robertson, Ph.D., Chief of Staff; Jack Freeman, Chief Operations Officer; Melisa A. Ingram, Executive Director, Office of Facilities Services; Kipp D. Rogers, Ph.D., Chief Academic Officer; Lorena L. Kelly, Ph.D., Executive Director, Office of Elementary Teaching and Learning; Deborah Yeng Collins, Attorney, Yeng Collins Law, PLLC; Regina M. Toneatto, School Board Clerk.

At 12:08 a.m. on Wednesday, June 28, 2023, Jack Freeman, Chief Operations Officer, and Melisa A. Ingram, Executive Director, Office of Facilities Services left the Closed Session.

C. Discussions with legal counsel regarding probably or pending litigation: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Donald E. Robertson, Ph.D., Chief of Staff; Kipp D. Rogers, Ph.D., Chief Academic Officer; Lorena L. Kelly, Ph.D., Executive Director, Office of Elementary Teaching and Learning; Deborah Yeng Collins, Attorney, Yeng Collins Law, PLLC; Regina M. Toneatto, School Board Clerk.

On Wednesday, June 28, during the Closed Session:

Kamala H. Lannetti, School Board Attorney, left the Closed Session at 12:23 a.m. and returned at 12:25 a.m.

Michael Callan, School Board member, recused himself at 12:26 a.m. from the Closed Session and returned at 1:00 a.m.

Kimberly Melnyk, School Board member, left the Closed Session at 12:52 a.m. and returned at 12:56 a.m.

Beverly Anderson, School Board member, left the Closed Session at 12:53 a.m. and returned at 12:56 a.m.

At 1:03 a.m., Kipp D. Rogers, Ph.D., Chief Academic Officer; Lorena L. Kelly, Ph.D., Executive Director, Office of Elementary Teaching and Learning; and Deborah Yeng Collins, Attorney, Yeng Collins Law, PLLC, left the Closed Session.

A. Contracts and personnel matters related to the Superintendent search process: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; Superintendent Spence; Donald E. Robertson, Ph.D., Chief of Staff; Regina M. Toneatto, School Board Clerk.

At 1:07 a.m., Superintendent Spence; and Donald E. Robertson, Ph.D., Chief of Staff left the Closed Session.

C. Discussions with legal counsel regarding probably or pending litigation: 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, School Board Clerk.

The School Board reconvened at 1:26 a.m., on Wednesday, June 28, 2023.

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

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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. Manning. 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.

- 18. Adjournment:** Chair Riggs adjourned the meeting at 1:28 a.m., on Wednesday, June 28, 2023.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Trenace B. Riggs, School Board Chair