



VIRGINIA BEACH CITY PUBLIC SCHOOLS

CHARTING THE COURSE

School Board Services

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District 4

Kimberly A. Melnyk
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Jessica L. Owens
District 3 – Rose Hall

Aaron C. Spence, Ed.D., Superintendent

School Board Regular Meeting MINUTES **Tuesday, August 22, 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 4:05 p.m. on the 22nd day of August 2023 and announced the 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 Donald E. Robertson, Ph.D., Chief of Staff, standing in for 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 4:17 p.m.), Mr. Callan, Mr. Culpepper (arrived at 4:30 p.m.), Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens. Ms. Martin was not present due to attending the U.S. Travel Conference in Georgia for her full-time job. Ms. Martin will try to join online via Zoom later this evening.
 - A. **School Board Administrative Matters and Reports:** Chair Riggs shared the following information: 1) September one-on-one meetings with Dr. Robertson, meeting list passed to School Board members to review and confirm meeting dates; 2) another list for review, 2023-2024 school adoption list, School Board members to choose schools to visit during the school year; 3) mentioned the Joint City Council/School Board 5-year Forecast meeting in November (on either the 14th or 15th); 4) the At-Large Governance seat is vacant due to the selection of Ms. Owens as the new PRC Chair, Ms. Brown has agreed to fill the vacant At-Large Governance seat, according to By-law 1-28 – this change needs to be voted on and Chair Riggs will amend the agenda tonight to add this topic to both Information and Action; and 5) a suggestion came from the Governance Committee meeting regarding increasing the data allowance for School Board members, the amount of the increase is \$100.00 a month, funds are available in budget; a brief discussion followed regarding the data allowance; suggestion to make the allowance optional; the need for the allowance; help to compensate for School Board work.
 - B. **Summer Learning Program:** Danielle E. Colucci, Chief Academic Officer, provided the School Board an update on the implementation of summer learning experiences in elementary and secondary and the instructional support for an effective school opening; reviewed the elementary summer learning opportunities - Summer Learning Boost (all sites): June 19 – August 27, Summer Learning Camp (select sites): July 5 – 26, Learning Leaps (select sites): July 5 – August 19; 1,400 students accessed Boost Learning opportunities; reviewed data on percentages of students who attended 10 or more of the 13 instructional days, on average 70% attended 10 or more days; data on summer learning camp – Language Arts: Grades K-2: 84%-93% of students demonstrated growth, Grades 3-5: 85%-92% of students demonstrated growth; data on summer learning camp – Math: Grades K-2: 84% or more of students demonstrated growth, Grades 3-5: 83% or more of students demonstrated growth; Summer Learning Leaps – site-based learning experiences, over 300 students engaged in these opportunities (i.e. problem-based learning, inquiry, hands-on science, tutoring); Extended School Year (ESY) services: special education and/or related services provided beyond the typical school year, consideration of ESY services is a part of the IEP process; 2023 Extended School Year (ESY): 747 elementary, 245 secondary (middle/high), 200 SECEP (all programs K-12), total number: 1,192; more participated this year than last year.

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Secondary Summer Learning opportunities – summer school retake courses: June 28 – August 2 (Independence Middle, Salem Middle, Green Run High, Princess Anne High); summer school first time courses: June 21 – August 7 (Virginia Beach Digital Campus); data repeat course pass rate (face-to-face) - overall enrollment: 594 middle school and 787 high school; overall pass rate: 96.7% middle school and 93.1% high school; Virginia Beach Digital Campus high school level courses: 1,966 total registration, overall pass rate: 96.5%; summer graduation on Wednesday, August 23; 117 students will graduate; Secondary Summer Learning Boost: 660 secondary students accessed Canvas for math Boost opportunities, 130 secondary students accessed Canvas for science Boost opportunities; summer learning opportunities: AVID Science Summer Bridge Program: Mission Possible, STARTALK Camp, Wellness Up! Camp; summer performing arts camps: 6 high school performing arts camps (band, orchestra, theatre strands), 6 middle school performing arts camps (band, orchestra, chorus strands). The presentation continued with questions and comments regarding elementary students attending a summer program; students in Achievable Dream attending programs; ESY students; numbers were good for summer programs; great results; opportunities for students; and thanks to staff and teachers for helping with the summer programs.

- C. **Recovery School:** Matthew D. Delaney, Chief Schools Officer provided the School Board an update on the process or the Recovery School and will seek guidance from the School Board on next steps; reviewed the purpose of a recovery school; the primary purpose of a recovery school is to educate students in recovery from substance use or students who have co-occurring disorders with an educational and recovery focus; as of 2020, there were a total of 43 recovery schools in 20 states in the United States; in Virginia, Chesterfield county opened a regional recovery school; in addition to providing traditional educational services, recovery schools often include: focusing on relapse prevention, encouraging healthy choices and the use of a wide range of social services to provide additional support; reviewed recovery school update: received approval form the Board to pursue Lab School Planning Grant, submitted Lab School grant application to VDOE, VDOE denied the Lab School grant application, VBCPS worked with the Hampton Roads Legislative Representatives to secure funding, Recovery School funding was not available; Vice Chair Weems shared her personal story, need for resources in Virginia Beach, went to Richmond to discuss issue, discussions with Superintendent (Dr. Spence) the past few years about Recovery School, mentioned the Chesterfield Recovery School, shared broad statistics about issue (2007 – three deaths in Virginia Beach, last year 88 deaths; Chesapeake 16 to 60; Norfolk three to 91 last year; Portsmouth one to 94 last year), need for a recovery school – education and recovery, percentage of drug use increased with eighth graders in the last four years, has done presentations in the high schools the past two years, options to secure funds, options moving forward, mentioned visit and tour of recovery school in New Jersey. The presentation continued with comments and questions; Robert Jamison, Executive Director, Student Support Services discussed the issue of recovery or education; path forward to address addiction and substance abuse; recovery school is an option; need direction on variety of resources available; families need resources; how to move forward – what are the options; other districts interested in joining forces; regionally or locally; regional approach may have a higher chance for resources; contact colleagues in the area to determine interest; cost; what resources currently available; connections with Sentara, CHKD; sustainability; legal responsibility for school system; Chesterfield model; make this a priority for the School Board; administration wish list and proposed budget to bring back to the Board; conversations with the City; good idea to discuss with Mayor and Vice Mayor; make this a budget priority; look at variety of needs; need to leverage instructional options; regional approach and securing funds from General Assembly; need to move forward and explore; budget development starting; and providing the School Board another update in a few weeks.

- 2. **Closed Session:** There was no Closed Session during the Administrative, Informal, and Workshop session. See agenda item #17.
- 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 6:06 p.m. on the 22nd day of August 2023 and welcomed members of the public both in person and online.

In addition to Donald E. Robertson, Ph.D., Chief of Staff, standing in for 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. Melnyk, and Ms. Owens (arrived at 6:15 p.m.) Ms. Martin was not present due to attending the U.S. Travel Conference in Georgia for her full-time job. Ms. Martin will try to join online via Zoom later this evening.

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6. Moment of Silence followed by the Pledge of Allegiance

7. Student, Employee and Public Awards and Recognition: There were no student, employee or public awards presented at the meeting.

8. Adoption of the Agenda: Chair Rigg made the following modifications to the agenda: under Information the addition of item 12C – Recommendation to fill the vacant At-Large Governance seat by Kathleen Brown and under Action the addition of item 15C – Vote on recommendation to fill the vacant At-Large Governance seat by Kathleen Brown. Chair Riggs made the motion, seconded by Vice Chair Weems to approve the agenda as presented and modified. There was a brief discussion on clarifying the modifications of the agenda; Chair Riggs explained the reason for the modifications; Kamala Lannetti, School Board Attorney restated the following modifications: add Information item #12C – discussion or introduction of the addition to the Governance Committee of the At-Large Member, Ms. Brown and move to Action item #15C – the vote on approving Ms. Brown as the At-Large Member of the Governance Committee. Without further discussion, Chair Riggs called for a vote to adopt the agenda. The School Board Clerk announced there were nine (9) ayes in favor of the motion to adopt the agenda as presented and modified: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, and Ms. Melnyk. The motion passed, 9-0-0.

9. Superintendent's Report (second monthly meeting) and recognitions (first and second monthly meetings): Donald E. Robertson, Ph.D., Chief of Staff shared the following information: 1) Ms. Sham Bevel is one of three finalists for the 2024 National Principal of the Year award. Earlier this year, Ms. Bevel was named Outstanding Middle School Principal of Virginia; 2) shared a video about our community mentorship program, clips show how our mentors and students from Parkway and Green Run Elementary Schools benefit from this program. Thanks to the Virginia Beach Bar Association, the sheriff's department, the police department, and the lead mentor – Judge Tim Quick; 3) more than 6,000 community members filled the Virginia Beach Convention Center on August 12 for the Back-to-School Care Fair. Community partners and VBCPS volunteers helped distribute and donate: 3,500 backpacks, 200 haircuts, 200 dental screenings, 283 vision screenings, 95 physicals, and 1,500 bags of non-perishable food; and 4) last week was the New Educator Orientation Program for teachers, specialists, speech language pathologists, and counselors; more than 100 food services professionals recently met at Green Run High School to prepare new menu items, tastings, and exchange ideas; reminder the first day of school is August 28.

After the report, Dr. Robertson introduced the following appointments which were voted on and approved at the August 8, 2023 School Board meeting: Michala D. Cardwell, Ed.D., Assistant Principal, W.T. Cooke Elementary School as Principal, Windsor Woods Elementary School; Romona S. Harps, Administrative Assistant, W.T. Cooke Elementary as Assistant Principal, W.T. Cooke Elementary School; Nicole M. Keros, Assistant Principal, Point O'View Elementary School as Principal, Thalia Elementary School; Molly M. Lewis, Assistant Principal, Windsor Oaks Elementary School as Principal, Windsor Oaks Elementary School; Chelyse V. Miller, Administrative Assistant, Diamond Springs and Seatack Elementary Schools as Assistant Principal, Creeds Elementary School; Angela D. Norell, Administrative Assistant, College Park and Thalia Elementary Schools as Assistant Principal, Point O'View Elementary School; and Eugene F. Soltner, Ed.D., retired former Chief School Officer, Department of School Leadership as Chief of Staff, Office of the Superintendent.

10. Approval of Meeting Minutes

A. August 8, 2023, Regular School Board Meeting: Chair Riggs called for any modifications to the August 8, 2023 regular School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve the August 8, 2023 meeting minutes as presented. Ms. Anderson made the motion, seconded by Mr. Callan. Without discussion, Chair Riggs called for a vote to approve the August 8, 2023 meeting minutes as presented. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve the August 8, 2023 meeting minutes as presented: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0.

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

Chair Riggs announced the School Board will hear public comments until 8:00 p.m. on matters relevant to 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-four (34) in person speakers (including thirteen (13) student speakers) and six (6) online speakers: topics discussed were parents rights; model policy; transgender students; use of preferred name/pronoun; basic rights; legal issues of model policy; 14th Amendment; Human Rights Act; gender identity; protect all students; Ms. Manning's resolution; how to enforce policy; privacy of youth; schools as a safe place; how to implement policy; increased workload for teachers; legal issues; Virginia Code 22.1-3.3;

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Policy 5-7; follow state law; support for model policy; need to adopt model policy; protect parental rights; include parents in education; parental involvement; student representative to School Board; teaching Civics; mental health of students; Ms. Owen's resolution; treatment of transgender students; ODS selection process; advocate for teachers; needs of teachers; workload of teachers; teacher retention; school calendar; protect student and parent rights; bathrooms; support for Ms. Manning's resolution; U.S. Constitution; parental responsibility; PRC meeting; and Oath of Office.

The Public Comments were suspended at 8:06 p.m., to continue with the formal meeting and items on the Information Agenda.

12. Information

- A. **Program Evaluation Schedule for 2023-2024:** Heidi L. Janicki, Ph.D., Director of Research and Evaluation, provided the School Board the schedule of program evaluations that will be completed by the Office of Planning, Innovation, and Accountability (PIA) during the 2023-2024 school year; reviewed evaluations conducted in 2022-2023 - Canvas: Year 1 implementation evaluation, Positive Behavioral Interventions and Supports (PBIS): Year 3 evaluation (advanced tiers), Renaissance Academy Alternative Education Program: Year 1 implementation evaluation, Gifted Resource-Cluster Program: comprehensive evaluation; reviewed Policy 6-26 Evaluation of New and Existing Programs: new educational programs/initiatives evaluated for two years and during year of full implementation, previously evaluated programs may remain on the program evaluation schedule base on School Board approved multi-year evaluation plans, proposed evaluation schedule presented to Superintendent, Senior Staff, and Planning and Performance Monitoring Committee, evaluation schedule requires School Board approval each year; 2023-2024 Program Evaluation Schedule – Canvas: Year 2 evaluation, Renaissance Academy Alternative Education Program: Year 2 implementation evaluation, Behavioral and Mental Health Supports for Students: Year 1 implementation evaluation (Behavior Intervention Support Team (BIST), Rapid Response, Bridge Program, Responsive Classroom, BASE Program, Community in Schools); noted additional evaluations or updates may be recommended based on 2022-2023 evaluation results presented this fall/winter.
- B. **Policy Review Committee (PRC) Recommendations:** Recommendation that the School Board review Policy Review Committee (PRC) recommendations regarding amendments or reviews of certain policies from its August 10, and August 14, 2023 meetings. Kamala H. Lannetti, School Board Attorney presented the following information:
1. **Policy 2-48/Salaries and Compensation:** The PRC recommends repealing Policy 2-48 because it was readopted at the 6/8/23 School Board Meeting when it had already been deleted in April 2023. The Policy was already adopted and renumbered as Policy 4-35.
 2. **Policy 4-7/Nepotism: Employment/Supervision of Relatives:** The PRC recommends changes to clear up sentence structure and clarifies the supervision of family.
 3. **Policy 4-9/Health Certifications/Medical Examinations/Communicable Disease Awareness/Fitness for Duty:** The PRC recommends changes reflecting recent requirements for Food Service Workers.
 4. **Policy 4-10/Conditions of Employment:** The PRC recommends updating language throughout the policy to reflect recent changes in law.
 5. **Policy 4-11/Appointment:** The PRC recommends clarifying eligible positions in question and removing the Editor's Note.
 6. **Policy 4-12/Assignment, Reassignment and Transfer:** The PRC recommends changing the waiting period for a new employee to request a transfer to after their first evaluation.
 7. **Policy 4-13/Contract Period/Calendar Work Days:** The PRC recommends a change in the title of the policy to read "Contract Period/Calendar."
 8. **Policy 4-14/Alternative Work Schedules: 12-Month, Non-Instructional Employees:** The PRC recommends spelling out VLDP "Virginia Long term Disability Program" and removing the Editor's Note.
 9. **Policy 4-20/Reduction in Force (RIF):** The PRC makes no recommended changes. The Policy is being reviewed in order to keep it within the 5 year review period.
 10. **Policy 4-23/Conflict of Interests:** The PRC recommends adding language that clarifies the responsibility of current employees regarding contracting with family members and removing the Editor's Note.
 11. **Policy 4-33/Investigative Procedures:** The PRC recommends changes to make the Policy consistent with other recently reviewed policies.
 12. **Policy 4-38/Travel Expenditures/Reimbursement:** The PRC recommends changes to make the Policy consistent with other recently reviewed policies.

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13. Policy 4-42/Property Damage/Reimbursement: The PRC recommends changes to make consistent with other recently reviewed policies.
 14. Policy 4-45/Sick Leave Banks: The PRC recommends changes to make the Policy consistent with other recently reviewed policies.
 15. Policy 4-49/Military Service: The PRC recommends changes to make the Policy consistent with other recently reviewed policies.
 16. Policy 4-51/Lawsuits and Subpoenas: The PRC recommends making changes to update the title and position of City Attorney to School Board Attorney and other language to make consistent with other recently reviewed policies.
 17. Policy 4-57/Licensed Personnel Contracts: The PRC recommends adding clarifying language from the Virginia Code and updating the Legal References. There was a comment referring to the notation at the bottom of the policy.
 18. Policy 4-65/Meetings and Conferences: The PRC makes no recommended changes. The policy is being reviewed in order to keep it within the 5 year review period.
 19. Policy 4-66/Tutoring for Pay: The PRC recommends adding language that limits offering paid tutoring services by teachers.
 20. Policy 4-67/Investigating/Reporting Alcohol or Drug Use: The PRC recommends separating marijuana from illegal drug use to align with new laws and updating the Legal Reference section reflecting those changes.
 21. Policy 4-68/Reporting Child Abuse or Neglect: The PRC recommends updating language to make consistent with other previously reviewed policies.
 22. Policy 4-70/Licensed Personnel: Teacher Salary Scale: The PRC recommends changing language regarding job related experience.
 23. Policy 4-73/Awards for Achievement and Service: The PRC recommends updating language to make consistent with other previously reviewed policies.
 24. Policy 4-83/Evaluation: The PRC recommends updating language to make consistent with other previously reviewed policies.
 25. Policy 4-85/Meetings, Conferences and Conventions: The PRC recommends updating language to make consistent with other previously reviewed policies.
 26. Policy 4-86/Classified Personnel: Compensation: The PRC makes no recommended changes. The policy is being reviewed in order to keep it within the 5 year review period.
 27. Policy 4-87/Overtime: The PRC makes no recommended changes. The policy is being reviewed in order to keep it within the 5 year review period.
 28. Policy 4-91/Student Teachers: The PRC recommends updating the license renewal period from 5 to 10 years and making changes that are in line with changes made in recently reviewed policies.
 29. Policy 4-92/Summer School Teachers Assignment and Placement: The PRC recommends rewriting the Policy to clarify its intent.
 30. Policy 4-97/Administrative Intern and Administrative Assistants: The PRC recommends changing VBCPS reference to School Division and other typographical changes to make more consistent with other previously reviewed policies.
 31. Policy 5-9/Age of Entrance/Kindergarten: The PRC recommends adding clarifying language and a new Legal Reference.
 32. Policy 5-7/Non-discrimination and Non-harassment of Students: The PRC recommends editing the first paragraph by removing the title of the Virginia Department of Education Model Policies in the event that the title changes from time to time and leaving the remainder of the policy as written.
 33. Policy 5-31/Student Records: The PRC recommends adding a definition for “parent” or “parents” and adding a Legal Reference for the Virginia Code Section regarding Treatment of transgender students; policies. There was a brief discussion regarding clarification of change/update to policy; vote on policy during the PRC meeting (2 to 1); Ms. Brown unable to support Policy 5-31, believes it circumvents the Model Policies; missing word in Section B, seconded paragraph, end of second sentence...requiring differentiated “instruction” – the word instruction is missing; definition section of policy; and counseling records.
- C. Recommendation to fill the vacant At-Large Governance seat by Kathleen Brown (See Adoption of the Agenda, item #8) Chair Riggs shared an explanation regarding the recommendation; PRC nominated a new PRC Chair, the new PRC Chair was the fifth member of the Governance Committee which was the At-Large Governance seat; the move left the At-Large seat vacant; Chair Riggs asked if Ms. Brown was interested in the position; Ms. Brown was interested in filling the vacant

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At-Large Governance Committee seat; there was a brief comment of thanks and appreciation to Ms. Brown for stepping up and filling the position.

- 13. Return to public comments if needed:** The Public Comments resumed at 8:39 p.m., and concluded at 8:58 p.m. See agenda item #11 for topics discussed.
- 14. Consent Agenda:** Chair Riggs read the following items on the Consent Agenda:
- A. Resolutions:
1. National Hispanic Heritage Month: Recommendation that the School Board approve a resolution recognizing National Hispanic Heritage Month.
 2. Suicide Prevention Week: Recommendation that the School Board approve a resolution recognizing September 11-15, 2023 as Suicide Prevention Week.
- B. School Board Organizational Matters: Recommendation that the School Board:
1. Superintendent's Designee in the Absence of the Superintendent: Effective 9/1/2023 - Approve the Acting Superintendent's recommendation to appoint Eugene F. Soltner, Ed.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: Effective 9/1/2023 - Authorize the Acting Superintendent's recommendation of signature authority for Eugene F. Soltner, Ed.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.

After reading the items on the Consent Agenda, Chair Riggs asked if there are any objections to voting on the Consent Agenda items. Hearing none, Chair Riggs called for a motion to approve the items on the Consent Agenda as presented. Vice Chair Weems made the motion, seconded by Ms. Anderson. Chair Riggs asked for the resolutions to be read. Ms. Melnyk read the following resolution:

RESOLUTION
National Hispanic Heritage Month
Sept. 15-Oct. 15, 2023

WHEREAS, one of our nation's greatest strengths is its vast diversity, which enables Americans to see the world from many viewpoints; and

WHEREAS, National Hispanic Heritage Month honors the cultures and contributions of both Latino and Hispanic Americans; and

WHEREAS, Latino and Hispanic Americans embrace a deep commitment to family, community, and education, and perseverance to succeed and contribute to the shaping of the country and our City of Virginia Beach; and

WHEREAS, the 2023 Hispanic Heritage Month observance theme, "Latinos: Driving Prosperity, Power, and Progress in America," invites us to reflect on the contributions Latino and Hispanic Americans have made in the past, and will continue to make in the future; and

WHEREAS the School Board of the City of Virginia Beach recognizes the importance of culturally responsive education that embraces multicultural diversity within our school division;

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach officially recognizes Sept. 15 through Oct. 15 as National Hispanic Heritage Month; and be it

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FURTHER RESOLVED: That the School Board of the City of Virginia Beach encourages all citizens to support and participate in the various school activities available during National Hispanic Heritage 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 22nd day of August 2023.

Ms. Owens read the following resolution:

RESOLUTION
Suicide Prevention Week
Sept. 11-15, 2023

WHEREAS, suicide is the 11th leading cause of deaths in the United States and the third leading cause of death among individuals between the ages of 15 to 19; and

WHEREAS, suicide is now the 10th leading cause of death in the state of Virginia; and

WHEREAS, suicide strikes without regard to locality, socio-economic status, ethnicity, religious preference, or age; and

WHEREAS, in the United States, one person dies by suicide every 11 minutes; and

WHEREAS, education, and community involvement are known to be the most crucial factors in preventing suicide; and

WHEREAS, the School Board of the City of Virginia Beach is focused on ways to educate students, parents, and school staff about suicide and prevention of suicide; and

WHEREAS, Virginia Beach City Public Schools, through sustained and dedicated efforts, has implemented programs for all employees and students that recognize a deep commitment at all levels to raise awareness of suicide and its prevention;

NOW, THEREFORE, BE IT

RESOLVED: That the School Board of the City of Virginia Beach designates the week of Sept. 11-15, 2023, as Suicide Prevention and Awareness Week in the Virginia Beach City Public Schools, and be it

FURTHER RESOLVED: That strategies and activities to address suicide prevention and suicidal behaviors be ongoing in Virginia Beach City Public Schools, 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 22nd day of August, 2023

After the reading of the resolutions, Chair Riggs called for a vote to approve the items on the Consent Agenda as presented. The School Board Clerk announced there were ten (10) ayes in favor of the motion to approve the items on the Consent Agenda as presented: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0.

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15. Action

- A. Personnel Report / Administrative Appointments: Chair Riggs called for a motion to approve the August 22, 2023 personnel report and administrative appointments. Ms. Franklin made the motion, seconded by Ms. Anderson that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the August 22, 2023 personnel report along with administrative appointments as recommended by the Superintendent. There was a discussion regarding a position being filled and the salary; comparison of the salary with another government organization; salary range of position; balanced pay scale for senior administration; cannot support the administrative position. Without further discussion, Chair Riggs called for a vote to approve the August 22, 2023 personnel and administrative appointments. The School Board Clerk announced there were five (5) ayes in favor of the motion to approve the August 22, 2023 personnel report and administrative appointments: Chair Riggs, Ms. Anderson, Ms. Franklin, Ms. Melnyk, and Ms. Owens. There were five (5) nays opposed to the motion to approve the August 22, 2023 personnel report and administrative appointments: Vice Chair Weems, Ms. Brown, Mr. Callan, Mr. Culpepper, and Ms. Manning. The motion failed, 5-5-0.

A discussion followed concerning the vote and administrative position; concern over the salary; members of the department will leaving in two weeks; the need to have the position filled; reopening position and length of time to fill position; quality of candidates; Ms. Manning raised a point of order regarding the discussion since it was previously discussed and voted upon; an amended to the agenda would be needed in order to vote on the personnel report and other administrative positions; Legal Counsel noted there was no motion on the floor pertaining to the personnel report and administrative positions.

Ms. Manning asked if a motion could be made to amend the agenda to approve all of the positions other than that one; Legal Counsel noted the agenda would have to be amended to add a new motion – item #15D; Ms. Manning made a motion to amend the agenda and add an Action item #15D that will include all administrative appointments and the personnel report other than the Media and Communications position; Ms. Brown raised a point of order and made a motion that we move a reconsideration vote removing that particular position so that we can vote on this; there was clarification on the motion currently on the floor; Mr. Culpepper seconded Ms. Manning motion; Chair Riggs asked Ms. Manning to restate her motion; Ms. Manning stated the motion - I move to amend the agenda to add an Action item #15D that will include approval of the personnel report and administrative appointments except for the Media and Communications position, Mr. Culpepper confirmed his second of the motion.

There was a brief discussion regarding clarification of motion on the floor; amending the agenda; Chair Riggs recapped the motion on the floor – to add #15D to the agenda to include the recommendations of the personnel except for the one for Media and Communications. Without further discussion, Chair Riggs called for a vote on the amendment to the agenda as in the motion stated by Ms. Manning. The School Board Clerk announced there were ten (10) ayes in favor of the motion by Ms. Manning to amend the agenda and add Action item #15D that will include approval of the personnel report and administrative appointments except for the Media and Communications position: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0.

- B. Resolution: Model Policies on Ensuring Privacy, Dignity, and Respect for All Students and Parents in Virginia’s Public Schools: Chair Riggs called for a motion to approve the Resolution: Model Policies on Ensuring Privacy, Dignity, and Respect for All Students and Parent’s in Virginia’s Public Schools; Ms. Manning made the motion, seconded by Ms. Brown; a discussion followed regarding the resolution; Policy 5-7 and Policy 5-31; need to review Policy 5-31 if resolution passes, if model policies adopted as part of the resolution; being in compliance; policies and regulations need to be discussed in reference to the model policies; what direction does the School Board want to go, adjust regulations to be consistent; details need to be worked on; the policies as presented this evening would not conflict with resolution and the model policies; resolution as written ties hands of School Board. Ms. Anderson proposed an amendment to this policy and proposed we go with the resolution that was proposed to the School Board from Ms. Franklin which School Board members have in their papers, this is a substitute motion from Ms. Anderson, seconded by Ms. Melnyk. Chair Riggs restated the substitute motion from Ms. Anderson to amend the resolution and to accept Jennifer Franklin’s in place of Ms. Manning’s. Chair Riggs asked Ms. Franklin to read her resolution. Ms. Franklin noted the first four paragraphs are the same as Ms. Manning’s resolution; Ms. Franklin read the following resolution:

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RESOLUTION

Model Policies on Ensuring Privacy, Dignity, and Respect for All Students and Parents in Virginia's Public Schools

WHEREAS, Policy 5-7 of the School Board of the City of Virginia Beach (hereinafter "School Board") directs the Superintendent or designee to develop regulations, practices and trainings related to compliance with Code of Virginia § 22.1-23.3, as amended.

WHEREAS, on September 18, 2021, the Superintendent of Virginia Beach City Public Schools (hereinafter "VBCPS") adopted regulation 5-7.1 in compliance with § 22.1-23.3 and the 2021 Model Policies for the Treatment of Transgender Students in Virginia's Public Schools.

WHEREAS, on July 18, 2023, the Virginia Department of Education (hereinafter "VDOE") released the Model Policies on Ensuring Privacy, Dignity, and Respect for All Students and Parents in Virginia's Public Schools (hereinafter "2023 Model Policies") that align with statutory provisions of Code of Virginia §22.1-23.3, as amended.

WHEREAS, with the adoption of the 2023 Model Policies, the VDOE has withdrawn the 2021 Model Policies, which have no further force and effect; and

NOW, THEREFORE, BE IT

RESOLVED, the School Board directs the Superintendent or designee to modify current regulations to be consistent with but may be more comprehensive than the 2023 Model Policies. The Superintendent is directed to develop regulations regarding nicknames for all students;

FURTHER RESOLVED, that this resolution will clarify the intent to adopt policies consistent with Code of Virginia § 22.1-23.3, as amended;

FURTHER RESOLVED, that this resolution will provide clarity to any other past resolutions adopted by the School Board pertaining to this matter;

FURTHER RESOLVED, that a copy of this Resolution be spread across the official minutes of this Board.

A discussion followed regarding the resolution; vagueness of resolution regarding nicknames; gender identity; protecting the rights of parents; intentions of the substitute motion; language is vague; clear direction to the Superintendent on what the School Board expects to adopt in the regulations; cannot support substitute resolution; statement regarding Superintendent being directed to develop regulations - not fair to Superintendent; on the School Board to make the decision regarding nicknames; Virginia Human Rights Act; clarify intent of resolution; ways to implement 2023 Model Policies; bathrooms; follow state law; flexibility in the Model Policies; crafted for division; names for students (legal name and nickname).

Note: at approximately 9:31 p.m., School Board member, Ms. Martin joined the School Board meeting via Zoom.

The discussion continued regarding the substitute resolution; currently practice of nicknames; request in writing for nickname – does not replace the legal name; student data profile sent home to be reviewed by parents/guardians beginning of school; document does include the nickname field; Ms. Manning called a point of order regarding a School Board member attending via Zoom and the need to state where they are participating from; Ms. Martin stated she was in Savannah, GA attending the U.S. Travel Conference, and was in her hotel room at the Westin Hotel; compliant with model policy but need a few adjustments; is there a need for a resolution; meeting the needs of all students; cannot support substitute motion; process for using nickname; vague position regarding nicknames – what is concerned a nickname; school administration needs some guidance regarding nicknames; trying to clarify language on nicknames; natural derivative of legal name; handling a student name that doesn't fall into the model policies; lack of specificity in motions/resolutions; international community; define naming conventions; definition of fully informed – what does this mean; section of model policy - meet distinctive needs and unique needs; define vague terms; understand obligation to adopt policy; school systems to define vague items based on the

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needs; need time to get right; meet obligations to VDOE and parents; need for a policy that protects all students; parent rights; not withholding information from parents; upholding the law; in favor of model policies; need to be specific, need specific guidance; need to give administration clear direction; resolution from June; policies and regulations on the subject; Regulation 5-7.1; Northam's policy; need to vote on policies not resolutions; how policies work for our school division; Code of Virginia; need to follow the law; no clarity in resolution; Virginia Human Rights Act; without direction from the School Board, administration cannot take any action; implementation of policy; development of regulations; the need to implement the model policies; having conversation again at next meeting – September 12; not trying to keep secrets from parents; develop policies through PRC; how specific going to be in terms of nicknames.

Without further discussion on the substitute motion, Chair Riggs provided clarity on the vote; vote is on Ms. Franklin's substitute resolution. Chair Riggs called for a vote on Ms. Franklin's substitute resolution. The School Clerk announced there was one (1) aye in favor of the substitute resolution: Ms. Franklin. There were ten (10) nays opposed to the substitute resolution: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpeper, Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens. The substitution motion for Ms. Franklin's substitute resolution did not pass, 1-10-0.

A discussion continued regarding the original resolution from Ms. Manning; mentioned memo to Superintendents across the state; read part of the memo; need to follow the law; having parents in the loop; parental involvement; student's legal name is on student records; use of nickname – field available for nickname in student data record; parent ability to add a nickname for student; not keeping secrets from parents; policies address the key issues and concerns of our constituents; Northam's model policy; time to sort out policy and define things; keep parents informed in a way that doesn't expose to litigation; different ends of an issues but still have respect for each other; specific regulations needed Board approval; stand on principles; Virginia Human Rights Act; communicating with parents to build trust; follow regulations in place; notifications and impact on time; how affects school counselors; not ready to move forward with resolution – still have work to do; implementation of policies in a way that is appropriate for our division; going through the PRC; agree that parents need to be involved with children; supporting parental involvement; Regulations 5-7.1 and 5-44.2; June resolution; need to go through PRC; political; need to provide direction to administration; need to vote on resolution; support for model policy.

Without further discussion, Chair Riggs called for a vote Ms. Manning's resolution, which had a motion and second. The School Board Clerk announced there were five (5) ayes in favor of motion for Ms. Manning's resolution: Vice Chair Weems, Ms. Brown, Mr. Callan, Mr. Culpepper, and Ms. Manning. There were five (5) nays opposed to the motion for Ms. Manning's resolution: Chair Riggs, Ms. Anderson, Ms. Martin, Ms. Melnyk, and Ms. Owens. There was one (1) abstention: Ms. Franklin due to concerns and there is still work to be done. The motion failed, 5-5-1.

- C. Vote on recommendation to fill the vacant At-Large Governance seat by Kathleen Brown: (See Agenda item #8)
Chair Riggs made the motion to fill the vacant At-Large Governance seat with Kathleen Brown, Ms. Brown seconded motion. Without discussion, Chair Riggs called for a vote. The School Board Clerk announced there were eleven (11) ayes in favor of the motion to fill the vacant At-Large Governance seat with Kathleen Brown.
The motion passed unanimously, 11-0-0.
- D. Approval of the personnel report and administrative appointments except for the Media and Communications position: (See Agenda item #15A)
Vice Chair Weems called a point of order regarding vote on Media and Communications position, and made a motion to add agenda item #15E to appoint the recommendation to the position with Dr. Robertson going back to the person and giving him the ability to negotiate the contract; Ms. Manning called a point of order regarding process, having a motion and a second; clarification on the motion on the floor to amend the agenda to add item #15E; Ms. Anderson seconded the motion by Vice Chair Weems. Chair Riggs called for a vote to amend the agenda to add item #15D. The School Board Clerk announced there were ten (10) ayes in favor of the motion to add agenda item #15E: 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 to add agenda item #15E: Ms. Manning. The motion passed, 10-1-0.
Ms. Manning made a motion to accept the Personnel Report and administrative appointments without the Media and Communications Department, Ms. Owens seconded motion. Without 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 to accept the Personnel Report and administrative appointments without the Media and Communications Department.
The motion passed unanimously, 11-0-0.
- E. Vice Chair Weems made the motion to appoint Tiffany Russell to the Media Communications position with authority given to our superintendent to negotiate her contract; before a seconded was made, clarification was needed regarding the motion; possibility of discussion in closed session regarding the matter; Vice Chair Weems amended motion to the following – to appoint Tiffany Russell as Media and Communications director with the ability to negotiate the contract and to discuss details of the contract in closed session tonight; Ms. Franklin seconded the motion by Vice Chair Weems. A discussion followed

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regarding the wording of the motion; Vice Chair Weems amended her motion to substitute the word appoint with the word offer, Ms. Melnyk seconded the amended motion by Vice Chair Weems with the word substitution of "offer"; a discussion followed regarding the motion and clarity of the motion; discussing in closed session; table until after closed session; questions regarding matter to discuss in closed session; decided to discuss matter in closed session and add to closed session call. Vice Chair Weems withdrew her motion.

After the discussion, Donald E. Robertson, Ph.D., Chief of Staff mentioned the following administrative appointments: Heather L. Shuler, Administrative Assistant, White Oaks Elementary School as Assistant Principal, Windsor Oaks Elementary School; Marcus Turner, Assistant Principal, Larkspur Middle School, as Assistant Principal, Frank W. Cox High School; and Andrea L. Curney, Behavior Intervention Specialist, Office of Student Support Services, as Coordinator, Behavior Intervention, Office of Student Support Services.

- 16. *Committee, Organization or Board Reports:*** Ms. Manning noted she attended the Special Education Advisory Committee (SEAC) meeting and will send the School Board an email with details and information on what was discussed; Chair Riggs made an announcement regarding Sister Cities, she (Ms. Riggs) was going to step down from her position on Sister Cities as the liaison, and Ms. Anderson would be the next liaison for Sister Cities, the appointment will be voted on at next School Board meeting, Chair Riggs provided details regarding reason for stepping down from position.
- 17. *Return to Administrative, Informal, Workshop or Closed Session matters:*** At 11:16 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, 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.
 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. Acting Superintendent's goals.
 - B. Hearing date for Petition for Revocation of teaching license.
 - C. Status of pending litigation or administrative cases.
 - D. Settlement offer in pending class action matter.
 - E. Hiring of outside counsel for certain pending litigation.
 - F. Consultation with legal counsel regarding probable litigation and pending litigation matters.
 - G. Discussion regarding appointment of a specific administrator.

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, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0.

The School Board recessed into Closed Session at 11:28 p.m. in the Holland Road Annex/Einstein Lab.

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

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- G. Discussion regarding appointment of a specific administrator: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; Donald E. Robertson, Ph.D., Chief of Staff; and Regina M. Toneatto, School Board Clerk.
- A. Acting Superintendent's goals: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; Donald E. Robertson, Ph.D., Chief of Staff; and Regina M. Toneatto, School Board Clerk.

Donald E. Robertson, Ph.D., Chief of Staff, left the Closed Session at 11:51 p.m.

- D. Settlement offer in pending class action matter: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; and Regina M. Toneatto, School Board Clerk.
- B. Hearing date for Petition for Revocation of teaching license: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; and Regina M. Toneatto, School Board Clerk.
- E. Hiring of outside counsel for certain pending litigation: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; and Regina M. Toneatto, School Board Clerk.
- C. Status of pending litigation or administrative cases; and
- F. Consultation with legal counsel regarding probable litigation and pending litigation matters: School Board members: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens; Kamala H. Lannetti, School Board Attorney; and Regina M. Toneatto, School Board Clerk.

The School Board reconvened at 12:13 a.m., on Wednesday, August 23, 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.

Ms. Melnyk made the motion, seconded by Ms. Anderson for Certification of Closed Session. 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. Manning, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0.

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Chair Riggs read the following motions:

1. That the School Board approve the following action, the School Board Attorney and the Chair or Dr. Robertson are authorized to take actions to accept the settlement terms in the Altria class action suit. Chair Riggs called for a motion to approve. Ms. Franklin made the motion, seconded by Vice Chair Weems. Without discussion, Chair Riggs called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0.
2. That the School Board approve the following action, that the School Board Attorney is authorized to retain outside legal counsel for certain pending litigation matters. Chair Riggs called for a motion to approve. Ms. Owens made the motion, seconded by Ms. Anderson. Without discussion, Chair Riggs called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0.
3. That the School Board approve the following action, that the School Board will hold a hearing on September 26, 2023 for the Petition for Revocation of Collegiate Teaching License No.: CP353500 J. Dupont and the Chair and the School Board Attorney are authorized to make arrangements for such hearing. Without discussion, Chair Riggs called for a vote. The School Board Clerk announced there were ten (10) ayes in favor of the motion: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Melnyk, and Ms. Owens. The motion passed, 10-0-0.

18. Adjournment: Chair Riggs adjourned the meeting at 12:16 a.m., on Wednesday, August 23, 2023.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Trenace B. Riggs, School Board Chair