



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

**Donald E. Robertson, Ph.D., Acting Superintendent**

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**School Board Regular Meeting MINUTES**  
**Tuesday, October 10, 2023**

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

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- 1. Administrative, Informal, and Workshop:** Chair Riggs convened the Administrative, Informal, and Workshop session at 4:02 p.m. on the 10<sup>th</sup> day of October 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](https://schoolboard.vbschools.com/meetings/live), broadcast on VBTV Channel 47, and on Zoom; welcomed members of the public both in person and online.

In addition to Donald E. Robertson, Ph.D., Acting Superintendent, the following School Board members were present in the School Board Chamber: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin (arrived at 4:07 p.m.), Ms. Manning, Ms. Martin, Ms. Melnyk, and Ms. Owens.

- A. **School Board Administrative Matters and Reports:** Chair Riggs mentioned the following: seating capacity in the School Board Chamber, not as much as the Holland Road Annex; seating will be made available on a first-come, first-serve basis; there will be an overflow area if needed; members of security are in the building to assist; sign-up sheets for School Board members for VSBA Conference and October one-on-one meetings with Dr. Robertson; some School Board members are participating in a voluntary book study; School Board members can participate in a book study if there are no discussions concerning School Board business; and the Superintendent Search Survey has been extended through this week to allow more response opportunities; survey can be found at the top of the [vbschools.com](https://vbschools.com) website or at [www.vbschools.com/about/leadership/superintendent-search](https://www.vbschools.com/about/leadership/superintendent-search).
- B. **Department of Teaching and Learning Update:** Danielle Colucci, Chief Academic Officer, provided the School Board an update on curriculum and instruction from the Department of Teaching and Learning; overview of presentation context: SOL pass rates presentation (September 26, 2023), Teaching and Learning Update (October 10, 2023), State & Federal Accountability presentation (October 24, 2023); strategic alignment to ensure students are future ready, mentioned *Compass to 2025*, graduate profile; continuing to address student needs – teaching and learning framework: Plan (respond), Teach (respond), Assess (respond).  
Lorena Kelly, Ph.D., Executive Director, Elementary Teaching and Learning continued the presentation; English Language Arts – percentage of students that met PALS benchmark Spring 2023: 89% Kindergarten, 82% Grade 1, 81% Grade 2, 59% Grade 3; noted Grade 3 is optional – many students demonstrating on or above benchmark earlier in the year do not test; PALS Spring 2023 results – percent of VBCPS students scoring at or above PALS benchmarks: 89% Kindergarten, 82% Grade 1, 81% Grade 2, 58% Grade 3; noted Grade 3 is optional; shared examples of reading and writing response K-12 – Plan, Teach, Assess; shared example of elementary writing updates (Grade 5 Independent Writing); example of secondary writing updates; Math – Virginia Kindergarten Readiness Program (VKRP): division at 82% at or above benchmark; shared examples of mathematics response K-12 – Plan, Teach, Assess; example elementary math learning launch task – Let’s Play Monopoly; secondary math rich task – bake sale

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fundraiser; Science and Social Studies – shared examples of science response K-12 – Plan, Teach, Assess; shared examples of social studies response K-12.

Roni Myers-Daub, Ed.D., Executive Director, Office of Programs for Exceptional Children continued the presentation; special education PreK-12 Support: Special Education Teacher Cohort – meet monthly, hybrid format; Professional Learning Communities – elementary cross-categorical self-contained teachers, Adapted Academic Foundations (AAF) and Functional Academic Foundations (FAF) teachers; additional Professional Learning opportunities for teachers – IEP Workshops, Crisis Prevention Institute – Verbal Intervention Training; quarterly essential session for new assistant principals and administrative assistants – IEP development and alignment, accommodations, specially designed instruction, graduation requirements/credit accommodations; support for new assistant principals with coaching special education teachers – three retired special educators hired to support new assistant principals with coaching, focus of coaching includes development of IEP goals and specially designed instruction; instructional materials purchased to support students with disabilities in the following areas: literacy, math, self-regulation/sensory, transition; furniture/equipment; shared examples of equipment.

Ms. Colucci continued the presentation; VDOE principal and teacher performance standards: professional knowledge, instructional planning, instructional deliver, assessment of/for student learning, learning environment, culturally responsive teaching and equitable practices, professionalism, student academic progress; brief summary of support from division to classroom level: ongoing, targeted professional learning, instructional coaching support, tutoring and staffing allocations, meaningful and empowering feedback; mentioned upcoming presentations – October 24 School Board meeting – State & Federal Accountability presentation, Virginia Literacy Act, 2023 Math Standards, All in Tutoring update; the presentation continued with questions and comments regarding writing practices; research-based writing; evidence-based literacy; kudos to PALS instructors; grant funds; suggestion for School Board members to receive information before the meeting; mentioned could provide documents in advanced but it would be in draft form; federal child care subsidy; Pre-K program and expanding; evaluating teachers; PALS; agreement with getting workshop materials in advance; including workshop presentations in the agenda packet.

- 2. Closed Session:** At 4:57 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, 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. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.
  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. Pending student complaint.
  - B. Appointments of certain staff members.
  - C. Status of pending litigation or administrative cases.
  - D. Consultation with legal counsel regarding probable litigation and pending litigation matters.

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

The School Board recessed into Closed Session at 5:01 p.m. in the School Board Chamber.

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

- B. Appointments of certain staff members: 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; Donald E. Robertson, Ph.D., Acting Superintendent; and Regina M. Toneatto, School Board Clerk.
- D. Consultation with legal counsel regarding probable litigation and pending litigation matters: 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; Donald E. Robertson, Ph.D., Acting Superintendent; and Regina M. Toneatto, School Board Clerk.
- C. Status of pending litigation or administrative cases: 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; Donald E. Robertson, Ph.D., Acting Superintendent; and Regina M. Toneatto, School Board Clerk.
- A. Pending student complaint: 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; Donald E. Robertson, Ph.D., Acting Superintendent; and Regina M. Toneatto, School Board Clerk.

The School Board reconvened at 5:33 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. Anderson for Certification of Closed Session. Chair Riggs called for a vote. 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.

- 3. **School Board Recess:** Chair Riggs adjourned the Administrative, Informal, and Workshop Session at 5:35 p.m.
- 4. **Formal Meeting (School Administration Building #6 – School Board Room) ..... 6:00 p.m.**
- 5. **Call to Order and Roll Call:** Chair Riggs convened the meeting of the School Board at the School Administration Building #6, School Board Chamber at 6:01 p.m. on the 10<sup>th</sup> day of October 2023 and welcomed members of the public both in person and online.  

In addition to Donald E. Robertson, Ph.D., Acting Superintendent, the following School Board members were present in the School Board Chamber: 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:** There were no student, employee, or public awards presented at the meeting.

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- 8. Adoption of the Agenda:** Chair Riggs called for any modifications to the agenda as presented. Chair Riggs mentioned the moving of the September 26, 2023 Regular School Board Meeting minutes to the October 24, 2023 School Board meeting for approval. Hearing no other modifications, Chair Riggs called for a motion to accept the agenda as amended. Ms. Melnyk made the motion, seconded by Ms. Manning. Without discussion, Chair Riggs called for a vote to accept the agenda as amended. The School Board Clerk announced there were eleven (11) ayes in favor of the motion to accept the agenda as amended. The motion passed unanimously, 11-0-0.
- 9. Superintendent's Report (second monthly meeting) and recognitions (first and second monthly meetings):** Chair Riggs noted there was no Superintendent's Report this evening but there was a recognition. Dr. Robertson, Acting Superintendent, introduced the following appointment which was voted on and approved at the September 26, 2023 School Board meeting: Tina L. Mazzacane, Coordinator, K-12 State Mathematics, Virginia Department of Education as Coordinator, Secondary Mathematics, Department of Teaching and Learning.
- 10. Approval of Meeting Minutes**
- A. September 25, 2023, Special School Board Meeting: Chair Riggs called for any modifications to the September 25, 2023 special School Board meeting minutes as presented. Hearing none, Chair Riggs called for a motion to approve the September 25, 2023 minutes as presented. Ms. Anderson made the motion, seconded by Ms. Franklin. Without discussion, Chair Riggs called for a vote to approve the September 25, 2023 minutes as presented. The School Board Clerk announced there were eight (8) ayes in favor of the motion to approve the September 25, 2023 meeting meetings as presented: Chair Riggs, Ms. Anderson, Ms. Brown, Mr. Culpepper, Ms. Franklin, Ms. Martin, Ms. Melnyk, and Ms. Owens. There were three (3) abstentions: Vice Chair Weems, Mr. Callan, and Ms. Manning. The motion passed, 8-0-3.
- B. September 26, 2023, Regular School Board Meeting: See agenda item #8 – Adoption of the Agenda. The item was moved to the October 24, 2023 School Board meeting.
- 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 forty-three (43) in person speakers (including fifteen (15) student speakers) and two (2) online speakers; topics discussed were Model Policies; student walkouts; safety of students; transgender students; LGBTQA community; VBCPS Core Values; student rights; parental rights; teacher shortage; preferred name and pronoun; teacher workload; gender identity; education of students; schools as a safe place; social media posts; gun violence; First Amendment; Policy Review Committee meeting; speaker time; student speakers; basic respect for transgender students; length of School Board meetings; bullying; lawsuits; mental health crisis; parental involvement in education; proposed regulations; nicknames; and preparing for meetings.
- The Public Comments concluded at 8:13 p.m.
- 12. Information**
- A. Budget Resolution Regarding FY22/23 Reversion and Revenue Sharing Formula Reconciliation: Crystal Pate, Chief Financial Officer provided the School Board information regarding the FY2022/23 reversion and revenue sharing formula reconciliation; reviewed breakdown of reversion funds: school operating fund reversion (excludes debt service and revenues over/under budget) \$21,535,205, represents 2.3% of the School Operating budget, unexpended debt service \$3,962,133, Federal revenue over budget \$4,937,704, State revenue under budget (\$9,099,435), sales tax over budget \$6,865,303, other revenues over budget \$1,703,752, Athletics Fund reversion \$264,685, and Green Run Collegiate fund reversion \$219,486; total FY 2022/23 reversion funds (unaudited) \$30,388,833; revenue sharing formula true up – per the Revenue Sharing Formula, if actual local tax revenues exceed the budgeted local tax revenues, the School Board may request that such funds be appropriated at the same time as the appropriation of reversion funds; FY 2022/23 City revenues underperformed the budget; the revenue sharing formula true up is (\$2,568,778); net available for reappropriation (unaudited) \$27,820,055; reviewed proposed spending plan: Capital Improvement Program \$16,570,055, School Reserve fund for use in the FY 2024/25 CIP \$11,000,000, and Athletics Fund \$250,000; next steps – October 24: School Board Action, November 14: present to the City Council, City Council Public Hearing, November 21: City Council Action.

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The presentation continued with questions and comments regarding funding for Princess Anne High School replacement; cost for Princess Anne High School; Five-Year Forecast; PPEA; current funding for Capital Improvement Program, approximately \$60 million each year; PFRB – Public Facilities Revenue Bond; athletic fund; and turf field replacements.

- B. 2023 Model Policy: Eugene F. Soltner, Ed.D., Chief of Staff presented the School Board information regarding the Model Policies; reviewed the Model Polices timeline from July 18 through October 10; provided clarification on student records, includes an electronic record and an additional cumulative paper record (includes health plans, IEP, transcripts, immunizations, etc.); student’s cumulative record contains two components (electronic record and cumulative paper record); shared examples of student records; noted the sections for student’s legal name and nickname; reviewed section 5-7.1.B:1 – Identification of Students; referenced the following: School personnel shall refer to each student using only the a) name that appears in the student’s official record, b) a nickname that the eligible student or the parent of a minor student has designated in the student’s official record, or (c) commonly associated with the name that appears in the student’s official record...; noted - Any writing from the eligible student or parent of a minor student shall be memorialized in the student’s official record...; shared examples of student records with commonly associated nickname; no pronoun fields in student’s official record; section 5-7.1.B.3 noted added the language from the Model Polices section D4; section 5-44.2 – Student Participation in Sex-Specific Activities/Facilities, noted the following – differentiated restrooms from other facilities; proposed single use gender inclusive facilities will be made available to any student, no opt out is needed, under item A. Restrooms; item B. Locker rooms and changing facilities, reviewed the following - Students will use locker rooms and changing facilities that correspond to the student’s sex as designated in the student’s official record. Should state or federal law require...; section 6-56.1.F2 noted - Students will use the rooming, bathing, and changing facilities that align with the student’s sex as designated in the student’s official record,...; gender identity has been removed; section 5-44.2 – noted have single use restrooms with signage already up; Athletics -section 5-49.1.B.6 - ... determined by the sex designated in the student’s official records rather than the gender or gender identity; noted athletics are governed by the Virginia High School League; information previously shared regarding the VHSL appeal process; mentioned that school divisions may choose to revise existing policies and regulations to be consistent with the Model Policy. The presentation continued with questions and comments regarding commonly associated nicknames; concerns about names not commonly known; parents can provide a written request in regards to nickname; registration forms; current policies in effect; School Board – Policy Review Committee – policies – guidelines to operate system; VHSL policy; boys on girls sports; timeline to operationalize policies; biological sex; gender identity; concerns about nicknames; calling student by preferred name; and parent’s rights.

**13. Return to public comments if needed:** As noted under Agenda item #11, Public Comments concluded at 8:13 p.m.

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

- A. Resolutions:
1. America’s Safe Schools Week: Recommended that the School Board officially recognizes the week of October 15-21, 2023 as America’s Safe Schools Week.
- B. Policy Review Committee (PRC) Recommendations: Recommended that the School Board approve Policy Review Committee (PRC) recommendations regarding amendments or reviews of certain Policies from its September 14, 2023 meeting.
1. Policy 3-71/Public-Private Education Facilities and Infrastructure Act Projects: The PRC recommends updating the name of the legal representative from the Office of the City Attorney to the School Board Attorney.
  2. Policy 4-43/Payment to Estate of Deceased Employees: The PRC recommends adding language to clarify that the payout of any and all remaining leave to an employee’s estate will be at the full hourly equivalent, at per diem.
- C. Religious Exemption(s): Recommended that the School Board approve Religious Exemption RE-23-09.

After reading the items on the Consent Agenda, Chair Riggs asked if there were any objections to voting on the Consent Agenda items. Hearing none, Chair Riggs asked the resolution to be read for America’s Safe Schools Week. Ms. Martin read the following resolution:

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**RESOLUTION**  
**America's Safe Schools Week**  
**Oct. 15-21, 2023**

**WHEREAS**, schools make substantial contributions to the future of America and to the development of our nation's young people as knowledgeable, responsible and productive citizens; and

**WHEREAS**, excellence in education is dependent on safe, secure and peaceful school settings; and

**WHEREAS**, the safety and well-being of many students, teachers and school staff should not be jeopardized by crime and violence in our schools; and

**WHEREAS**, it is the responsibility of all citizens to enhance the learning experiences of young people by helping to ensure fair and effective discipline, promote good citizenship, and generally make school safe and secure; and

**WHEREAS**, all leaders — especially those in education, law enforcement, government and business — should collaborate with each other to focus public attention on school safety and identify, develop and promote innovative answers to these critical issues; and

**WHEREAS**, numerous schools and school districts throughout the country, along with national programs, are among those innovative answers; and

**WHEREAS**, the observance of America's Safe Schools Week will substantially promote efforts to provide all our nation's schools with positive and safe learning climates;

**NOW, THEREFORE, BE IT**

**RESOLVED:** That the School Board of the City of Virginia Beach officially recognizes the week of Oct. 15-21, 2023 as America's Safe Schools Week; and be it

**FURTHER RESOLVED:** That the School Board of the City of Virginia Beach recognize Wednesday, Oct. 18, 2023, as School Resource Officer, Security Officer, School Security Officer, and Security Assistant Recognition Day; and be it

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

Chair Riggs called for a motion to approve the items on the Consent Agenda as presented. Ms. Melnyk made the motion, seconded by Ms. Anderson. Chair Riggs called for a vote to approve the Consent Agenda as presented. The School Board Clerk announced there were eleven (11) ayes in favor of the motion to approve the Consent Agenda as presented. The motion passed unanimously, 11-0-0.

**15. Action**

A. Personnel Report / Administrative Appointments: Chair Riggs called for a motion to approve the October 10, 2023 personnel report and administrative appointments. Ms. Manning made the motion, seconded by Ms. Martin that that the School Board approve the appointments and the acceptance of the resignations, retirements, and other employment actions as listed on the October 10, 2023 personnel report along with the administrative appointments as recommended by the Acting Superintendent. Without discussion, Chair Riggs called for a vote to approve the October 10, 2023 personnel report and administrative appointments. The School Board Clerk announced there were eleven (11) ayes in favor of the motion to approve the October 10, 2023 personnel report and administrative appointments. The motion passed unanimously, 11-0-0.

Donald E. Robertson, Ph.D., Acting Superintendent, mentioned the following: Ebony S. Cherry, Administrative Assistant, Kempsville High School as Assistant Principal, Independence Middle School; and Cheritta F. Pridgen, Administrative Assistant, Bayside Middle School as Assistant Principal, Corporate Landing Middle School.

B. Local Plan for the Education of the Gifted: Chair Riggs called for a motion to approve the proposed amendment to the Local Plan for the Education of the Gifted. Ms. Melnyk made the motion, seconded by Ms. Martin. Vice Chair Weems made the following substitute motion regarding the local plan for the education of the gifted – 1. That

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tonight the School Board approve those amendments to the Local Plan for the Education of the Gifted related to gifted identification as set forth in the attached document (see link below); (2. That at a date no later than February 27, 2024. The School Board make amendments to the Local Plan for the Education of the Gifted related to applicants to and recommendations for offering enrollment at Old Donation School. Whether amendments are made by February 27, 2024, the number of students offered enrollment at Old Donation School for the 2024-25 school year will not exceed the available seats at Old Donation School. The substitute motion was seconded by Ms. Melnyk. There was a brief discussion regarding support for the substitute motion; concerns regarding approval of plan and gifted advisory committee; recommendations from the committee; focus on working through in January. Without further discussion, Chair Riggs called for a vote on Vice Chair Weems' substitute motion. The School Board Clerk announced there were eleven (11) ayes in favor of the substitute motion. The substitute motion passed unanimously, 11-0-0.

(Link to document:

<https://resources.finalsite.net/images/v1697205422/vbschoolscom/y3sqgb3nmlz1dtjydeb0/ApprovedAmendGiftedPlan.pdf>

C. Recommended Appointments for Vacancies in Citizens' Advisory Committee – Special Education Advisory Committee:

Chair Riggs called for a motion to approve the appointments to Citizens' Advisory Committee – Special Education Advisory Committee due to current vacancies for a three-year term beginning October 11, 2023 and ending June 30, 2026. Ms. Manning made the motion, seconded by Ms. Melnyk. There was a brief comment regarding the SEAC meeting; impressed with the membership on the committee; thankful for committee and their service. Without further discussion, Chair Riggs called for a vote. The School Board Clerk announced there were eleven (11) ayes in favor of the motion to approve the appointments to Citizens' Advisory Committee – Special Education Advisory Committee due to current vacancies for a three-year term beginning October 11, 2023 and ending June 30, 2026. The motion passed unanimously, 11-0-0.

D. 2023 Model Policy: Chair Riggs called for a motion. Vice Chair Weems made a motion we adopt the model policy as presented by Dr. Soltner, seconded by Ms. Brown. There was a discussion regarding the model policy; Mr. Culpepper stated, I move to amend item 15D as follows to replace paragraph 5-49.1.B.6 with the following language:  
5-49.1 B.6. Participation in athletic activities separated by sex

For athletic activities that are separated by sex, the appropriate participation of students shall be determined by sex rather than gender or gender identity. Reasonable modifications will be made only to the extent required by law. Students granted such reasonable modifications must also comply with the VHSL Rule 28A-8-1 transgender policy, as amended. The motion was seconded by Ms. Manning.

There was a discussion on the amendment regarding language proposed; sex as biological sex; participation in athletic activities, removed VHSL in the first sentence; reference to middle school and high school athletics; Policy 5-31; gender identity; biological boys playing in female sports; voting on regulations; School Board does not vote on regulations; middle school sports; noted that the middle schools operate under the Virginia Middle School League which falls under the Virginia High School League; girls on boys teams; international students; voting on model policies; support for the amendment. Without further discussion, Chair Riggs called for a vote on the amendment provided by Mr. Culpepper. The School Board Clerk announced there were nine (9) ayes in favor of the amendment: Chair Riggs, Vice Chair Weems, Ms. Anderson, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, and Ms. Melnyk. There were two (2) nays opposed to the amendment: Ms. Martin and Ms. Owens.

There were brief comments regarding the work of the administration; thanks to Dr. Soltner; not voting for model policies – issue with not be able to address student in the manner they would like; Board governed by majority; appreciation for all the speakers; thanks to administration for all the work; acknowledge students. Without further discussion, Chair Riggs noted the vote is on the motion Ms. Weems made to approve the existing policies and regulation updates and determine how the School Board intends to proceed with complying with the Virginia Department of Education's 2023 Model Policies on Ensuring Privacy, Dignity, and Respect for All Students and Parents in Virginia Public Schools with the amendment that Mr. Culpepper made that passed for 15D to replace the paragraph 5-49.1B.6 with the following language regarding participation in athletic activities separated by sex (as noted above); Chair Riggs called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion: Chair Riggs, Vice Chair Weems, Ms. Brown, Mr. Callan, Mr. Culpepper, Ms. Franklin, Ms. Manning, Ms. Martin, and Ms. Melnyk. There was one (1) nay opposed to the motion: Ms. Owens. There was one (1) abstention: Ms. Anderson, not in favor of not being able to call a student by a name they prefer. The motion passed, 9-1-1.

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Dr. Robertson, Acting Superintendent shared the following statement:

I would like to take a moment to thank every student who has taken the time to speak on this issue at School Board meetings for the last year. Your comments were well-written, articulated in a respectful manner, and clearly shared your concerns. I recognize that for some of you, this is not the outcome you had hoped for.

I would like to thank my team, particularly the committee comprised of Eugene Soltner, Matt Delaney, Bobby Jamison, and Kami Lannetti, assigned to revising existing policies and regulations that are consistent with the Model Policies; Kami Lannetti, school board attorney, for her legal guidance; and most importantly, to all School board members who have conscientiously been deliberating over the past two months on how best to implement the Model Policies in a manner that is consistent with the model policies released by the Governor. With tonight's vote of approval, we have a plan to proceed. Next steps will include publishing the revised policies and regulations, finalizing training for administrators and staff, creating communication plans for students and families, and preparing to initiate these changes at the beginning of the second quarter of the school year on November 8.

As we have heard over the past year, some students and parents have expressed great concern about what these changes could mean for them. I would like to ease their fears by reading first from the 2023 Model Policies document itself. I begin with the Purpose statement where it reads... (Read from actual Governor's Model Policies.) Next, I move to the Guiding Principles which include... (Read from actual Governor's Model Policies.)

Secondly, to any student with concerns about this decision, I ask you not to assume or underestimate the love your parents or guardians have for you. Parents work very hard to create the conditions where your lives will be easier and better than theirs; where your opportunities to accomplish your dreams are cleared of as many hurdles as possible as they have lived experiences that you have not yet experienced; and to give them a chance to be involved in your life.

To all students and staff in VBCPS, we will continue to create the conditions in all our schools that are welcoming and provide an optimal environment for teaching and learning. This means all students and staff will be treated with respect, regardless of their individuality.

Make no mistake, we will not tolerate bullying, harassment, or discrimination of any student based on their unique circumstances. We will enforce and uphold behavior expectations as noted in the Code of Student Conduct and the Discipline Guidelines.

Thank you again, and I look forward to moving forward.

16. **Committee, Organization or Board Reports:** Ms. Melnyk mentioned the Internal Audit Committee is meeting next week, Thursday, October 18; Ms. Owens shared an update, there will not be a PRC meeting this Thursday, October 12, the PRC met on October 9 due to some conflicts with schedules; Chair Riggs noted the Governance Committee meeting was moved to November 13 because of a conflict.
17. **Return to Administrative, Informal, Workshop or Closed Session matters:** See agenda item #2 regarding Closed Session.
18. **Adjournment:** Chair Riggs adjourned the meeting at 10:00 p.m.

Respectfully submitted:

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Regina M. Toneatto, Clerk of the School Board

Approved:

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Trenace B. Riggs, School Board Chair