



VIRGINIA BEACH CITY PUBLIC SCHOOLS

CHARTING THE COURSE

School Board Services

Kathleen J. Brown, Chair
District 10

Carolyn D. Weems, Vice Chair
District 9

Mark Bohenstiel
District 3

Michael Callan
District 6

David Culpepper
District 8

Matt W. Cummings
District 7

Rose M. Dwyer
District 1

Sharon R. Felton
At-Large

Dr. Alveta J. Green
District 4

Kimberly A. Melnyk
District 2

Melinda J. Rogers
District 5

Donald E. Robertson Jr., Ph.D., Superintendent

School Board Regular Meeting MINUTES **Tuesday, April 8, 2025**

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

- 1. *Administrative, Informal, and Workshop:*** Chair Brown convened the Administrative, Informal, and Workshops session at 4:30 p.m. on the 8th day of March 2025.

In addition to Superintendent Robertson, the following School Board Members were present in the School Administration Building #6, School Board Chamber: Chair Brown, Vice Chair Weems, Mr. Bohenstiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer (arrived at 4:37 p.m.), Dr. green and Ms. Rogers.

The following School Board Members were not in attendance: Ms. Felton (death in family) and Ms. Melnyk (personal reasons.)

- A. **School Board Administrative Matters and Reports:** Chair Brown mentioned due to scheduling conflicts, the Vice Chair can no longer serve on the Mental Health Task Force. This item will be added to the agenda for a vote tonight. Chair Brown also mentioned if the School Board Members had any topics for the School Board Retreat. The topics suggested were unified pay scale (having two scales) and budget reconciliation.
- B. **Ad Hoc Committee to Study Open Space Uses of School Property on Jericho Road Committee Report:** Vice Chair Weems, as the Ad Hoc Committee Chair, provided the School Board an update from the Ad Hoc Committee to Study Open Space Uses of School Property on Jericho Road regarding the work undertaken by the Ad Hoc Committee. The members of the Ad Hoc Committee were reviewed. The map of the existing property location was shared along with the parcel acres: Pembroke Elementary School: 13.24 acres, Bayside 6th Grade Campus: 12.97 acres, and 5.69 acres known as the Old Treatment Plant. An overview of the possible new subdivision of the properties was reviewed. It was noted, to transfer or sell surplus property, there will be a need to address the demolition of a building. It was also mentioned that the cost to maintain an empty building is also significant. The Ad Hoc Committee developed seven options for the Jericho Road properties and the options were briefly reviewed.

The Ad Hoc Committee recommendations were – Option 3: transfer or sale of the property to the City for open space and park use; Option 6: sale of property with a Request of Information (RFI) with general parameter for reuse of the property and requiring a portion for dedicated open space or park. For the short term, the Committee discussed the following Option 2: School Board retains and leases the site & building.

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The presentation continued with questions and comments regarding RFI and RFP; defined reuse of property; open space; committee report; residents of the community; removal of building; cost to demolish; transfer of property; committee recommendations; sale of property and use of funds (operating budget or CIP); voting on topic (by August); and support of Option 3.

2. **Closed Session:** At 5:01 p.m., Vice Chair Weems made the following motion, seconded by Ms. Rogers 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, Paragraphs 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. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided that the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.
 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 investigations and complaints.
- B. Pending employee investigations and complaints.
- C. Status of pending litigation or administrative cases.
- D. Consultation with legal counsel regarding probable litigation and pending litigation matters.

Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to recess into Closed Session: Chair Brown, Vice Chair Weems, Mr. Bohenstiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green, and Ms. Rogers. The motion passed, 9-0-0.

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The School Board recessed into Closed Session at 5:04 p.m.

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

- B. Pending employee investigations and complaints: School Board Members: Chair Brown, Vice Chair Weems, Mr. Bohensiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green, and Ms. Rogers; Kamala H. Lannetti, school board attorney; Donald E. Robertson, Ph.D., superintendent; Cheryl R. Woodhouse, chief of staff; and Regina M. Toneatto, school board clerk.
- A. Pending student investigations and complaints: School Board Members: Chair Brown, Vice Chair Weems, Mr. Bohensiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green, and Ms. Rogers; Kamala H. Lannetti, school board attorney; Donald E. Robertson, Ph.D., superintendent; Cheryl R. Woodhouse, chief of staff; and Regina M. Toneatto, school board clerk.
- C. Status of pending litigation or administrative cases; and
- D. Consultation with legal counsel regarding probable litigation and pending litigation matters: School Board Members: Chair Brown, Vice Chair Weems, Mr. Bohensiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green, and Ms. Rogers; Kamala H. Lannetti, school board attorney; Donald E. Robertson, Ph.D., superintendent; Cheryl R. Woodhouse, chief of staff; and Regina M. Toneatto, school board clerk.

The School Board reconvened at 5:24 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. Dwyer made the motion, seconded by Mr. Culpepper. Without discussion, Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion for Certification of Closed Session: Chair Brown, Vice Chair Weems, Mr. Bohensiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green, and Ms. Rogers. The motion passed, 9-0-0.

- 3. **School Board Recess..... 5:30 p.m.**
Chair Brown adjourned the Administrative, Informal, and Workshop session at 5:26 p.m.
- 4. **Formal Meeting (School Administration Building #6 – School Board Room) 6:00 p.m.**
- 5. **Call to Order and Roll Call:** Chair Brown convened the meeting of the School Board at the School Administration Building #6, School Board Chambers at 6:01 p.m. on the 8th day of April 2025.

In addition to Superintendent Robertson, the following School Board Members were present in the School Administration Building #6, School Board Chamber: Chair Brown, Vice Chair Weems, Mr. Bohenstiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer (arrived at 4:37 p.m.), Dr. Green and Ms. Rogers.

The following School Board Members were not in attendance: Ms. Felton (death in family) and Ms. Melnyk (personal reasons.)

6. *Moment of Silence followed by the Pledge of Allegiance*

7. *Student, Employee and Public Awards and Recognition*

- A. VHSL Class 5 girls and boys swimming - First Colonial High School: The School Board recognized the following students from First Colonial High School as the Class 5 State Champion Swimmers for the Girls 400-yard Freestyle Relay Team: juniors, Dara Duffy, Norah Everhart, Maris Marchione, and senior, Sara Teague. Prior to winning the 2025 Class 5 State Swimming Championships, First Colonial's girls 400-yard freestyle relay team also won the relay at Districts and Regionals.

The School Board recognized the following students from First Colonial High School as the Class 5 State Champion Swimmers for the Boys 400-yard Freestyle Relay Team: sophomores, Parker Knapp and Wilson Wood, and juniors, Austin Temple and Chase Wilkerson. First Colonial's boys 400-yard freestyle relay won the Class 5 State Championship by over three and a half seconds.

- B. VHSL Class 5 state champion wrestling team - Cox High School: The School Board recognized the Cox High School wrestling team as the VHSL Class 5 State Champions. The team secured its second state championship title in a row, proving that perseverance and dedication lead to championship success. The following students were also recognized, Karl Ludwig II in the 150-pound weight class on winning his first individual state championship title, and Rudy Wagner in the 190-pound weight class on winning his second individual state championship title.
- C. VHSL Class 5 & 6 state wrestling, individual champions – Cox, Kellam, Landstown, Princess Anne, Salem and Tallwood high schools: The School Board recognized the following students for individual wrestling state championships: Kellam High School: Brodie Altman and Kellen Good. Brodie is a senior competing in the 138-pound weight class. He has won the Region 5A and the VHSL state tournament two years in a row. Kellen is a senior competing in the 144-pound weight class. He won both regional and state competitions this year. Landstown High School: Rafael Hayato Otero is a senior who competes in the 126-pound weight class. He placed in the state wrestling tournament all four years of high school, and he finished his high school wrestling career with a record of 136-31. Princess Anne High School: Ethan VanNostrand is a four-time regional place winner and a four-time state qualifier in wrestling. He concluded his senior year at Princess Anne High School by winning both the 2025 Region 5A Championship and the 2025 Class 5 VHSL state wrestling championship at the 132-pound weight class. Salem High School: Hunter Elliott won the VHSL Class 5 State Championships in the 120-pound weight class against an opponent who had been his rival for most of his high school career. Tallwood High School: Colton Hepp is a junior who competes in the 113-pound weight class. He didn't give up a single point in the state championship. Tatiana Denig is a junior who competes in the 145-weight class, which she won in the VHSL State Girls Open Championships. She is a fierce wrestler that completed the year undefeated, 23-0. She won the regional championships and the state championships.

- 8. *Adoption of the Agenda***: Chair Brown mentioned the following modifications to the agenda, under Action Item #15C. The new order is #1 – Increase the cost of tickets in the 2025-26 school year; #2 – Expand ticket sales for high school and middle school; and #3 – Increase the Supplement of Coaches and Sponsors by 10% and pay an additional stipend for coaches and sponsors whose team advance to postseason play. The addition of Item #15E – Committee Assignment update, the removal of Carol Weems from the Mental Health Task Force. Chair Brown called for any other modifications to the agenda.

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Mr. Culpepper made a motion to add a resolution to the Action Agenda – Resolution to comply with legal obligations in exchange for receiving federal financial assistance. Mr. Bohenstiel seconded the motion. Without discussion, Chair Brown called for a vote. The School Board Clerk announced there were six (6) ayes in favor of the motion to add a resolution to the Action Agenda – Resolution to comply with legal obligations in exchange for receiving federal financial assistance: Chair Brown, Vice Chair Weems, Mr. Bohenstiel, Mr. Callan, Mr. Culpepper, and Ms. Dwyer. There were three (3) nays opposed to the motion to add a resolution to the Action Agenda – Resolution to comply with legal obligations in exchange for receiving federal financial assistance: Mr. Cummings, Dr. Green, and Ms. Rogers. The motion passed, 6-3-0.

Chair Brown called for a motion to approve the agenda as presented and modified. Ms. Rogers made the motion, seconded by Vice Chair Weems. Without discussion, Chair Brown called for a vote. The School Board Clerk announced there were seven (7) ayes in favor of the motion to approve the agenda as presented and modified: Chair Brown, Vice Chair Weems, Mr. Bohenstiel, Mr. Callan, Mr. Culpepper, Ms. Dwyer, and Ms. Rogers. There were two (2) nays opposed to the motion to approve the agenda as presented and modified: Mr. Cummings and Dr. Green. The motion passed, 7-2-0.

9. Superintendent's Report (second monthly meeting) and recognitions (first and second monthly meetings)

There was no superintendent's report or administrative recognitions this evening.

10. Approval of Meeting Minutes

A. March 25, 2025 Regular School Board Meeting: Chair Brown called for any modifications to the March 25, 2025, regular School Board Meeting minutes as presented. Hearing none, Chair Brown called for a motion to approve the March 25, 2025, minutes as presented. Mr. Callan made the motion, seconded by Ms. Dwyer. Without discussion, Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to approve the March 25, 2025, minutes as presented: Chair Brown, Vice Chair Weems, Mr. Bohenstiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green and Ms. Rogers. The motion passed, 9-0-0.

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

There were six (6) in-person speakers and one (1) online speaker. The topics included pay raise for teachers; teachers overworked and undervalued; fair compensation; removal of DEI; bullying; kindness and compassion; National Chaplain Program; schools access to chaplains; state average of teacher pay; inflation and cost of living; student activity fees; DEI programs; federal grants; low income; food support; free and reduced lunches; DEI certification letter; and public use of schools.

The Public Comments concluded at 6:41 p.m.

12. Information

- A. Policy Review Committee (PRC) Recommendations: Recommended that the School Board review Policy Review Committee (PRC) recommendations regarding the amendment of certain policies as recommended by the PRC at its March 19, 2025 meeting.
1. Bylaw 1-38/Regular Meetings: The PRC recommends amending the Bylaw to clarify when meetings of the School Board will be scheduled. There was a brief discussion regarding recommended meetings in July and August; the feasibility of having one meeting in July and August; and the ability to add a meeting if needed.
 2. Policy 3-15/Local Funds: There are no recommended changes to this policy. This policy is being reviewed to comply with the 5-year review period.
 3. Policy 3-19/Certain Special Revenue Funds: The PRC recommends updating the Legal References.
 4. Policy 3-20/Fines and Fees/Generally: The PRC recommends adding detailed explanation of the notices provided to families regarding fees and fines that may be imposed.
 5. Policy 3-24/Gifts, Grants and Bequests of Property: The PRC recommends changes to explain in more detail how the School Board will handle gifts, grants, and bequests of property in the future.

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6. Policy 3-31/Purchasing: Cooperative Procurement: The PRC recommends adding language to include the interest of the School Division and updating the name of the department.
7. Policy 3-33/Requisitions/Purchase Orders: The PRC recommends updating language to reflect current practices and updating the name of the department.
8. Policy 3-35/Competitive Sealed Bidding/ Awards: The PRC recommends adding the word “publicly” to the section B.5., adding “responsive and” to section C.5., and changing “purchaser” to “requester” in order to clarify the intent of the policy. Additionally, the PRC recommends updating the name of the department. There was a brief discussion regarding item #C.1. – use of the word “normally”; use of local businesses may cost more than out of state; shipping costs higher; delivery of product sooner; and sometimes going with a slightly higher cost.
9. Policy 3-36/Receiving/ Paying for Goods and Services: The PRC recommends amending the policy to clarify that goods and services will be paid for in accordance with the procurement manual.
10. Policy 3-37/Vendors/Contractors/Sales Representatives: The PRC recommends changes based on current School Division practices and updating the legal references.
11. Policy 3-38/Competitive Negotiation/ Awards/ Small Professional Services Contracts: The PRC recommends minor scrivener’s changes, changes to the name of the department, including language that receiving only one (1) bid does not disqualify the bid, and that the Chief Financial Officer may authorize exemptions and will inform the School Board of the exemptions.
12. Policy 3-39/Competitive Negotiation/Awards: Procurement of Professional Architectural and Engineering Services: The PRC recommends minor scrivener’s changes, adding language to verify that if less than three responses, all qualified responding firms will be interview, and increasing the contract amount required for this process to align with other policies.
13. Policy 3-82/Transportation of Disabled Students: The PRC recommends changing the title of the policy and to clarify the policy regarding the School Division’s responsibility required by law.
14. Policy 3-89/General Contract Execution Policy: The PRC recommends updating the name of the department, and other changes to align with changes made to other policies, and removing language that is already found in Polic 3-90.
15. Policy 5-49/Interscholastic Competition: The PRC recommends removing specific language that only referred to the 2019-2020 and the 2020-2021 school years.

Vice Chair Weems made a brief comment regarding the removal of the phrase School Board and/or designee on a few of the policies; and notification to the whole School Board of any changes.

- B. JUUL Labs, Inc., and Altria Settlement Funds: Crystal Pate, chief financial officer, provided the School Board information on the JUUL Labs and Altria Settlement Funds. During this fiscal year, VBCPS has received settlement payments totaling \$604,429.79. One settlement received through the Altria settlement amounted to \$430,815.05. The second settlement amounted to \$173,617.74, which was the third scheduled payment under the JUUL Labs, Inc. Settlement. There are no restrictions on how these funds may be used. Guidance is needed from the School Board on whether these funds school be allocated in the same manner to the continued support of the recovery school.

The presentation continued with questions and comments regarding funding covering the Recovery School, how many years the fund would cover; grants for Recovery School; transportation costs for Recovery School; funds in a categorical grant; no restrictions on the funds and retaining funds for future use; request to move funds into a categorical grant; and PAYGO.

13. **Return to public comments if needed**: As noted under Agenda Item #11, the Public Comments concluded at 6:41 p.m.
14. **Consent Agenda**: Chair Brown read the following item on the Consent Agenda:
 - A. Religious Exemption(s): Recommended that the School Board approve Religious Exemption Case No. RE-25-01, RE-25-02, RE-25-03, RE-25-04, RE-25-05.

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After reading the items on the Consent Agenda, Chair Brown asked if there were any objections to voting on the Consent Agenda as presented. Hearing none, Chair Brown called for a motion to approve the Consent Agenda as presented. Ms. Dwyer made the motion, seconded by Dr. Green. Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to approve the Consent Agenda as presented: Chair Brown, Vice Chair Weems, Mr. Bohensiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green and Ms. Rogers. The motion passed, 9-0-0.

15. Action

A. Personnel Report / Administrative Appointments: Chair Brown called for a motion to approve the April 8, 2025 personnel report and administration appointments. Ms. Dwyer made the motion, seconded by Mr. Cummings, that the School Board approve the appointments, and the acceptance of the resignations, retirements and other employment actions as listed on the April 8, 2025, personnel report along with the administrative appointment as recommended by the Superintendent. Without discussion, Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to approve the April 8, 2025 personnel report and administrative appointments: Chair Brown, Vice Chair Weems, Mr. Bohensiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green and Ms. Rogers. The motion passed, 9-0-0.

Note, there were no administrative appointments this evening.

B. Local Special Education Annual Plan – Application and Report for Virginia Department of Education (VDOE): Chair Brown called for a motion to approve the Local Special Education Annual Plan - Application and Report for the Virginia Department of Education. Dr. Green made the motion, seconded by Ms. Rogers. Superintendent Robertson noted there was a revision to the application and the information was part of the handouts for the School Board. The handout included the amended language to the application. Without discussion, Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to approve the Local Special Education Annual Plan - Application and Report for the Virginia Department of Education: Chair Brown, Vice Chair Weems, Mr. Bohensiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green and Ms. Rogers. The motion passed, 9-0-0.

C. The Rising Costs of Student Activities

1. Increase the Supplement of Coaches and Sponsors by 10% and pay an additional stipend for coaches and sponsors whose team advance to postseason play.
2. Increase the cost of tickets in the 2025-26 school year.
3. Expand ticket sales for high school and middle school.

Note: during the adoption of the agenda, the order of the items was changed. See Agenda Item #8.

C. The Rising Costs of Student Activities:

1. Increase the cost of tickets in the 2025-26 school year: Chair Brown called for a motion to increase the cost of tickets for the 2025-26 school year, as presented. Vice Chair Weems made the motion, seconded by Mr. Bohensiel. There was a brief discussion regarding the middle school ticket pricing; the ticket price as originally presented was \$8.00 but was reduced to \$6.00; and clarification on the motion. Without further discussion, Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to increase the cost of tickets for the 2025-26 school year: Chair Brown, Vice Chair Weems, Mr. Bohensiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green and Ms. Rogers. The motion passed, 9-0-0.



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2. Expand ticket sales for high school and middle school: Chair Brown called for a motion to approve the expansion of ticket sales for high school and middle school, as presented. Vice Chair Weems made the motion, seconded by Mr. Culpepper. Chair Brown shared thoughts regarding the increase in ticket sales; the increased cost of tickets and the expansion of ticket sales will be generating revenue to help pay for the next vote on increasing the supplement; request for the School Board to receive updates on the process; and if any adjustments are necessary. Without further discussion, Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to expand ticket sales for high school and middle school, as presented: Chair Brown, Vice Chair Weems, Mr. Bohlenstiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green and Ms. Rogers. The motion passed, 9-0-0.
3. Increase the Supplement of Coaches and Sponsors by 10% and pay an additional stipend for coaches and sponsors whose team advance to postseason play: Chair Brown called for a motion to approve the increase of the supplement of coaches and sponsors by 10% and pay an additional stipend for coaches and sponsors whose team advance to postseason play, as presented. Ms. Rogers made the motion, seconded by Ms. Dwyer. Without discussion, Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to approve the increase of the supplement of coaches and sponsors by 10% and pay an additional stipend for coaches and sponsors whose team advance to postseason play, as presented: Chair Brown, Vice Chair Weems, Mr. Bohlenstiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green and Ms. Rogers. The motion passed, 9-0-0.
- D. Local Plan and Budget for Career and Technical Education 2025-26 (Carl D. Perkins Grant): Chair Brown called for a motion to approve the local plan and budget for career and technical education 2025-26. Mr. Cummings made the motion, seconded by Ms. Dwyer. Without discussion, Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to approve the local plan and budget for career and technical education 2025-26: Chair Brown, Vice Chair Weems, Mr. Bohlenstiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green and Ms. Rogers. The motion passed, 9-0-0.
- E. Committee Assignment Update – removal of Carolyn Weems from the Mental Health Task Force: Note, item was added during the Adoption of the Agenda. See Agenda Item #8. Chair Brown called for a motion to remove Carolyn Weems from the Mental Health Task Force. Ms. Rogers made the motion, seconded by Ms. Dwyer. Vice Chair Weems mentioned due to her work schedule; she is no longer able to serve on the Mental Health Task Force. Without further discussion, Chair Brown called for a vote. The School Board Clerk announced there were nine (9) ayes in favor of the motion to remove Carolyn Weems from the Mental Health Task Force: Chair Brown, Vice Chair Weems, Mr. Bohlenstiel, Mr. Callan, Mr. Culpepper, Mr. Cummings, Ms. Dwyer, Dr. Green and Ms. Rogers. The motion passed, 9-0-0.
- F. Resolution to comply with legal obligations in exchange for receiving federal financial assistance: Note, item was added during the Adoption of the Agenda. See Agenda Item #8. Chair Brown called for a motion and a second for Mr. Culpepper's resolution to comply with legal obligations in exchange for receiving federal financial assistance. Chair Brown mentioned Mr. Culpepper will read the resolution after the motion and second; there are possible substitute motions; and a reminder to the School Board Members to keep comments to the motion currently on the floor. Mr. Culpepper made the motion, seconded by Mr. Bohlenstiel.



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Mr. Culpepper read the following resolution:

To comply with legal obligations in exchange for receiving federal financial assistance.

WHEREAS, the School Board of the City of Virginia Beach has previously adopted policies, procedures, practices, and strategic framework including Diversity, Equity, and Inclusion; and

WHEREAS, President Trump signed Executive Order 14190 on January 29, 2025, titled Ending Radical Indoctrination in K-12 Schooling; and

WHEREAS, on February 14, 2025, the United States Department of Education Office for Civil Rights (USDOE) published a Dear Colleague Letter, reiterating legal requirements under Title VI of the Civil Rights Act of 1964 and the Equal Protection Clause of the United States Constitution; and

WHEREAS, on February 28, 2025, the USDOE released Frequently Asked Questions About Racial Preferences and Stereotypes Under Title VI of the Civil Rights Act; and

WHEREAS, On April 3, 2025, The School Board of the City of Virginia Beach received a request for certification of compliance from the Virginia Department of Education, titled Reminder of Legal Obligations Undertaken in Exchange for Receiving Federal Financial Assistance and Request for Certification under Title VI and SFFA v. Harvard.

WHEREAS, the deadline for this certification is April 11, 2025, at 5 pm.

NOW THEREFORE IT BE RESOLVED, that:

1. The School Board of the City of Virginia Beach (School Board) directs the Superintendent or designee to work with legal counsel for the School Board to take the necessary steps to comply with the above federal guidance under Title VI.
2. The School Board directs the Superintendent to rename the Department of Diversity, Equity, and Inclusion to the Department of Opportunity and Achievement and to work with legal counsel for the School Board to suspend all educational program offerings that do not comply with the above federal guidance, including but not limited to: the Equity Plan, the Equity Dashboard, and any educational program offerings that would not comply.
3. The School Board directs the Superintendent to suspend Policy 5-4, until the Policy Review Committee has brought recommended changes to the School Board for approval, no later than May 31, 2025.
4. The School Board directs the Superintendent or designee to work with legal counsel for the School Board to suspend any portion of the 2025 or 2030 Strategic Framework that does not comply with the above guidance, including but not limited to: all references to equity and equity emphasis, diversified workforce, the equity dashboard, and racial emphasis.
5. The School Board directs the Superintendent or designee to recommend modifications to the 2025 and 2030 Strategic Framework to be in compliance with the above guidance for information no later than May 15, 2025.
6. The School Board directs the Superintendent or designee to work with legal counsel for the School Board to evaluate employment, contracting, and purchasing practices to ensure consistency with the above guidance.
7. The School Board directs the Superintendent to sign the certification and send it to the Virginia Department of Education.
8. The Superintendent or designee is directed to provide the School Board with timely updates concerning compliance with this Resolution.

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This Resolution is adopted by the School Board of the City of Virginia Beach, this 8th day of April 2025.

A discussion followed regarding the resolution; choices to honor the guidance given and accept federal funds or to not agree and turn down federal funds. Mr. Cummings made a motion to defer the vote to a special School Board meeting on Thursday. Mr. Cummings noted public input on resolution, impacts and suspends policies/programs, need for more information, rushing to a decision. There was a brief legal discussion regarding the special meeting and following process for special meetings. Chair Brown called for a second to the motion on the floor. Ms. Rogers seconded the motion by Mr. Cummings. A brief discussion followed regarding the motion to defer vote; public input; how impacts division; transparency and community input; public to have time to read through the resolution; mention of extension of deadline from the Department of Education to April 23; scheduled School Board meeting on April 22; and cannot support a deferral of resolution/vote.

Mr. Cummings amended his motion – to defer resolution to the April 22, 2025 School Board meeting. Ms. Rogers concurred with the amendment. A brief comment was shared, could not support the deferral of resolution; turnaround time to certify document; support for the deferral; public input; suspending policy and how it impacts day-to-day operations; transparency and community; important to have public input; and extension of timeline. Without further discussion, Chair Brown called for a vote on Mr. Cummings amended substitute motion – motion to defer resolution to the April 22, 2025 School Board meeting. The School Board Clerk announced there were three (3) ayes in favor of the amended substitute motion to defer resolution to the April 22, 2025 School Board meeting: Mr. Cummings, Dr. Green, and Ms. Rogers. There were six (6) nays opposed to the amended substitute motion: Chair Brown, Vice Chair Weems, Mr. Bohenstiel, Mr. Callan, Mr. Culpepper, and Ms. Dwyer. The amended substitute motion did not pass, 3-6-0.

Chair Brown noted the original motion from Mr. Culpepper was on the floor and open for discussion. The discussion continued regarding the original motion; disruptive to student academics; receiving document on short notice; ambiguity of resolution; withholding federal funding; diverse workforce and highly qualified staff; impact on programs; advocate for students; Executive Order and federal law; federal funding for All Hungry Students Act; Title VI; and treating others with respect.

Ms. Rogers submitted a substitute motion/resolution, seconded by Mr. Cummings. Ms. Rogers read the following resolution:

RESOLUTION

To comply with legal obligations in exchange for receiving federal financial assistance.

WHEREAS, the School Board of the City of Virginia Beach has previously adopted policies, procedures, practices, and strategic framework; and

WHEREAS, President Trump signed Executive Order 14190 on January 29, 2025, titled *Ending Radical Indoctrination in K-12 Schooling*; and

WHEREAS, on February 14, 2025, the United States Department of Education Office for Civil Rights (USDOE) published a *Dear Colleague Letter*, reiterating legal requirements under Title VI of the Civil Rights Act of 1964 and the Equal Protection Clause of the United States Constitution; and

WHEREAS, on February 28, 2025, the USDOE released *Frequently Asked Questions About Racial Preferences and Stereotypes Under Title VI of the Civil Rights Act*; and

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WHEREAS, On April 3, 2025, The School Board of the City of Virginia Beach received a request for certification of compliance from the Virginia Department of Education, titled *Reminder of Legal Obligations Undertaken in Exchange for Receiving Federal Financial Assistance and Request for Certification under Title VI and SFFA v. Harvard*.

WHEREAS, the deadline for this certification is April 11, 2025, at 5 pm.

NOW THEREFORE IT BE RESOLVED, that:

1. The School Board of the City of Virginia Beach (School Board) directs the Superintendent or designee to work with legal counsel for the School Board to take the necessary steps to comply with federal and state law.
2. The School Board directs the Superintendent to rename the Department of Diversity, Equity, and Inclusion to better reflect the work being completed in that office and to comply with federal and state laws. The School Board further directs the Superintendent to work with legal counsel for the School Board to continue all educational program offerings to ensure they are in compliance with both federal and state law.
3. The School Board Policy Review Committee will review policy 5-4 to ensure compliance with federal and state law and bring recommended changes to the School Board for approval, no later than May 31, 2025.
4. The School Board directs the Superintendent or designee to work with legal counsel for the School Board to suspend any portion of the 2025 or 2030 Strategic Framework to be in compliance with federal and state law.
5. The School Board directs the Superintendent or designee to recommend modifications to the 2025 and 2030 Strategic Framework to be in compliance with federal and state law for information no later than May 31, 2025.
6. The School Board directs the Superintendent or designee to work with legal counsel for the School Board to evaluate employment, contracting, and purchasing practices to ensure consistency with the federal and state law.
7. The School Board directs the Superintendent to sign the certification and send it to the Virginia Department of Education.
8. The Superintendent or designee is directed to provide the School Board with timely updates concerning compliance with this Resolution.

This Resolution is adopted by the School Board of the City of Virginia Beach, this 8th day of April 2025.

A discussion followed regarding the substitute motion/resolution; reasons for amended resolution; following federal and state laws; naming of office; continuing educational programs; keeping information required to report; Policy 5-4, Section F; impact on curriculum and programs, conflicts; tutoring program; who is required to sign certification; special education; accountability; not in compliance, need for federal funding; keep educational programs; comply with federal and state law; and eliminating programs inadvertently.

Without further discussion, Chair Brown called for a vote on Ms. Rogers' substitute motion. The School Board Clerk announced there were two (2) ayes in favor of Ms. Rogers' substitute motion: Mr. Cummings and Ms. Rogers. There were seven (7) nays opposed to Ms. Rogers' substitute motion: Chair Brown, Vice Chair Weems, Mr. Bohenstiel, Mr. Callan, Mr. Culpepper, Ms. Dwyer, and Dr. Green. The motion did not pass, 2-7-0.



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Chair Brown mentioned the original motion, Mr. Culpepper's resolution was on the floor for a vote. There was a discussion regarding the original motion; cannot support the resolution; appreciation of comments and views shared; name change of department; suspending policy; no public input on resolution; amount of federal funding (approximately \$74 million); being compliant; Policy 5-4; and support for the resolution. Without further discussion, Chair Brown called for a vote.

The School Board Clerk announced there were six (6) ayes in favor of the resolution presented by Mr. Culpepper: Chair Brown, Vice Chair Weems, Mr. Bohenstiel, Mr. Callan, Mr. Culpepper, and Ms. Dwyer. There were three (3) nays opposed to the resolution presented by Mr. Culpepper: Mr. Cummings, Dr. Green, and Ms. Rogers. The motion passed, 6-3-0.

16. Committee, Organization or Board Reports:

Dr. Green shared the following information: Legislative Committee Meeting scheduled for Friday, April 11 at 11:00 a.m. in the School Administration Building; thanks to Dr. Trotman and Department of Human Resources for the recruitment fair event; and on April 23 at 6:00 p.m. at Newtown Road Elementary, a town hall meeting for community input regarding the Tri-Campus, there is also an online portal to share comments.

17. Return to Administrative, Informal, Workshop or Closed Session matters: Closed Session during the Administrative, Informal, and Workshop session. See Agenda Item #2.

18. Adjournment: Chair Brown adjourned the meeting at 8:08 p.m.

Respectfully submitted:

Regina M. Toneatto, Clerk of the School Board

Approved:

Kathleen J. Brown, School Board Chair