

REGULAR MEETING MINUTES OF THE SUFFOLK CITY SCHOOL BOARD
Thursday, January 11, 2024 ~ 5:00 P.M.
Suffolk City Hall, 442 W. Washington Street, Suffolk, VA 23434

Board Members Present:

Karen Jenkins, *Chair*
Heather Howell, *Vice Chair*
Dr. Dawn Marie Brittingham
Dr. Judith Brooks-Buck
Phyllis Byrum
Tyron Riddick
Kimberly Slingluff

Administrative Staff Present:

Dr. John B. Gordon III, *Superintendent*
Wendell M. Waller, *School Board Attorney*
Keesha Johnson, *Deputy Clerk*

Absent Administrative Staff:

Tarshia L. Gardner, *Clerk*

OPENING OF PUBLIC MEETING/WORK SESSION

The meeting was delayed due to traffic issues.¹

➤ Call to Order:

Board Chair Jenkins called the meeting to order at 5:20 p.m., and thanked everyone for their patience as the meeting could not begin without a quorum.

➤ Presentation by VACORP

Mr. Chris Carey, VACORP CEO, stated that VACORP has 560 members throughout 132 school divisions. The company began in 1993 and has the largest group self-insurance risk pool for public entities and schools in the Commonwealth. Mr. Carey provided information about where litigation is occurring, why it's occurring and what has changed with the litigation. He stated cost projection for fiscal year 2024 to be about \$2.5 million with estimated claims to reach about 225 lawsuits. This doubles the amount of litigation that has occurred within the past 10 years. He highlighted that litigation is changing and is on the rise. Claims that are on the rise are centered around School Board Decisions, removal of elected officials, improper education (IEPs, IDEA claims), FOIA, which has increased substantially. He went on to state that it doesn't matter what your viewpoint is (conservative or liberal), lawsuits are happening across the spectrum. As an insurance and risk management person who's been serving Virginia localities for 30 years, Mr. Carey highly recommended that Boards adhere to and seek the advice of counsel, and to do their best to follow council's recommendations in all situations as it generally leads to the best outcomes.

Board Member Riddick asked questions and suggested that the Board receive an overview of approved policies or coverage which will keep the Board in compliance with insurance and will prevent waiver of coverage. Attorney Waller agreed with Board Member Riddick

¹ Several Board Members (Vice Chair Howell arrived at 5:19 p.m., Board Member Slingluff arrived at 5:30 p.m., Board Members Dr. Brooks-Buck and Byrum arrived at 5:39 p.m.) were delay by traffic.

indicating the importance becoming familiar with the Board's insurance coverage and its parameters.

➤ SPS Online Program Updates and Recommendations

Dr. Okema Branch, Chief Academic Officer, and Douglas Wagoner, Coordinator of Auxiliary Programs, provided an historical overview of the SPS Online program which began the 2021-2022 school year. The program has been fully funded through CARES Act which will end September 2024. Mr. Wagoner explained the instructional set up and staffing which covered K-5 Virtual Virginia (VVA) Full Year Program, Secondary 6-12 Virtual Platforms, and the administrative team of Auxiliary Programs which handled all aspects of the program. Enrollment numbers were highlighted throughout the years of the program; however, data showed an 83% enrollment decrease since the program started but has also shown an increase in the number of students returning to face-to-face instruction. He also shared the pros and cons of the program. Dr. Branch highlighted budgetary information (the costs for students enrolled in the program.) The cost for elementary students is \$2650 per student. At the middle and high school level the cost is pay per class (\$250 per class and students can take up to seven classes (middle school) and eight classes (high school)). Dr. Branch stated that there is a financial burden on the division when a student decides to return to face-to-face instruction due to the course(s) having already being paid. She indicated the financial loss to date in the program is \$166,600. Dr. Branch shared two proposed options based on the information regarding the 83% decrease in enrollment since the inception of the program, and there being no requirement for SPS to continue the program. It was recommended; (1) that families to pay (up front) the cost for SPS Online and Virtual Virginia enrollment if they would like to continue in the program or (2) limit the program to 40 students but only for extenuating circumstances.

Board Members voiced their concerns and they included the following: (1) the financial viability of the program when such a high number of students were withdrawing; (2) the program options moving forward, when students may made need the on-line services but families who cannot afford to pay for courses; and (3) possibilities for blending the options that were recommended. Dr. Gordon, Dr. Branch and Mr. Wagoner provided additional information/clarification to all questions and concerns indicated. Dr. Gordon also provided information regarding the application process and explained why the program is no long sustainable.

Board Chair Jenkins thanked Dr. Branch and Mr. Wagoner for their thorough presentation.

➤ STEM Academy at Booker T. Washington Elementary School:

Dr. Byrd III, Chief of Schools, and Dr. Branch, Chief Academic Officer, explained the partnership vision with Old Dominion University that will develop a STEM (Science, Technology, Engineering, and Math) Laboratory Elementary School at Booker T. Washington Elementary School. The Lab School will serve 120 students in grades K-5, and the program will design community and field-based learning experiences that focus on addressing current and relevant problems of practice. It was further explained that by providing access to STEM resources and experiences, students from various backgrounds will have the opportunity to explore a diverse range of career options. Old Dominion University will serve as the fiscal agent for the grant. The next steps include seeking School Board approval to proceed and if approved, completing the Lab School Application (due Feb. 1, 2024), seeking community support, planning during the 2024-2025 school year, and opening the STEM Academy in the Fall of 2025.

Dr. Gordon clarified that the STEM Academy at Booker T. Washington Elementary School will not be available for students outside of the division. Only students within SPS will be eligible.

Board Members expressed their excitement about the program, but also expressed some concerns and/or questions. Those concerns and or questions centered around the following: (1) whether special need students would be accepted in the program; (2) sustainability of the program beyond the years covered in the grant; (3) the limited number of slots available for students; (4) the governing board of the academy; (5) the funding to get the program started (grant money versus money from ODU and SPS); (6) ownership of the space acquired for the program; and (7) how will students and parents be informed of the program. Dr. Gordon, Dr. Branch, and Dr. Byrd provided additional information based on questions and concerns from Board Members.

MEETING RECESS

- There being no additional business in the Work Session, Board Chair Jenkins recessed the meeting.

RE-OPENING OF PUBLIC MEETING

- Meeting Called to Order:
Board Chair Jenkins called to order the regular public meeting.
- Pledge of Allegiance:
Mary Sensabaugh and the Lakeland High School Orchestra led all in the Pledge of Allegiance. The orchestra also played the National Anthem.
- Moment of Silence:
A moment of silence was observed by all in attendance.
- Recital of SPS Mission:
Vice Chair Howell read the Mission Statement of Suffolk Public Schools.
- Musical Selection – Lakeland High School Orchestra – Directed by Mary Sensabaugh:
The orchestra students from Lakeland High School performed a variety of melodies.

Board Members expressed pride in the students' performance and congratulated them, their parents, and the principal of LHS for a job well done.

APPROVAL OF AGENDA

- Approval of Agenda:
Board Member Dr. Brittingham moved and Member Slingluff seconded the motion to approve the agenda as presented.

Upon roll-call vote, the vote was: Aye: 7 / Nay: 0 / Abstain: 0. The motion Passed by vote of 7 to 0.²

² Due to technical difficulties, Deputy Clerk Johnson captured the vote via roll-call.

PUBLIC SPEAKERS ON AGENDA TOPICS

➤ Citizen Comments on Agenda Items:

There were no speakers registered to address the Board.

REPORTS BY THE SUPERINTENDENT

➤ Good News Report:

Anthonette Dickens, Communications and Community Engagement Officer, highlighted information from the Good News Report.

Dr. Gordon discussed challenges within the division, specifically at John F. Kennedy Middle School regarding threats. Dr. Gordon informed the Board that during a threat, there is only one source of information that will disseminate from the division and that will be through the Community Engagement Officer, Anthonette Dickens and/or Melvin Bradshaw, Community Engagement Facilitator. This should eliminate or reduce the amount of misinformation that is being spread during an incident. He assured all that SPS will always proceed with caution to protect our students and the entire school community. He apologized for the inconvenience of the delay in messaging that was sent to students, parents and staff. He assured that tweaks have been made to prevent future delays. He reiterated that the safety of all students, faculty and staff is of utmost importance. Dr. Gordon informed the Board that SPS has once again, received a perfect audit. He thanked Mrs. Forsman and her team for a job well done.

➤ Calendar of Special Events:

Dr. Gordon highlighted the events listed on SPS website for January/February.

CONSENT AGENDA

➤ Approval of the Consent Agenda:

Board Member Byrum moved and Board Member Dr. Brooks-Buck seconded the motion to accept and adopt the Consent Agenda.

Upon roll-call vote, the vote was: Aye: 6 / Nay: 1 (Dr. Brittingham) / Abstain: 0. The motion passed by vote of 6 to 1.

UNFINISHED BUSINESS

➤ Ordinance 23/24-39 through Ordinance 23/24-69

Vice Chair Howell moved and Board Member Dr. Brooks-Buck seconded the motion to approve the set of policies collectively.

Board Member Riddick asked if Ordinance 23/24-44 (Item 6) and Ordinance 23/24-57 (Item 19) be removed and handled separately.

Vice Chair Howell moved and Board Member Dr. Brooks-Buck seconded the amended motion to approve the Unfinished Business policies collectively with the removal of Ordinance 23/24-44 (Item 6) and Ordinance 23/24-57 (Item 19).

Upon roll-call vote, the vote was: Aye: 7 / Nay: 0 / Abstain: 0. The motion passed by vote of 7 to 0.

NEW BUSINESS

- Approval of a Special Meeting of the School Board on February 29, 2024, 5 p.m., at Suffolk City Council Chamber

Vice Chair Howell moved and Board Member Dr. Brittingham seconded the motion to approve a Special Meeting of the School Board on February 29, 2024 at 5 p.m. at Suffolk City Council Chamber to hear the Superintendent's Proposed Budget.

Upon roll-call vote, the vote was: Aye: 7 / Nay: 0 / Abstain: 0. The motion passed by vote of 7 to 0.

- Resolution 23/24-19: A Resolution of the School Board of the City of Suffolk, Virginia, Adopting a Code of Ethics for Members of the Suffolk City School Board

Attorney Waller explained that the Code of Ethics is done by the Board each year to ensure that Board Members will act and conduct their affairs in an ethical manner. He indicated that each Board Member would agree to the following:

- Conduct business affairs with integrity,
- Attend meetings,
- Understand that the authority for school administration lies with the school superintendent,
- Seek to facilitate open communication with the community,
- Communicate to the full School Board,
- Encourage desired changes through ethical and legal procedures,
- Avoid conflicts of interests,
- Avoidance of the appearance of impropriety,
- Respect confidentiality of privileged information.

Each member through the adoption of the resolution agrees to conduct themselves in this manner.

Board Member Riddick expressed concern/reservation regarding the document if it doesn't provide consequences for Board Members who violate the Code of Ethics, especially if violations can lead to possible litigation (based on information presented earlier from VACORP.) He was also concerned that Board Members would take the policy and weaponized it and Members will not adhere to the rules.

Attorney Waller stated that the document is not ceremonial as there are policies in place for disciplining Board Members for certain behaviors and some of the behaviors in the resolution are also included in Board policy. Additionally, he added that there is a means of exercising certain authority through policy that will enforce some of the terms of the resolution and that the Board has the right and opportunity to add "teeth" to the document at its discretion. He indicated that ultimately, the seven members of the Board are the ones who decide whether or not the policy has been violated.

Member Slingluff asked the reason for having the Code of Ethics separate from the Norms and Protocol and having required signatures?

Attorney Waller stated that the Code of Ethics is a public affirmation and a statement to the public that Members will conduct themselves in an ethical manner and that you agree to agree to conduct your affairs ethically.

Vice Chair Howell moved and Board Member Dr. Brooks-Buck seconded the motion to approve Resolution 23/24-19 (the Code of Ethics) as presented.

Additional dialog ensued between Board Members.

Upon roll-call vote, the vote was: Aye: 4 / Nay: 3 (Dr. Brittingham, Riddick, Slingluff) / Abstain: 0. The motion passed by vote of 4 to 3.

- Resolution 23/24-20: A Resolution of the School Board of the City of Suffolk, Virginia, Adopting a Code of Conduct for the Clerk of the Suffolk City School Board
Board Member Dr. Brooks-Buck moved and Vice Chair Howell seconded the motion to approve Resolution 23/24-20 as presented.

Upon roll-call vote, the vote was: Aye: 6 / Nay: 0 / Abstain: 1 (Brittingham). The motion passed by vote of 6 to 0 to 1.

- SPS Online Program Updates and Recommendations
Board Member Riddick expressed his concern with voting on this item at the current meeting and suggested additional time to consider the recommendations.

Dr. Gordon informed the Board that the item was presented to the Board to align with the end of the semester and only after receiving additional data from Virtual Virginia could a recommendation be presented to the full Board. He indicated that if the Board tables the item, it would create addendums to course requests and processes for students.

Board Chair Riddick did not agree with the speed of considering the item. He suggested that any foreseeable changes to courses offerings that need to be implemented by February, should be presented to the Board at least 60 days in advance or there should be at least two Board meetings before the Board is expected to take action.

Additional dialog, questions and clarification ensued between Board Members and Dr. Gordon.

Board Member Dr. Brooks-Buck moved and Vice Chair Howell seconded the motion to combine the two options.

Upon roll-call vote, the vote was: Aye: 7 / Nay: 0 / Abstain: 0. The motion passed by vote of 7 to 0.

- STEM Academy at Booker T. Washington Elementary School
Vice Chair Howell moved and Board Member Slingluff seconded the motion to move forward with the filing of the grant application.

Upon roll-call vote, the vote was: Aye: 7 / Nay: 0 / Abstain: 0. The motion passed by vote of 7 to 0.

- Ordinance 23/24-44: An Ordinance Amending Chapter 7, Article 20, Section 7-20.3 entitled "Search of registry of founded child abuse complaints; when applicant has resided in another state; when applicant denied employment; providing false information" of the Policies of the Suffolk City School Board

Board Member Riddick recommended that the policy be returned to the Policy Review Committee to include language stating that potential employees cannot begin employment until a successful background clearance has been received. Additionally, suggested this verbiage be listed in multiple places.

Attorney Waller provided clarification as to how the Ordinance can be modified based on Mr. Riddick's and Dr. Brittingham's concerns with hiring individuals without a cleared background search.

Additional conversation ensued between Board Members.

Board Member Riddick moved and Board Member Dr. Slingluff seconded the motion to send Ordinance 23/24-44 back to the Policy Review Committee to have additional language added.

Upon roll-call vote, the vote was: Aye: 7 / Nay: 0 / Abstain: 0. The motion passed by vote of 7 to 0.

- Ordinance 23/24-57: An Ordinance Amending Chapter 9, Article 11, Section 9-11.3 entitled "Prohibited Conduct; ineligibility for interscholastic competition; Intervention required when student involvement in drug or violent incident" of the Policies of the Suffolk City School Board

Board Member Riddick was concerned with the implementation of this policy and that the policy would be carried out by administrators.

Board Member Dr. Brooks-Buck indicated that the only change in the policy is what is required by state law and that concerns being raised by Member Riddick were not discussed or considered by the Policy Review Committee and are not part of this recommended change to Board Policy.

Additional dialog ensued between Board Members and Dr. Gordon regarding the Ordinance.

Board Member Riddick moved and Board Member Dr. Brittingham seconded the motion to send Ordinance 23/24-57 back to the Policy Review Committee to explore the option of adding additional language to ensure compliance by staff members.

Additional dialog ensued between Board Members and Attorney Waller.

Upon roll-call vote, the vote was: Aye: 3 / Nay: 4 (Dr. Brooks-Buck, Byrum, Howell, Jenkins) / Abstain: 0. The motion failed by vote of 4 to 3.

- Ordinance 23/24-57: An Ordinance Amending Chapter 9, Article 11, Section 9-11.3 entitled "Prohibited Conduct; ineligibility for interscholastic competition; Intervention required when student involvement in drug or violent incident" of the Policies of the Suffolk City School Board

Board Member Dr. Brooks-Buck moved and Vice Chair Howell seconded the motion to approve Ordinance 23/24-57 with the change required by state code and recommended by the Policy Review Committee.

Upon roll-call vote, the vote was: Aye: 6 / Nay: 1 (Riddick) / Abstain: 0. The motion passed by vote of 6 to 1.

PUBLIC SPEAKERS ON NON-AGENDA TOPICS

➤ Citizen Comments on Non-Agenda Items:

The Deputy Clerk read the statement regarding decorum for those scheduled to speak.

Jonathan Powell expressed his concerns with the awarding, execution, evaluation and completion of contracts awarded. He felt that there should be more information available regarding vendors, how they are solicited, who monitors vendors and the service they provided.

BUSINESS BY BOARD MEMBERS

➤ Comments and Reports by School Board Members:

- Commended the United Way of Southampton Roads for their efforts and continued support.
- Congratulated the Teachers of the Year (Lynette Phillips-EFES, Ariel Ralph-KFMS, Rhonda Culpepper-CCAP), and the teachers featured in the spotlight.
- Congratulated Mrs. Forman and her team for a great audit.
- Expressed excitement with the SPS Parents as Partners event held at King's Fork Middle School.
- Thanked LHS Orchestra for their exemplar performance, and the Food and Nutrition Services department.
- Thanked the Bus Drivers, Custodians and staff.
- Looked forward to finding ways to fund struggling readers.
- Suggested exploring opportunities for homework help, and funding school safety.
- Encouraged students to work hard and finish strong, and for parents to get involved in their child's PTA.
- Thanked everyone for coming to the meeting and apologized for being late.

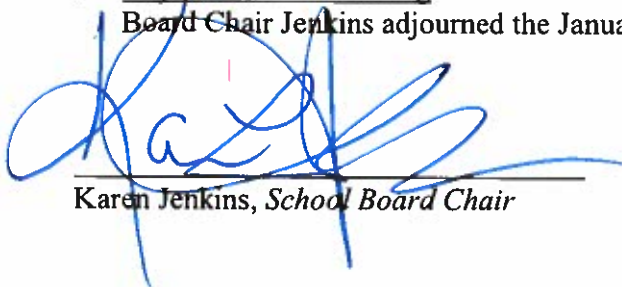
INFORMATION ITEMS

- Accident Report – December 2023
- Capital Projects Financial Statement
- Financial Report December 31, 2023
- FOCUS Center Update

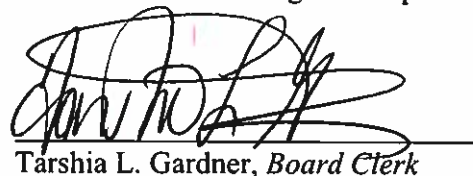
ADJOURNMENT

➤ Adjournment of Meeting:

Board Chair Jenkins adjourned the January 11, 2024 School Board Meeting at 9:22 p.m.



Karen Jenkins, *School Board Chair*



Tarshia L. Gardner, *Board Clerk*