



Lynchburg City Schools • 915 Court Street • Lynchburg, Virginia 24504

Lynchburg City School Board

Sharon Y. Carter
School Board District 2

James E. Coleman, Jr.
School Board District 3

Regina T. Dolan-Sewell
School Board District 1

Charleta F. Mason
School Board District 2

Susan D. Morrison
School Board District 1

Michael J. Nilles
School Board District 3

Derek L. Polley
School Board District 1

Kimberly A. Sinha
School Board District 2

Katie K. Snyder
School Board District 3

School Administration

Scott S. Brabrand
Superintendent

John C. McClain
Assistant Superintendent of
Student Learning and Success

Ben W. Copeland
Assistant Superintendent of
Operations and Administration

Anthony E. Beckles, Sr.
Chief Financial Officer

Wendie L. Sullivan
Clerk

Indya M. Page
Student Representative
Heritage High School

Sidney M. Marshall
Student Representative
E. C. Glass High School

SCHOOL BOARD MEETING
February 21, 2017 5:00 p.m.
School Administration Building
Board Room

A. CLOSED MEETING

1. Notice of Closed Meeting
Scott S. Brabrand. Page 1
Discussion/Action
2. Certification of Closed Meeting
Scott S. Brabrand. Page 2
Discussion/Action

B. PUBLIC COMMENTS

1. Public Comments
Scott S. Brabrand. Page 3
Discussion/Action (30 Minutes)

C. SPECIAL PRESENTATIONS

1. Update on Schools Denied Accreditation
Scott S. Brabrand.Page 4
Discussion
2. School Board Appreciation Month
Scott S. Brabrand.Page 5
Discussion

D. CONSENT AGENDA

1. School Board Meeting Minutes: February 2, 2017 (Student Discipline Committee Meeting)
February 7, 2017 (Regular Meeting)
February 7, 2017 (Joint Meeting)
February 9, 2017 (Student Discipline Committee Meeting)
2. Personnel Report
Marie F. Gee.Page 6
Discussion/Action

E. STUDENT REPRESENTATIVE COMMENTS

F. SCHOOL BOARD COMMITTEE REPORTS

G. UNFINISHED BUSINESS

H. NEW BUSINESS

- 1. School Culture Survey Results
John C. McClain.Page 8
Discussion

- 2. Middle School Program of Studies: 2017-18
John C. McClain.Page 9
Discussion

- 3. Policy EBCB Safety Drills
Ben W. Copeland.Page 10
Discussion

- 4. Hearing Officers
Marie F. Gee. Page 12
Discussion

I. SUPERINTENDENT’S COMMENTS

J. BOARD COMMENTS

K. INFORMATIONAL ITEMS

Closed Meeting: Tuesday, March 7, 2017, 5:00 p.m., Board Room, School Administration

Public Budget Hearing: Tuesday, March 7, 2017, 5:30 p.m. Board Room, School Administration Building

Next School Board Meeting: Tuesday, March 7, 2017, Immediately following the Public Budget Hearing, Board Room, School Administration Building

L. ADJOURNMENT

Agenda Report

Date: 02/21/17

Agenda Number: A-1

Attachments: No

From: Scott S. Brabrand, Superintendent

Subject: Notice of Closed Meeting

Summary/Description:

Pursuant to the Code of Virginia §2.2-3711 (A) (1) (29), the school board needs to convene a closed meeting for the purpose of discussing the following specific matters:

Employee Performance

Contracts

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board approve a motion to enter into Closed Meeting in accordance with the Code of Virginia §2.2-3711 (A) (1) (29) for the purpose of considering employee performance and to receive a briefing regarding contract negotiations where discussion in an open session would adversely affect the position of the public body.

Agenda Report

Date: 02/21/17

Agenda Number: A-2

Attachments: No

From: Scott S. Brabrand, Superintendent

Subject: Certification of Closed Meeting

Summary/Description:

The Lynchburg City School Board certifies that, in the closed meeting just concluded, nothing was discussed except the matters specifically identified in the motion to convene in a closed meeting and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board approve the Certification of Closed Meeting in accordance with the Code of Virginia §2.2-3712(D).

Agenda Report

Date: 02/21/17

Agenda Number: B-1

Attachments: No

From: Scott S. Brabrand, Superintendent

Subject: Public Comments

Summary/Description:

In accordance with Policy BDDH Public Participation, the school board welcomes requests and comments as established in the guidelines within that policy. Individuals who wish to speak before the school board shall have an opportunity to do so at this time.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 02/21/17

Agenda Number: C-1

Attachments: No

From: Scott S. Brabrand, Superintendent
John C. McClain, Assistant Superintendent for Student Learning and Success

Subject: Update on Schools Denied Accreditation

Summary/Description:

The school administration will provide information to the school board regarding the work in progress at Linkhorne Middle School and Thomas C. Miller Elementary School for Innovation, the two schools in the school division that were denied state accreditation this year.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 02/21/17

Agenda Number: C-2

Attachments: No

From: Scott S. Brabrand, Superintendent

Subject: School Board Appreciation Month

Summary/Description:

The month of February marks the annual observance of School Board Appreciation Month. The Virginia School Boards Association established this observance in 1989 to encourage public recognition of the roles and responsibilities of school board members and to highlight the importance of public education throughout the Commonwealth.

This year's theme, "Lead to Inspire," which reflects the priority of local school boards as they advocate for public education with local, state, and federal leaders.

The Lynchburg City Schools is joining with other school divisions throughout the state to recognize the important contributions school board members make to their communities.

Members of the Lynchburg City School Board receive no financial compensation for their tireless efforts, and this school board is one of very few boards statewide that has student representatives. The nine members of the school board are appointed by Lynchburg City Council.

Even though this special event shows an appreciation of school board members, members of the community recognize that their contributions reflect a year-round commitment. They are dedicated individuals who are committed to the continuing success of the city's schools and students.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 02/21/17

Agenda Number: D-2

Attachments: Yes

From: Scott S. Brabrand, Superintendent
Marie F. Gee, Director of Personnel

Subject: Personnel Report

Summary/Description:

The personnel recommendations for February 7 - 21, 2017, appear as an attachment to this agenda report.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board approve the personnel recommendations for February 7 - 21, 2017.

NAME	COLLEGE	DEGREE/ EXPERIENCE	SCHOOL/ ASSIGNMENT	EFFECTIVE DATE
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NOMINATIONS, INSTRUCTIONAL PERSONNEL, 2016-2017:

Clampitt Adam	Liberty University	BA / (Lv. 0	0 yrs 4)	Sandusky Middle School Science Teacher	02-14-2017
Turille Randall	Lynchburg College	BA / (Lv. 16	16 yrs 4)	Linkhorne Middle School Health & PE	03-01-2017

LEAVE OF ABSENCE:

Richendollar Diane	Bowling Green State University	BA / (Lv. 21	21 yrs 3)	Sandusky Middle School Voc- Consumer & Homemaking	02-08-2017
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Agenda Report

Date: 02/21/17

Agenda Number: H-1

Attachments: No

From: Scott S. Brabrand, Superintendent
John C. McClain, Assistant Superintendent for Student Learning and Success

Subject: School Culture Survey Results

Summary/Description:

Each school year, and as part of Strategy Cluster 2 of the Promise Plan, Lynchburg City Schools administers a survey of students, parents, and staff regarding the climate and culture in the schools. This presentation will provide a summary of the results from the recent survey.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 02/21/17

Agenda Number: H-2

Attachments: No

From: Scott S. Brabrand, Superintendent
John C. McClain, Assistant Superintendent for Student Learning and Success

Subject: Middle School Program of Studies: 2017-2018

Summary/Description:

The school board annually reviews and approves the Middle School Program of Studies for the next school year. The updated version for 2017-2018 is proposed, with the new version only modified slightly from the 2016-2017. The updates for 2017-2018 are to incorporate changes in the recently approved High School Program of Studies.

Disposition: Action
 Information
 Action at Meeting on: 03/07/17

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item and consider action at the school board meeting on March 7, 2017.

Agenda Report

Date: 02/21/17

Agenda Number: H-3

Attachments: Yes

From: Scott S. Brabrand, Superintendent
Ben W. Copeland, Assistant Superintendent of Operations and Administration

Subject: Policy EBCB Safety Drills

Summary/Description:

Current updates to the Code of Virginia with regard to fire drills and lock-down drills requires updates to Lynchburg City School Board Policy. VSBA Policy EBCB Safety Drills will be presented to the school board for discussion this evening. This will replace the existing School Board Policy 6-9: Emergency Drills.

Disposition: Action
 Information
 Action at Meeting on: 03/07/17

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item and consider action at the school board meeting on March 7, 2017.

SAFETY DRILLS

Fire Drills

Each school holds a fire drill twice during the first 20 school days of each session. Each school holds at least two additional fire drills during the remainder of the school session. No fire drills are conducted during periods of mandatory testing required by the Board of Education.

Lock-Down Drills

Each school has a lock-down drill at least twice during the first 20 school days of each school session. Each school holds at least two additional lock-down drills during the remainder of the school session. Lock-down plans and drills are in compliance with the Statewide Fire Prevention Code, Va. Code § 27-94 et seq.

School Bus Emergency Drills

Each school having school buses holds a drill in leaving school buses under emergency circumstances at least once during the first ninety calendar days of each school session and more often if necessary.

Tornado Drills

There is at least one tornado drill every school year in every school.

Adopted:

Legal Refs.: Code of Virginia, §§ 22.1-137, 22.1-137.1, 22.1-137.2, 22.1-184.

Acts 2006, c. 164.

Cross Refs.: EB School Crisis, Emergency Management and Medical
Emergency Response Plan

Agenda Report

Date: 02/21/17

Agenda Number: G-4

Attachments: No

From: Scott S. Brabrand, Superintendent
Ben W. Copeland, Assistant Superintendent for Operations and Administration

Subject: Hearing Officers

Summary/Description:

In accordance with the *Code of Virginia §22.1-311 Hearing before a School Board or Hearing Officer*, and *Virginia Administrative Code 8VAC20-90-70 Procedure for Dismissals*, teachers may request a hearing as part of the grievance process. This hearing may be conducted by the school board, or if the school board chooses, it may be conducted by a hearing officer who is appointed by the school board.

Hearing Officers should be approved prior to being asked to conduct a hearing. The school administration has contacted the individuals listed below who have agreed to act as hearing officers for the school board. Copies of the Codes appear as attachments to the agenda report.

William Austin, Jr.
Linda J. Barnett
Albert L. Billingsly
Richard A. Burge
Mary Ann Hoss
Roger E. Jones

Roger L. Roberts
Mark R. Storm
Diane S. Swain
J. Marie Waller
Charles B. White

Disposition: Action
 Information
 Action at Meeting on: 03/07/17

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item and consider action at the school board meeting on March 7, 2017.

Code of Virginia

Title 22.1. Education

Chapter 15. Teachers, Officers and Employees

§ 22.1-311. Hearing before school board or hearing officer

A. Upon a timely request for a hearing pursuant to § 22.1-309, the school board or, at the option of the school board, a hearing officer appointed by the school board shall set a hearing within 15 days of the request and the teacher shall be given at least five days' written notice of the time and the place. The hearing shall be private unless the teacher requests the hearing to be public. At the hearing the teacher may appear with or without a representative and be heard, presenting testimony of witnesses and other evidence. The school board may hear a recommendation for dismissal and make a determination whether to make a recommendation to the Board of Education regarding the teacher's license at the same hearing or hold a separate hearing for each action.

B. Each school board may appoint an impartial hearing officer from outside the school division to conduct hearings pursuant to this section. A hearing officer shall not have been involved in the recommendation of dismissal as a witness or a representative. A hearing officer shall possess some knowledge and expertise in public education and education law and be capable of presiding over an administrative hearing. The hearing officer shall schedule and preside over such hearings and shall create a record or recording of such proceedings. The hearing officer shall make a written recommendation to the school board, a copy of which shall be provided to the teacher. The hearing officer shall transmit the recommendation and the record or recording of the hearing to the school board as soon as practicable and no more than 10 business days after the hearing. In the event of a hearing before a hearing officer, the school board may make its decision upon the record or recording of such hearing, pursuant to § 22.1-313, or the school board may elect to conduct a further hearing to receive additional evidence by giving written notice of the time and place to the teacher and the division superintendent within 10 business days after the board receives the record or recording of the initial hearing. Such notice shall also specify each matter to be inquired into by the school board.

C. A record or recording of any hearing conducted pursuant to this section shall be made. The parties shall share the cost of the recording equally. In proceedings concerning grievances not related to dismissal, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with, the two parties shall share the cost of the recording equally; if either party requests a transcript, that party shall bear the expense of its preparation. In cases of dismissal, the record or recording shall be preserved for a period of six months. If the school board requests that a transcript be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the cost of the transcription.

D. Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

Code 1950, § 22-217.7; 1968, c. 691; 1976, c. 282; 1980, c. 559; 2004, c. 1007; 2013, cc. 588, 650.

Agenda Report Attachment

Virginia Administrative Code

Title 8. Education

Agency 20. State Board of Education

Chapter 90. Procedure for Adjusting Grievances

8VAC20-90-70. Procedure for Dismissals.

A. Notice to teacher of recommendation for dismissal.

1. In the event a division superintendent determines to recommend dismissal of any teacher, written notice shall be sent to the teacher on forms prescribed by the Board of Education notifying him of the proposed dismissal and informing the teacher that within 10 business days after receiving the notice, the teacher may request a hearing before the school board or, at the option of the school board, a hearing officer appointed by the school board, as provided in § 22.1-311 of the Code of Virginia.

2. During such 10-business-day period and thereafter until a hearing is held in accordance with the provisions herein, if one is requested by the teacher, the merits of the recommendation of the division superintendent shall not be considered, discussed, or acted upon by the school board except as provided for herein.

3. At the request of the teacher, the superintendent shall provide the reasons for the recommendation in writing or, if the teacher prefers, in a personal interview. In the event a teacher requests a hearing pursuant to § 22.1-311 or 22.1-312 of the Code of Virginia, the division superintendent shall provide, within 10 days of the request, the teacher, or his representative, with the opportunity to inspect and copy his personnel file and all other documents relied upon in reaching the decision to recommend dismissal. Within 10 days of the request of the division superintendent, the teacher, or his representative, shall provide the division superintendent with the opportunity to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal. The division superintendent and the teacher or his representative shall be under a continuing duty to disclose and produce any additional documents identified later that may be used in the respective parties' cases-in-chief. The cost of copying such documents shall be paid by the requesting party.

4. Upon a timely request for a hearing, the school board or, at the school board's option, a hearing officer appointed by the school board shall set a hearing within 15 days of the request and the teacher shall be given at least five days' written notice of the time and the place of the hearing.

B. Procedure for hearing.

1. The hearing shall be conducted by the school board or, at the school board's option, a hearing officer appointed by the school board. The teacher and the division superintendent may be represented by legal counsel or other representatives. The hearing shall be private, unless the teacher requests a public hearing. The school board or hearing officer, as the

Agenda Report Attachment

case may be, shall establish the rules for the conduct of the hearing, and such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses, and the right of all parties to cross-examine the witnesses. Witnesses may be questioned by the school board or hearing officer.

2. The parties shall produce such additional evidence as the school board or hearing officer may deem necessary to an understanding and determination of the dispute. The school board or hearing officer shall determine the relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the school board or hearing officer and of the parties.

3. Exhibits offered by the teacher or the division superintendent may be received in evidence by the school board or hearing officer and, when so received, shall be marked and made a part of the record.

4. A stenographic record or tape recording of the proceedings shall be taken. The two parties shall share the cost of the recording equally. The record or recording of the proceedings shall be preserved for a period of six months. If the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the transcription.

5. The teacher shall bear his own expenses. The school board shall bear the expenses of the division superintendent and the hearing officer.

6. Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

7. In the event of a hearing conducted by a hearing officer, the recommendation of the hearing officer shall be based exclusively upon the evidence presented at the hearing. Upon the hearing officer's own motion or upon application by the teacher or the division superintendent, the hearing officer may reopen the hearing for the purpose of hearing after-discovered evidence upon a finding of good cause by the hearing officer at any time before his recommendation is due. The hearing officer shall transmit his written recommendation and a record or recording of the hearing to the school board as soon as practicable and no more than 10 business days after the hearing.

8. In the event of a hearing by a hearing officer, the school board may make its decision upon the record or recording of such hearing or the school board may elect to conduct a further hearing to receive additional evidence. The school board must hold such further hearing as soon as practicable and must give written notice of the time and place of such further hearing to the division superintendent and the teacher within 10 business days after the board received the record or recording of the initial hearing. The notice must specify each matter to be inquired into by the school board. The school board shall determine the procedure to be followed at such further hearing.

Agenda Report Attachment

C. School board determination.

1. In the event of a hearing before the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after the hearing. The decision of the school board shall be reached after considering the evidence and information presented at the school board hearing.
2. In the event of a hearing before a hearing officer followed by a further hearing by the school board pursuant to subdivision B 8 of this section, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after such further hearing. The decision of the school board shall be reached after considering the record or recording of the initial hearing, the recommendations of the hearing officer, and the evidence and information presented at the further hearing before the school board.
3. In the event of a hearing before a hearing officer in cases in which no further hearing is conducted by the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after receiving the record or recording of the hearing. The decision of the school board shall be reached after considering the record or recording of the hearing and the recommendations of the hearing officer.
4. The school board may dismiss or suspend a teacher upon a majority vote of a quorum of the school board. The school board's attorney, assistants, or representative, if he or they represented a participant in the prior proceedings; the grievant; the grievant's attorney or representative; and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any executive session of the school board that has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative and the superintendent may join the school board in executive session to assist in the writing of the decision.

Statutory Authority

§§ 22.1-16 and 22.1-308 of the Code of Virginia.

Historical Notes

Derived from VR270-01-0008 § 3.1, eff. February 1, 1986; amended, Virginia Register Volume 21, Issue 14, eff. May 2, 2005; Volume 33, Issue 5, eff. November 30, 2016.