

**Lynchburg City School Board
Regular Meeting
September 3, 2013**

**BOARD
MEMBERS
PRESENT:**

Regina T. Dolan-Sewell, Chairman
Trenay L. Tweedy, Vice Chairman
Mary Ann Hoss
Jennifer R. Poore
Katie K. Snyder
J. Marie Waller
Thomas H. Webb
Charles B. White
Sara B. Natour, Student Representative, E. C. Glass High School
Alexis T. Johnson, Student Representative, Heritage High School

**BOARD
MEMBERS
ABSENT:**

Michael T. Nilles

**ADMINISTRATION
PRESENT:**

Scott S. Brabrand, Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction
Ben W. Copeland, Assistant Superintendent of Operations and Administration
Anthony E. Beckles, Sr., Chief Financial Officer
April M. Bruce, Director of Testing, Gifted, and Guidance
Steven L. Gatzke, Director of Facilities
Marie F. Gee, Director of Personnel
Michael K. Rudder, Director of School Improvement
Wyllys D. VanDerwerker, Director of Special Education
Brian S. Wray, Director of K-12 Instruction
Wendie L. Sullivan, Clerk/Recording Secretary

**MEDIA
PRESENT:**

Jessie Pounds, *The News & Advance*

**Agenda
Items:**

- A-1. Public Comments
- B. Consent Agenda
- C. Student Representative Comments
- D-1. Crisis Plans
- D-2. School Board Policy 7-15: Student Attendance
- D-3. Capital Improvement Plan: Heritage High School
- E-1. Virginia School Boards Association and Norfolk Public Schools Suite to Invalidate OEI Legislation
- F. Superintendent's Comments
- G. Board Comments
- H-1. Notice of Closed Meeting
- H-2. Certification of Closed Meeting
- I. Informational Items
- J. Adjournment

The Lynchburg City School Board met for its regular meeting at 5:30 p.m. in the Board Room at the School Administration Building. Dr. Dolan-Sewell called the meeting to order and asked that those in attendance stand and recite the *Pledge of Allegiance*.

A-1. Public Comments

In accordance with School Board Policy 1-41: 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.

There were no individuals who wished to speak before the school board.

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Upon MOTION by Mr. White, SECONDED by Mrs. Tweedy, the school board added item B-2. Personnel Report as a consent agenda item.

Yes Votes: Dr. Dolan-Sewell, Mrs. Tweedy, Mr. Hoss, Ms. Poore, Ms. Snyder, Ms. Waller, Mr. Webb, Mr. White

No Votes: None

Abstentions: None

B. Consent Agenda

Upon MOTION by Ms. Hoss, SECONDED by Ms. Poore, the school board approved the school board meeting minutes of August 20, 2013 (Regular Meeting), and the personnel report for the period August 20 – September 3, 2013.

Yes Votes: Dr. Dolan-Sewell, Mrs. Tweedy, Mr. Hoss, Ms. Poore, Ms. Snyder, Ms. Waller, Mr. Webb, Mr. White

No Votes: None

Abstentions: None

(SEE SCHOOL BOARD DOCUMENT FILE, MEETING OF SEPTEMBER 3, 2013, EXHIBIT "A," FOR A COPY OF THE CONSENT AGENDA ITEMS.)

C. Student Representative Comments

Miss Sara B. Natour, student representative for E. C. Glass High School, and Ms. Alexis T. Johnson, student representative for Heritage High School, provided comments about the events and activities occurring at their high schools.

D-1. Crisis Plans

Pursuant to the Code of Virginia §22.1-279.8, each school board shall ensure that every school develops a written school crisis, emergency management, and medical emergency response plan. The school must also review the plans on an annual basis.

On August 20, 2013, the school administration provided the school board with information about the process for updating the crisis plans for each school and indicated that the plans would be completed and submitted to the Virginia Department of Education by August 30, 2013. The school board received a copy of those plans, and the school administration requested that they be approved during this presentation.

Upon MOTION by Mr. Webb, SECONDED by Ms. Poore, the school board approved the crisis plans for 2013-14.

Yes Votes: Dr. Dolan-Sewell, Mrs. Tweedy, Mr. Hoss, Ms. Poore, Ms. Snyder, Ms. Waller, Mr. Webb, Mr. White

No Votes: None

Abstentions: None

D-2. School Board Policy 7-15: School Attendance

Several changes have been made to School Board Policy 7-15: School Attendance. The school administration reviewed those changes during the August 20, 2013, school board meeting. The school administration requested that the school board approve revisions to the policy during this presentation.

Upon MOTION by Mr. White, SECONDED by Ms. Poore, the school board approved revisions to School Board Policy 7-15: School Attendance.

Yes Votes: Dr. Dolan-Sewell, Mrs. Tweedy, Mr. Hoss, Ms. Poore, Ms. Snyder, Ms. Waller, Mr. Webb, Mr. White

No Votes: None

Abstentions: None

(SEE SCHOOL BOARD DOCUMENT FILE, MEETING OF SEPTEMBER 3, 2013, EXHIBIT "B," FOR A COPY OF SCHOOL BOARD POLICY 7-15: SCHOOL ATTENDANCE.)

D-3. Capital Improvement Plan: Heritage High School

Mr. Copeland provided the school board with a review of the current site plan which includes one change regarding the student parking lot. The parking lot grade has been reduced by five feet, which will save approximately \$1.5 million. He also noted that at the beginning of the project, it was projected that the school would open in 2018 with a bid date of 2015. Since that time, it has been confirmed that there will be a bid date of 2014 with an opening of 2017. There will be no savings as the architects had been basing costs on a 2014 bid date.

Mr. Bill Downey, managing principal and Mr. Joe Adams, primary project manager, both of Downey and Scott, presented an analysis of the costs associated with the project. They estimate that the hard construction costs are \$70,143,943 and soft construction costs of \$13,951,453, for a total of \$84,095,396. This works out to be \$173.33 per square foot for 276,430 feet. There is a three percent contingency for total construction cost and a five percent scope contingency on the estimated amount. Site development presents the biggest problem as there is a need to bring in fill dirt and construct a large number of retaining walls. This firm, along with representatives from Moseley Architects, will present information about the Heritage High School project to the Lynchburg City Council in October.

E-1. Virginia School Boards Association and Norfolk Public Schools Suit to Invalidate OEI Legislation

The Virginia School Boards Association (VSBA) and Norfolk Public Schools have filed a suit in the Circuit Court for the City of Norfolk requesting that the Court invalidate the legislation enacted during the 2013 Session of the Virginia General Assembly that created the Opportunity Educational Institution (OEI) and the Opportunity Educational Institution Board. The joint press release issued by VSBA and Norfolk Public Schools appears as an attachment to this agenda report.

In an effort to support this action, the VSBA has developed a resolution for local school boards to consider. That resolution also appeared as an attachment to the agenda report. During this presentation, the school board discussed the suit filed by the VSBA and Norfolk Public Schools and the resolution.

The sample resolution is as follows:

SAMPLE RESOLUTION

**RESOLUTION
XYZ SCHOOL BOARD**

WHEREAS, in its 2013 session, the General Assembly enacted legislation, which was subsequently approved by the Governor, creating the Opportunity Educational Institution (OEI) and the Opportunity Educational Institution Board; and

WHEREAS, the legislation mandates that the OEI Board take over the supervision and operation of any local public schools that have been denied accreditation and authorizes the OEI Board to take over any local public school that has been accredited with warning for three consecutive years; and

WHEREAS, it is the firm conviction of the School Board that this legislation violates the Constitution of Virginia in that it usurps the role of local school boards in supervising and managing the public schools of the Commonwealth; now therefore;

BE IT RESOLVED, the XYZ School Board hereby supports the lawsuit brought forth by the Virginia School Boards Association and Norfolk City School Board to declare the OEI legislation unconstitutional and to enjoin the OEI Board from taking any action to implement the legislation.

XYZ Public Schools
School Board

Upon MOTION by Mr. Webb, SECONDED by Mr. White, the school board adopted the resolution in support of the VSBA and Norfolk Public Schools Suit to Invalidate OEI Legislation.

Yes Votes: Dr. Dolan-Sewell, Mrs. Tweedy, Mr. Hoss, Ms. Poore, Ms. Snyder, Ms. Waller, Mr. Webb, Mr. White

No Votes: None

Abstentions: None

(SEE SCHOOL BOARD DOCUMENT FILE, MEETING OF SEPTEMBER 3, 2013, EXHIBIT "C," FOR A COPY OF THE SUPPORTING DOCUMENTS.)

F. Superintendent's Comments

Dr. Brabrand provided remarks about the opening of school and renovations at Carl B. Hutcherson Building. Hutcherson now contains programs for prekindergarten, elementary alternative education, and the Parent

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Center. Operations for secondary alternative education are now housed at the Fort Hill Community School, and the fence for that building is almost completed. Further, Dr. Brabrand stated that he is very proud of our teachers, administrators, and counselors who started this year with warmth and then competence.

Dr. Brabrand had the opportunity to attend the Beacon of Hope board meeting and learned that Elliot and Rosel Schewel had given the organization a \$100,000 challenge grant. He also learned today that the school division has been awarded \$100,000 from the 2013-14 School Security Equipment Grant Program. The funds will provide security cameras for all of our elementary schools.

Dr. Brabrand announced that the enrollment is 8,255, which is up from this time last year.

G. Board Comments

Mr. Webb shared information about the events and activities in which he has participated since the last school board meeting.

Dr. Dolan-Sewell reminded everyone about the unveiling of the historical marker for Clarence Seay that will occur on Saturday.

H-1. Notice of Closed Meeting

Upon MOTION by Mr. White, SECONDED by Ms. Poore, the school board convened a closed meeting at 6:25 p.m. pursuant to the Code of Virginia §2.2-3711 (A) (1) to discuss personnel matters.

Yes Votes: Dr. Dolan-Sewell, Mrs. Tweedy, Mr. Hoss, Ms. Poore, Ms. Snyder, Ms. Waller, Mr. Webb, Mr. White

No Votes: None

Abstentions: None

H-2. Certification of Closed Meeting

Upon MOTION by Ms. Poore, SECONDED by Mr. Webb, the school board reconvened in open session at 7:20 p.m.

Yes Votes: Dr. Dolan-Sewell, Mrs. Tweedy, Mr. Hoss, Ms. Poore, Ms. Snyder, Ms. Waller, Mr. Webb, Mr. White

No Votes: None

Abstentions: None

Upon MOTION by Ms. Poore, SECONDED by Mrs. Snyder, the school board approved by roll call vote, the following Certification of Closed Meeting:

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.

Yes Votes: Dr. Dolan-Sewell, Mrs. Tweedy, Mr. Hoss, Ms. Poore, Ms. Snyder, Ms. Waller, Mr. Webb, Mr. White

No Votes: None

Abstentions: None

I. Informational Items

Next School Board Meeting: Tuesday, September 17, 2013, 5:30 p.m., Board Room, School Administration Building

J. Adjournment

The meeting adjourned at 7:22 p.m.

Regina T. Dolan-Sewell, Chairman

Wendie L. Sullivan, Clerk

(SCHOOL BOARD DOCUMENT FILES ARE LOCATED IN THE DEPARTMENT FOR FINANCE AT THE SCHOOL ADMINISTRATION BUILDING.)