

**Lynchburg City School Board
Regular Meeting
October 19, 2010**

**BOARD
MEMBERS
PRESENT:**

Mary Ann H. Barker, Chairman
Thomas H. Webb, Vice Chairman
Albert L. Billingsly
Keith R. Anderson
Regina T. Dolan-Sewell
Troy L. McHenry
Trenay L. Tweedy
J. Marie Waller
Charles B. White

**BOARD
MEMBERS
ABSENT:**

None

**ADMINISTRATION
PRESENT:**

Paul McKendrick, Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction
Edward R. Witt, Jr., Assistant Superintendent of Operations and Administration
Leigh F. Farmer, Public Information Officer
Michael K. Rudder, Director of Elementary Education
Gregory P. Sullivan, Director of Information Technology
Billie Kay Wingfield, Director of Personnel
Wendie L. Sullivan, Recording Secretary/Clerk

**MEDIA
PRESENT:**

Jesse Pounds, *The News & Advance*

**Agenda
Items:**

- A-1. Public Comments
- B. Consent Agenda
- C. Student Representative Comments
- D-1. Education Jobs Fund
- E-1. Employee Profile
- E-2. School Health Advisory Board
- E-3. Administrative Regulation 5-3.2: Grievances and Grievance Procedures: Procedure for Compliance – Classified Employees
- 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 5:35 p.m. in the Board Room at the School Administration Building. Mrs. Barker opened the meeting and requested that those in attendance stand and recite *The Pledge of Allegiance*.

Upon MOTION by Mr. Webb, SECONDED by Rev. Anderson, the school board removed item B-3. Administrative Regulation 2-42: Community Use of School Facilities: Rules and Conditions.

Yes Votes: Mrs. Barker, Mr. Webb, Rev. Anderson, Mr. Billingsly, Dr. Dolan-Sewell, Mr. McHenry, Mrs. Tweedy, Ms. Waller, Mr. White

No Votes: None

Abstentions: None

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.

Mrs. Yvette H. Miller spoke on behalf of retirees and the recent decision regarding Virginia Retirement System creditable compensation.

B. Consent Agenda

Upon MOTION by Rev. Anderson, SECONDED by Mr. Billingsly, the school board approved school board meeting minutes for September 21, 2010 (Regular Meeting), and the personnel report for the period October 5-19, 2010.

Yes Votes: Mrs. Barker, Mr. Webb, Rev. Anderson, Mr. Billingsly, Dr. Dolan-Sewell, Mr. McHenry, Mrs. Tweedy, Ms. Waller, Mr. White

No Votes: None

Abstentions: None

(SEE SCHOOL BOARD DOCUMENT FILE, MEETING OF OCTOBER 19, 2010, EXHIBIT "A," FOR A COPY OF THE CONSENT AGENDA ITEMS.)

C. Student Representative Comments

Miss Natasha N. Chowdry, student representative for Heritage High School, and Mr. R. Addison Spinner, representative for E. C. Glass High School, shared comments about the events and activities occurring at their schools.

D-1. Education Job Funds

The Education Jobs Fund legislation was signed into law on August 10, 2010. The law provides more than \$10 billion for schools, similar to that given to schools through the State Fiscal Stabilization Funds under the American Recovery and Reinvestment Act of 2009 (ARRA). Dr. Patricia Wright, superintendent for public instruction, stated in a memo to division superintendents that the "primary purpose of [these funds] is to provide additional funding to states to support local teachers salaries and related costs." These funds are available on a one-time basis; thus it is critical that school divisions plan for use of these funds so that it reflects this one-time availability. Based on timelines submitted by the U.S. Department of Education, Virginia may be awarded its funds, more than \$249 million, by October 1, 2010.

Lynchburg City Schools is projected to receive \$1,976,551 from the Jobs Fund. The funds are available for obligations that occur as of August 10, 2010. Any funds remaining after the 2010-11 school year must be spent by September 30, 2012.

There are restrictions in the use of these funds. For example, school divisions may use the funds to pay for salaries of teachers and other employees who provide school-level education and related services. However, school divisions cannot use the funds for administrative expenditures related to the operation of the superintendent's office and/or for division-level employees. Schools also may not use the funds for payment of expenditures for fiscal services, program planning, or human resource services.

During the school board meeting on October 5, 2010, the school administration offered recommendations on how to use the funds. Since that meeting, the school administration has set up a special email address for employees to submit suggestions regarding the use of the funds. In addition to the information gathered from the email suggestions, the school administration provided recommendations regarding the use of Education Jobs Fund.

Suggestions for use of the funds submitted by employees included professional development, purchasing technology, substitutes for every building, capital improvement projects, and increased allotments for instructional and libraries. While funds are not to be used for those items, other suggestions for which funds can be used are one-time raises and assistance with health insurance costs. The school administration recommends that one-time bonuses be provided for employees in December and that the remainder of the funds be carried over to 2011-12 in order to reduce any short-fall. Other recommendations include that no staff be hired beyond the elementary resource teachers acquired for this year to help provide planning time for elementary school teachers. It was noted that it might be possible to use stabilization funds to provide a bonus for central office staff.

The school board will consider the recommendations the first or second meeting in December.

E-2. School Health Advisory Board

The School Health Advisory Board is composed of individuals from broad-based segments of the community to create healthy school environments so that students realize their learning potential. Members are appointed by the Lynchburg City School Board. The proposed membership for the School Health Advisory Board for the 2010-11 school year appeared as an attachment to this agenda report.

An example of the activities in which the advisory board participated this past year was monitoring the climate of cafeterias in the schools. Members observed school lunch periods and worked with school nutrition staff to improve the environment and atmosphere of school cafeterias. This year the members are examining food allergies and measures to be taken in order to ensure the safety of students who have food allergies.

Upon MOTION by Dr. Dolan-Sewell, SECONDED by Ms. Waller, the school board approved the membership of the School Health Advisory Board for the 2010-11 school year.

Yes Votes: Mrs. Barker, Mr. Webb, Rev. Anderson, Mr. Billingsly, Dr. Dolan-Sewell, Mr. McHenry, Mrs. Tweedy, Ms. Waller, Mr. White

No Votes: None

Abstentions: None

(SEE SCHOOL BOARD DOCUMENT FILE, MEETING OF OCTOBER 19, 2010, EXHIBIT "B," FOR A COPY OF THE SCHOOL HEALTH ADVISORY BOARD MEMBERSHIP.)

E-3. Administrative Regulation 5-3.2: Grievances and Grievance Procedures: Procedure for Compliance – Classified Employees

Following a review of the Lynchburg City School Board's Administrative Regulation 5-3/2: Grievances and Grievance Procedures: Procedures for Compliance – Classified Employees, Mr. D. Patrick Lacy, an attorney for Reed Smith, recommended revisions to the regulation. Those changes appeared as an attachment to the agenda report.

The current grievance procedures involve the supervisor taking action by providing in writing information that the employee has five days to contact the Department of Personnel for an appeal. The director of personnel then has 10 days to respond. If the director upholds the recommendation of the supervisor, the employee can then appeal to the superintendent or his designee. The revisions to the regulation provide a more substantive procedure that also gives latitude for the employee to have legal counsel present, a private hearing, and an opportunity to appeal to the school board.

This item will be considered for action at the school board meeting on November 2, 2010.

(SEE SCHOOL BOARD DOCUMENT FILE, MEETING OF OCTOBER 19, 2010, EXHIBIT "C," FOR A COPY OF ADMINISTRATIVE REGULATION 5-3.2: GRIEVANCES AND GRIEVANCE PROCEDURES: PROCEDURE FOR COMPLIANCE – CLASSIFIED EMPLOYEES.)

F. Superintendent's Comments

Dr. McKendrick provided information to the school board about a letter recently received by the Office of Civil Rights (OCR). The United States Department of Education, through the OCR is reviving its efforts to ensure that all students are receiving the same opportunities in public schools. The Lynchburg City Schools, along with several other school divisions across the nation, was chosen by OCR at random and asked to provide specific information regarding its programs, practices, and activities provided to students. The information is due to OCR by November 30, 2010.

Heritage High School received a \$25,000 scholarship donation as a result of a settlement in a case against the Peanut Corporation of American (PCA) which was headquartered in Lynchburg. Marler Clark, who represented victims who filed suit against PCA because of an outbreak of Salmonella in peanuts produced by the corporation, awarded the scholarship donation as a way of encouraging the next generation to take the fight against foodborne illnesses.

Dr. McKendrick welcomed Mr. McHenry to the school board.

Dr. McKendrick and Miss Wingfield plan to meet with Virginia Retirement System officials on Monday to obtain information and/or clarification regarding the creditable compensation and to see if there are other school divisions that have experienced this problem. The school administration was previously informed that the regulations regarding creditable contributions are based on the Code of Virginia and that the school division has no input regarding what it classified as creditable contributions.

G. Board Comments

Mrs. Barker announced that she would be attending the Teacher of the Year Awards Banquet in support of Ms. Jan Wiley, who won the Region V Teacher of the Year Award. During the banquet, the State Teacher of the Year will be announced.

Mr. McHenry and Ms. Waller will join Mrs. Barker as members of the Superintendent's Evaluation Committee. The committee will meet periodically to discuss the superintendent's evaluation instrument and bring recommendations to the school board regarding a new evaluation instrument.

The school board will meet for a work session on November 2, 2010, at 4:00 p.m. as a follow-up to discussions that occurred during the school board retreat.

The city administration will conduct budget workshops for each ward. The dates are: Ward I – Bedford Hills Elementary School; Ward II – Robert S. Payne Elementary School; Ward III – Heritage High School; and Ward IV – Linkhorne Middle School. Each workshop will begin at 6:30 p.m.

Rev. Anderson announced that the Finance Committee will meet on October 22, 2010, at 12:15 p.m. in Room 206 at the School Administration Building.

Mr. Billingsly recently attended the CEFPI conference in which the Sandusky Middle School project was highlighted.

Mr. Webb provided information about the events and activities he attended during the past several weeks. Of particular note was the Lynchburg Band Classic.

Mr. McHenry thanked everyone for the warm welcome to the school board and stated that he is looking forward to his service on the board.

I-1. Notice of Closed Meeting

Upon MOTION by Dr. Dolan-Sewell, SECONDED by Rev. Anderson, the school board convened a closed meeting beginning at 7:00 p.m. pursuant to the Code of Virginia §2.2-3711 (A) (1) to discuss specific personnel matters.

Yes Votes: Mrs. Barker, Mr. Webb, Rev. Anderson, Mr. Billingsly, Dr. Dolan-Sewell, Mr. McHenry, Mrs. Tweedy, Ms. Waller, Mr. White

No Votes: None

Abstentions: None

I-2. Certification of Closed Meeting

Upon MOTION by Mr. Webb, SECONDED by Mr. Billingsly, the school board reconvened in open session at 8:07 p.m.

Yes Votes: Mrs. Barker, Mr. Webb, Rev. Anderson, Mr. Billingsly, Dr. Dolan-Sewell, Mr. McHenry, Mrs. Tweedy, Ms. Waller, Mr. White

No Votes: None

Abstentions: None

Upon MOTION by Rev. Anderson, SECONDED by Mr. White, 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: Mrs. Barker, Mr. Webb, Rev. Anderson, Mr. Billingsly, Dr. Dolan-Sewell, Mr. McHenry, Mrs. Tweedy, Ms. Waller, Mr. White

No Votes: None

Abstentions: None

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J. Informational Items

Next School Board Meeting: Tuesday, November 2, 2010, 5:30 p.m., Board Room, School Administration School

K. Adjournment

The meeting adjourned at 8:09 p.m.

Mary Ann H. Barker, Chairman

Wendie L. Sullivan, Clerk

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