

A Business Meeting of the Albemarle County School Board was held on July 8, 2021 at 6:30 p.m., via Zoom, Charlottesville, VA 22902.

PRESENT: Mr. Graham Paige, Ms. Katrina Callsen, Mr. Jonno Alcaro, Ms. Ellen Osborne; Ms. Judy Le; and Mr. David Oberg (arrived at 6:02 p.m.)

ABSENT: Dr. Kate Acuff.

STAFF PRESENT: Dr. Matthew Haas, Superintendent; Ms. Debbie Collins, Deputy Superintendent, Dr. Clare Keiser, Assistant Superintendent, Dr. Bernard Hairston, Assistant Superintendent, Mr. Ross Holden, School Board Attorney, Dr. Patrick McLaughlin, Chief of Strategic Planning, Ms. Rosalyn Schmitt, Chief Operating Officer, Dr. Christine Diggs, Chief Technology Officer; Ms. Maya Kumazawa, Director of Planning and Budget; and Ms. Jennifer Johnston, Clerk to the School Board.

Agenda Item No. 1.1. Closed Meeting.

At 5:30 p.m., Ms. Callsen offered a **motion** that the School Board go into a closed meeting as authorized by the Virginia Freedom of Information Act, section 2.2-3711(A) of the Code of Virginia under subsection 1 for the discussion, consideration, or interviews of prospective candidates for employment and the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. Ms. Le **seconded** the motion. **Roll was called and the motion passed by the following recorded votes:**

AYES: Ms. Osborne, Mr. Alcaro, Ms. Callsen, Ms. Le, and Mr. Paige.

NAYS: None.

ABSENT: Dr. Acuff and Mr. Oberg.

Motion carried by a 5:0:2 vote.

Agenda Item No. 1.2. Closed Meeting Certification.

At 6:30 p.m., Ms. Callsen offered a **motion** that the Board certify by recorded vote that to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the Closed Meeting were heard, discussed or considered in the Closed Meeting. Mr. Alcaro **seconded** the motion. **Roll was called and the motion passed by the following recorded votes:**

AYES: Mr. Alcaro, Ms. Le, Mr. Oberg, Ms. Osborne, Ms. Callsen, and Mr. Paige.

NAYS: None.

ABSENT: Dr. Acuff

Motion carried by a 6:0:1 vote.

Ms. Osborne offered a **motion** to appoint the individual selected by staff to their respective administrative positions. Ms. Le **seconded** the motion. **Roll was called and the motion passed by the following recorded votes:**

AYES: Mr. Alcaro, Ms. Callsen, Mr. Oberg, Ms. Le, Ms. Osborne, and Mr. Paige.

NAYS: None.

ABSENT: Dr. Acuff.

Motion carried by a 6:0:1 vote.

Agenda Item No. 1.3. Call to Order.

At 6:30 p.m., Mr. Paige, Chair, called the meeting back to order.

Mr. Paige said that the meeting is being held electronically pursuant to Virginia state law and Albemarle County ordinance because the Covid-19 pandemic makes it impracticable and unsafe to assemble a quorum physically in a single location. The meeting is being streamed live on the Albemarle County Public School's website, and public comment may be offered through the Zoom waiting room feature in accordance with the School Board's protocol or by written submission.

Mr. Paige introduced the new student representative, AJ Johnson, from the Community Lab School.

Agenda Item No. 1.4. Moment of Silence.

Agenda Item. No. 2.1. Approval of Agenda.

Mr. Alcaro offered a **motion** to approve the agenda. Ms. Le **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

AYES: Mr. Oberg, Ms. Le, Ms. Osborne, Mr. Alcaro, Ms. Callsen, and Mr. Paige.

NAYS: None.

ABSENT: Dr. Acuff

Motion carried by a 6:0:1 vote.

Agenda Item No. 3.0. Consent Agenda

- 3.1 Approval of Consent Agenda
- 3.2 Exemption from Compulsory Attendance
- 3.3 Personnel Action
- 3.4 For Action: Policy Review and Revision
- 3.5 For Information: Policy review and Revision
- 3.6 For Action: ACSA Easement for Crozet Elementary Waterline
- 3.7 For Action: ACSA – Western Albemarle HS Waterline Easement
- 3.8 Mountain View Elementary Learning Cottages

Mr. Alcaro offered a **motion** to approve the consent agenda minus item 3.4. Ms. Osborne **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

AYES: Ms. Le, Ms. Osborne, Mr. Alcaro, Ms. Callsen, Mr. Oberg, and Mr. Paige.

NAYS: None.

ABSENT: Dr. Acuff.

Motion carried by a 6:0:1 vote.

Agenda Item No. 4.0. Items Pulled from the Consent Agenda.

Item No. 3.4: Ms. Le asked what the current mitigation strategies were for outdoor removal of masks. Ms. Schmitt said that we focus on hand hygiene and exclusion of symptomatic students, but it does not mean that just because students are outdoors that other mitigation strategies go away. Ms. Le asked if there is a distance strategy for outdoors. Ms. Schmitt said that staff and students will be instructed to distance where practical. Ms. Le asked if there is a situation in which there may be distancing on the playground. Ms. Schmitt said that we are aligned with the most recent guidance from the local health department and health officials. If concern arises based on transmission rates or guidance from health officials, then we would look at requiring distance outside. Mr. Alcaro said that he will vote in favor of the mask policy but he would like for the policy to be revisited periodically

because this is a fluid situation. Mr. Paige asked if Ms. Schmitt would revise guidelines as guidance changes. Ms. Schmitt said yet.

Mr. Alcaro offered a **motion** to approve Item 3.4. Mr. Oberg **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

AYES: Ms. Le, Ms. Osborne, Mr. Alcaro, Ms. Callsen, Mr. Oberg, and Mr. Paige.

NAYS: None.

ABSENT: Dr. Acuff.

Motion carried by a 6:0:1 vote.

Agenda Item No. 5.1. Spotlight on Education.

Mr. Paige said that this evening, it is my privilege to present our special guests for recognition. I'd like to begin by reading a letter.

Dear Nathan:

Among the values to which our school division will be committed over the next five years are two that immediately come to mind when thinking about your recent service to our school division. Equity and Family and Community.

These are timeless values and necessary ones if a school division is to be an exceptional performer for students, employees and in the broader community. The best decisions are those that welcome and call upon the wisdom, judgment and participation of as many voices as possible.

The pandemic that brought a temporary halt to in person meetings of our School Board more than a year ago, introduced higher barriers to collaboration. It complicated face to face communications and it increased the urgency for up to date information.

That's when we all came to appreciate the behind the scenes, quiet and trouble-shooting competence that you brought to our meetings. As the professional who opened increased online access to our constituents, we saw attendance at our meetings go from a few dozen to several hundred and on occasion, more than 1,000.

As we moved through important decisions on health and safety, on policies, on budget issues, on equity, and on our strategic plan, the engagement of our community, now transferred to the online world, nearly was flawless.

On behalf of our School Board and on behalf of all those families, students and community partners that increased their knowledge and interaction with our school division, we are grateful for your work.

Thank you for your foundational help in leading the way to more inclusive and meaningful connections between the decision makers and those who benefit from the most informed of decisions.

We look forward to continuing this important work with you.

Thank you very much, Nathan.

Mr. Paige then said we also are fortunate to have with us, our two winners of the annual student leadership award, the McIntire Prize. It was nearly 100 years ago that one of our state's most successful business and community leaders, Paul G. McIntire, said that "culture and education is the means to improve the quality of life in an increasingly technological world." A statement made by the way, about 70 years before the iPhone was invented. Mr. McIntire established an award to encourage high school seniors to be leaders in promoting a better quality of life for future generations. The McIntire Prize has been a part of Albemarle County high school

graduations since before Franklin D. Roosevelt was President of the United States. Fewer than 200 of the more than 500,000 students who have come through our school doors have received this award. This evening, we have with us our two award winners for this past year. Nohemy Medina Roman is an Albemarle High School Graduate and Andrew Sime is a graduate of Western Albemarle High School. I really valued what Nohemy said about leadership, that you need to be a good listener, team player and always be focused on the goal. Her advice for us on the Board is to keep supporting students. She tells us that students need someone they can trust, someone who will listen without being judgmental. That's very useful advice for anyone, even those who are not School Board members. What's even more impressive about this young lady is that she came to our county a few years ago with her focus very much on her goal of completing all of her high school education in three years. That's exactly what happened. Now she's in a program to become a pharmacy technician. She says she learned about the importance of this service from a family member who depends upon life-saving medication. Leadership comes easily to our other special guest. During his career at Western, Andrew was a class officer and a vice president of the student executive council but probably his most unusual claim to fame occurred not in a classroom but on the water. Andrew was captain of the school's championship rowing team and a state champion himself. He tells me you don't often see someone 6'5'' in a boat pulling oars but Andrew insists that was his secret weapon. I'm sure it has something to do with physics. Asked about how one wins the McIntire Prize, he says engagement is important, as is a dedication to problem-solving, being a positive influence on others and always welcoming newcomers. He will be taking these exceptional qualities across the country later this summer when he begins his college studies at Cal Poly. Please welcome our two student leaders. Beginning with Nohemy, I'd like to ask both to share some thoughts with us on leadership and goals and perhaps offer us a little advice.

Agenda Item No. 5.2. Announcements.

Ms. Collins shared with the Board information on the summer learning that has been taking place in the division.

Agenda Item No. 6.0. School Board/Superintendent Business. None.

Agenda Item No. 8.1. Public Comment.

Mr. Matthew Mierzejewski lives in the White Hall Magisterial District. He asked the Board if they had reviewed the pilot Courageous Conversations curriculum being taught at Henley Middle School. He asked that the community be provided the opportunity to provide feedback on the curriculum.

Ms. Sandra Holbrook lives in the Rivanna Magisterial District. She expressed concern about the prolonged use of masks on children. Children are not the drivers of this disease. They have suffered the most.

Mr. Daniel Mais lives in the White Hall Magisterial District. He said that the anti-racism policy and Courageous Conversations is fighting discrimination with more discrimination. Critical race theory has no place in public education it creates resentment and division.

Ms. Sharon Flynn lives in the White Hall Magisterial District. Children are being taught to be activists. Parents are being doxed on social media by Hate Free Schools of Albemarle County for speaking out. She asked that the Board pause, listen, and take feedback from the community.

Ms. Marie Mierzejewski lives in the White Hall Magisterial District. She said that we must protect all students. She asked what Albemarle County Schools will do when teaching Courageous Conversations conflicts with a teacher's moral conscience. She asked how will the Division handle sharing bathrooms with transgender students.

Ms. Meg Bryce lives in the Samuel Miller Magisterial District. She spoke about the transgender policy. We must protect and recognize the dignity of all student's privacy and confidentiality. She expressed concern about the part of the policy about parental notification.

Mr. John Bryce lives in the Samuel Miller Magisterial District. He said that the policy on the treatment of transgender and gender expansive students oversteps what is required by Virginia law. He said that the draft policy needs more work.

Ms. Ryan Looney lives in the White Hall Magisterial District. She supports the policy on the treatment of transgender and gender expansive students. It is the moral imperative to protect students.

Ms. Chrishanthi Erkel lives in the Samuel Miller Magisterial District. She objects to CRT and Courageous Conversations because equity is about socio- economic ideology. Teaching of CRT violates the separation of church and state. The division is using its power to push an ideology.

Ms. Stacy Williams lives in the White Hall Magisterial District. She spoke in support of the proposed transgender policy. Students need to feel safe when at school.

Ms. Mary Nacey lives in the White Hall Magisterial District. She supports the policy on the treatment of transgender and gender expansive students. She expressed gratitude for the work done by staff.

Ms. Laura Breeden lives in the White Hall Magisterial District. She expressed concern about the use of Courageous Conversations curriculum. There has been no input or engagement on the use of it. She asked that the Board pause the roll out of the curriculum and engage the community.

Mr. Jason See lives in the White Hall Magisterial District. He spoke in support of the proposed policy on the treatment of transgender and gender expansive students.

Mr. Warren Richardson lives in the White Hall Magisterial District. He expressed concern about some of the teachings in Albemarle County especially the anti-racism curriculum. Anti-racism is racist and evil.

Ms. Ollie Nacey is a student and lives in the White Hall Magisterial District. She spoke in support of the policy on the protection of transgender and gender expansive students.

Ms. Iyana Carter lives in the White Hall Magisterial District. She believes that the Board wants what is best for kids, but the transgender policy is not going accomplish it. It is troubling that the school is being given the power to assist children in hiding information from parents.

Ms. Holly Duke lives in the Rivanna Magisterial District. She spoke in support of the Strategic Plan.

Mr. Seth Oldham lives in the Samuel Miller Magisterial District. He spoke in support of the policy on the treatment of transgender and gender expansive students.

Ms. Rebecca Templeman lives in the White Hall Magisterial District. Socialism has found a home in ACPS. CRT fails to resolve its own racist policies. She opposes the anti-racism policy and teaching Courageous Conversations.

Mr. Chad Ciesil lives in the White Hall Magisterial District. He has lost confidence in ACPS and pulling children this year. The Board is unwilling to work with the community to find common ground when beliefs are different.

Ms. Rebecca Kendall lives in the White Hall Magisterial District. She spoke in support of the policy for the protection of transgender and gender expansive students.

Mr. Omar Garriott lives in the White Hall Magisterial District. He spoke in support of the policy for the protection of transgender and gender expansive students.

Mr. William Robinson lives in the White Hall Magisterial District. He is grateful that the division wants to affirm the identity of all students. The proposed transgender policy is helpful to those students and hurtful to no one.

Mr. Sam Parks lives in the White Hall Magisterial District. ACPS indoctrinates, exceeding the limits of parental consent. You have moral agency. The Board should reject Courageous Conversations, reject the transgender policy, and reject the Strategic Plan.

Ms. Clare Ruday lives in the Samuel Miller Magisterial District. She spoke in support of the proposed policy on the protection of transgender and gender expansive students. The policy threatens no one.

Ms. Susan Reed lives in the Rio Magisterial District. The Superintendent and School Board want to be social warriors. The actions of the Board are dividing kids.

Ms. Anne Jordan lives in the Samuel Miller Magisterial District. She said that the community is not being given adequate time to respond to the changes being considered by the Board. Equity is not equality, it is racism. The Board is sewing the seeds of hatred.

Ms. Laura Brunk lives in the Samuel Miller Magisterial District. She spoke in support of the policy on the protection of transgender and gender expansive students.

Ms. Lydia Brunk lives in the Samuel Miller Magisterial District. She spoke in favor of protecting transgender and gender expansive students and their right to learn.

Ms. Margaret Gokturk lives in the Samuel Miller Magisterial District. FERPA mandates parents' rights to access to records and information. The draft policy on the protection of transgender and gender expansive students seeks to revoke parental rights.

Ms. Chardon Jenks lives in the Rivanna Magisterial District. She spoke in opposition to the transgender policy.

Mr. David Wallace lives in the Scottsville Magisterial District. He is concerned about what he sees in Albemarle County Schools. CRT is a Marxist program.

The Board took a break from 8:25 p.m. until 8:35 p.m.

Agenda Item No. 8.1. New Transgender Policy.

Mr. Holden provided for the Board's consideration a proposed policy on the treatment of transgender and gender expansive students. Virginia Code § 22.1-23.3, which was enacted by the General Assembly in 2020, mandates action by both the Virginia Department of Education (DOE) and local school boards. The statute requires the DOE to develop model policies concerning the treatment of transgender students in public schools, addressing, among other things: • compliance with applicable nondiscrimination laws; • maintenance of a safe and supportive learning environment free from discrimination and harassment for all students; • prevention of and response to bullying and harassment; • maintenance of student records; • identification of students; • protection of student privacy and the confidentiality of sensitive information; • enforcement of sex-based dress codes; and • student participation in sex-specific school activities and events and use of school facilities. Activities and events do not include inter-scholastic athletics which are governed by VHSL or similar organization. The DOE's Model Policies for the Treatment of Transgender Students in Public Elementary and Secondary Schools were made available for public comment, as required by law, in late December. The DOE received over 9,000 comments during the public comment period. The final version of the document was distributed to local school divisions via Superintendent's Memo 085-21 on April 2, 2021, https://www.doe.virginia.gov/administrators/superintendents_memos/2021/085-21.pdf Virginia Code § 22.1-23.3 requires school boards to adopt policies that are consistent with the DOE's Model Policies by the beginning of the

2021-2022 school year. The proposed ACPS policy is aligned with the VDOE's guidance as well as the decision of the United States Court of Appeals for the Fourth Circuit in Grimm v. Gloucester County Public Schools.

Mr. Oberg said that the only thing that causes him concern is the paragraph under privacy and confidentiality about parent notification. The language is vague. He asked if staff could look at the language to provide greater clarity. He asked who would address the case that appears before staff.

Ms. Callsen encouraged parents and the community to go in and read the entire policy.

Ms. Le thanked Mr. Holden for his work on the policy.

Agenda Item No. 8.2. COVID-19 Update.

Dr. McLaughlin provided for the Board's consideration a COVID-19 status update for the division and County.

There was no Board discussion.

Agenda Item No. 8.3. ACPS Strategic Plan.

Dr. Haas and Dr. McLaughlin provided for the Board's consideration a draft Strategic Plan. With the current ACPS strategic plan set to end this year, division staff began working on a new Strategic Plan for the school division in September. The new Strategic Plan, "Learning for All," will drive the work of the school division for the next several years. The Board provided feedback on the plan at their retreat in June, and now a final version of the plan is presented for adoption.

Mr. Alcaro offered a **motion** to adopt the five-year strategic plan as it was laid out by staff. Ms. Osborne **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

AYES: Ms. Callsen, Ms. Osborne, Ms. Le, Mr. Alcaro, Mr. Oberg, and Mr. Paige.

NAYS: None.

ABSENT: Dr. Acuff.

Motion carried by a 6:0:1 vote.

Mr. Alcaro thanked Dr. McLaughlin for the work of him and the team on developing the strategic plan.

Agenda Item No. 8.4. Break.

A break was taken earlier in the meeting.

Agenda Item No. 8.5. Resource Utilization to Support Learning Recovery, Summer 2021 – Summer 2022.

Ms. Schmitt and Dr. Haas provided for the Board's consideration a plan for resource utilization to support learning recovery for the summer 2021 through summer 2022. In May, the Board adopted the school division's annual operating budget, including a special revenue fund dedicated to learning recovery using one-time local funding. Later that month, the Board appropriated federal funds from the Coronavirus Response and Relief Supplemental Act (CRRSA) and the American Rescue Plan Act (ARPA). Each funding source will be used to support learning recovery efforts. Staff will present an overview of a proposed plan of how these financial resources will be utilized for targeted investments in support of learning recovery efforts beginning this summer and beyond. Funding for supplemental one-time recovery resources will be provided by currently appropriated federal and local sources.

Ms. Callsen asked for an update on how many people were interested in the virtual school.

Mr. Alcaro asked how those interested in virtual school were spread out over the grades.

Ms. Osborne asked for more information on the vans at the schools and whether or not there were enough drivers for the vans.

Ms. Callsen asked if money would be allocated to each school to use for targeted work at the individual school.

Agenda Item No. 8.6. FY 2021/22 Revenue and Expenditure Amendments.

Ms. Kumazawa provided for the Board's consideration FY2021/22 revenue and expenditure amendments. Albemarle County has revised their FY 22 local revenue projections based on stronger consumer driven activity, actual data for business licenses & bank franchise taxes, improved local recordation taxes, and community Development related fees. The ACPS share of the revenue increase is \$1,460,015.

The corresponding increase in expenditures for FY 22 include the following items: transfer to the Bright Stars Fund, increase in the transfer to CATEC due to increased compensation assumptions, increase in the transfer to the Technology Replacement Fund for VOIP phone replacements, 2.0 Custodial FTEs for new mobile units, increased overtime costs due to a change in compensation regulations, 1.0 Special Education administration FTE, 1.0 Assessment/Policy Officer, and funding for a payroll consultant (one-time).

In Special Revenue Funds, a new Bright Stars (Virginia Preschool Initiative) Fund is proposed, which includes state revenues of \$610,459 and a transfer from the School Fund of \$700,000. Corresponding expenditures of \$1,310,459 are planned to maintain 2019-2020 levels of service.

There was no Board discussion. This item will be placed on the next consent agenda for approval.

Agenda Item No. 9.1. Other Business by Board Members/Superintendent.

Student representative Johnson said that there are some of the same concerns for both sides of the transgender policy, for example, harassment in bathrooms.

Ms. Callsen said that she hopes that students know that they are supported and welcome.

Ms. Le said that it feels unusual that it will be four weeks before we vote on a policy. She hopes that the transgender community knows that they are supported.

Agenda Item No. 10.1. Closed Meeting. None.

Agenda Item No. 11.1. Certify Closed Meeting. None.

Agenda Item No. 12.1. Adjournment.

At 9:35 p.m., hearing no objections, Mr. Paige adjourned the meeting of the Albemarle County School Board.

Chairman

Clerk