

A Business Meeting of the Albemarle County School Board was held on May 12, 2022 at 6:30 p.m., Albemarle County Office Building, Lane Auditorium, 401 McIntire Road, Charlottesville, VA 22902.

PRESENT: Mr. Graham Paige, Ms. Katrina Callsen, Mr. Jonno Alcaro, Ms. Ellen Osborne, Ms. Judy Le, and Dr. Kate Acuff.

ABSENT: Mr. David Oberg.

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; Student Representative Kofi Mason; Ms. Maya Kumazawa, Director Planning and Budget; Mr. Jay Thomas, Director of Secondary Education; Ms. Katina Dudley, Lead Coach; Ms. Jamie Gellner, Program Evaluator; Ms. Michele Castner, Director of Elementary Education; Ms. Jennifer Johnston, Clerk to the School Board.

Agenda Item No. 1.1. Closed Meeting.

At 5:45 p.m., Ms. Callsen offered a **motion** that that the Albemarle County Public 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 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; and subsection 8 for consultation with legal counsel employed or retained by the School Board regarding specific legal matters requiring the provision of legal advice by such counsel. Ms. Le **seconded** the motion, **and the motion passed.**

Agenda Item No. 1.2. Closed Meeting Certification.

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. Ms. Le **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

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

NAYS: None.

ABSENT: Mr. David Oberg.

Motion carried by a 6:0:1 vote.

Mr. Alcaro offered a **motion** to appoint employee A to new position as discussed effective July 1, 2022. Ms. Osborne **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

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

NAYS: None.

ABSENT: Mr. Oberg.

Motion carried by a 6:0:1 vote.

Mr. Alcaro offered a **motion** to appoint the following students as student representatives to the School Board: Anda Armand, Brisa Caballero-Chigo, Ella Whitcomb, Sanuthi Amarasinghe, Weining Ding, and Valentin Dowd. Ms. Le **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

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

NAYS: None.

ABSENT: Mr. Oberg.

Motion carried by a 6:0:1 vote.

Mr. Alcaro offered a **motion** to reimburse employee B for legal defense costs in accordance with Virginia Code Section 22.1-83. Dr. Acuff **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

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

NAYS: None.

ABSENT: Mr. Oberg.

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 of the Albemarle County School Board back to order.

Agenda Item No. 1.4. Pledge of Allegiance.

Agenda Item No. 1.5. Moment of Silence.

Agenda Item. No. 2.1. Approval of Agenda.

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

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

NAYS: None.

ABSENT: Mr. Oberg

Motion carried by a 6:0:1 vote.

Agenda Item No. 3.0. Consent Agenda

- 3.1 Approval of Consent Agenda
- 3.2 For Information: Policy Review and Revision
- 3.3 COVID-19 Update
- 3.4 Personnel Action
- 3.5 Personnel Action – Coaches
- 3.6 Minutes
- 3.7 Authorization to Sign in the Absence of the Superintendent
- 3.8 Diploma Waiver for Student 1
- 3.9 Diploma Waiver for Student 2
- 3.10 Response to Board Question: ARP and ARP Set Aside Grants

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

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

NAYS: None.

ABSENT: Mr. Oberg.

Motion carried by a 6:0:1 vote.

Agenda Item No. 4.0. Items Pulled from the Consent Agenda. None.

Agenda Item No. 5.1. Spotlight on Education.

Student representative Mason said that this is Mental Health Awareness Month and there is a special event on Monday at our central office building that she would ask Ms. Acuff to talk about after hearing from our special guest.

The National Alliance for Mental Health advises us that each year millions of Americans face the reality of living with a mental illness. The importance of recognizing this month is in energizing a national movement to fight stigma, provide support, educate the public and advocate for policies that support people with mental illness and their families.

We are enormously privileged that many of our students have long been active in this movement. Several years ago, students from Western, Monticello and Albemarle high schools, testified in Richmond on the need for more mental health resources in schools across Virginia.

Not only were these efforts successful in Richmond but they were successful here in Albemarle, where this Board added mental health counselors to our schools.

As a student, she cannot begin to tell you how you changed our lives in such a meaningful way and demonstrated the depth of your commitment to our well-being and to our ability to learn at our highest potential.

We are enormously grateful for your continuing attention and sensitivity to our health and that of our teachers and staff.

With us this evening to elaborate on how students are coming together as a team with our principals, is Elijah Witt, who was a student representative to this Board in 2020.

She acknowledged the presence of Elijah's principal, Ms. Jenn Sublette, who has been a strong supporter of the student leadership club at Western and of their mental health programming.

Elijah will elaborate but two goals in the student initiative have been a forum held earlier this year for the Western community, including parents, that included a guest speaker from the National Alliance for Mental Health and the strong interest from students in promoting Mental Health First Aid Training for teachers.

She asked Elijah to come to the podium to share some thoughts on student mental health awareness and support activities this year. Following Elijah's remarks, Ms. Acuff would share some details about Monday's event.

Dr. Acuff said thank you, Elijah, not only for his remarks, but even more important, for all the contributions that you and your colleagues at Western and our other schools, are making to promote mental health.

As Kofi noted, May is Mental Health Awareness Month and the Mental Health Foundation reminds all of us that, a green ribbon is the international symbol for mental health awareness. It requests us to wear a green ribbon to show colleagues, loved ones or simply those you walk past that you care about their mental health. It can also be worn in memory of a loved one.

On Monday of next week, there will be a special lighting ceremony on these grounds. At 8 p.m., mental professionals from our community will be joined by representatives of the city, this Board, our Board of Supervisors and our state representatives, to honor and support Mental Health Awareness Month and its goals of supporting activities, programs and services that promote mental health.

And on this subject, she expressed the Board's appreciation to Mr. Kevin Kirst and his team for their work in developing a new program that eventually will expand access to therapeutic mental health services for students at any of our schools.

Presently, she understands, it can take several months to obtain an appointment with a mental health therapist. When this new program, with Health Connect America is fully implemented later this year, it will enable that access almost immediately.

Now, at precisely 8 p.m. this Monday, a switch will be thrown and every window in this building will be bathed in green. Our building will continue to be green every night next week, right through until Sunday evening.

In honor of our students who are making such important contributions to the mental health needs of our entire school community, and in tribute to those professionals who provide such necessary support and services, and in gratitude for those who seek support and services, she urged her colleagues and those in the audience to join me in wearing green this Monday.

Agenda Item No 5.2. Announcements.

Dr. Hairston shared with the Board that 99% of staff have completed the anti-racism policy orientation training. He shared with the Board that the website shows badges for those schools and departments that have 100% completion of the training.

Dr. Hairston reminded the Board of the Equity Conference on June 11.

Dr. Haas said that the Board was provided with the most recent digital health guide.

Dr. Haas shared with the Board about his visits to Post High and Henley Middle School.

Agenda Item No. 6.1. School Board/Superintendent Business.

Ms. Osborne asked where staff was in working to address the issue from the last meeting with clubs and other school activities accepting electronic payments or donations via apps such as CashApp and Venmo.

Agenda Item No. 7.1. Public Comment.

Mr. Vernon Liechti is the president of the Albemarle Education Association. He encouraged the Board to adopt the public sector collective bargaining resolution presented by the Albemarle Education Association.

Ms. Molly Woodfin is a student. She shared concerns with the student dress code with particular emphasis on potential gender inequality.

Ms. Cheryl Knight spoke in support of collective bargaining.

Ms. Amy Gaertner spoke in support of collective bargaining.

Ms. Gayle Burt spoke in support of collective bargaining.

Ms. Maddox McIntyre is a student. She spoke in support of collective bargaining.

Ms. Margie Shepherd spoke in support of collective bargaining.

Ms. Mary Nacey spoke in support of collective bargaining.

Ms. Irene Krone spoke in support of collective bargaining.

Mr. Chris Seaman spoke in support of collective bargaining.

Ms. Bekah Saxon spoke in support of collective bargaining.

Mr. Josh Mound spoke in support of collective bargaining.

Mr. Kayden Wright spoke in support of collective bargaining.

Ms. Amy Laufer spoke in support of collective bargaining.

Agenda Item No. 8.1. For Action: Public Sector Collective Bargaining.

§ 40.1-57.2 permits local governing bodies to recognize and bargain with a labor union or other employee association as the exclusive bargaining agent of their employees, and to collectively bargain and enter a collective bargaining agreement "with respect to any matter relating to them or their employment or service," by resolution or ordinance.

On March 24, 2022, the Albemarle Education Association presented the School Board with a resolution under Virginia Code § 40.1-57.2 seeking to institute public sector collective bargaining in the Albemarle County Public Schools.

Mr. Alcaro said that on March 24, 2022, the Albemarle Education Association presented the School Board with a resolution under Virginia Code § 40.1-57.2 seeking to institute public sector collective bargaining in the Albemarle County Public Schools. After review and consideration, he **moved** that the School Board not adopt the AEA resolution or otherwise authorize public sector collective bargaining in the Albemarle County Public Schools at this time. Dr. Acuff **seconded** the motion. Mr. Paige asked for discussion.

Ms. Osborne asked if there was an estimate of costs for the first year if the Board were to allow for collective bargaining.

Ms. Osborne asked where the Division was in setting up its own Human Resources Department.

Ms. Osborne said that she understands that superintendent cabinet members meeting with the Albemarle Education Association. She asked how many members of the Cabinet meet with AEA and what takes place during those meetings.

Ms. Osborne asked where Charlottesville City Schools were in the process.

Ms. Osborne asked how many teachers and other employees are members of the Albemarle Education Association.

Ms. Callsen asked about the Human Resources issues with pay. She asked how the process worked on this issue.

Student representative Mason asked why Board members were voting against collective bargaining.

Ms. Callsen asked how much of a raise has there been in the last year for teachers and other staff including bonuses.

Ms. Osborne asked how many employees live in Albemarle County. She also asked about retention rate of employees.

Ms. Osborne said that during public comment there was a statement that requests by the AEA to meet with board members was met with silence. She said that she met with the AEA so the claim that requests were met with silence is inaccurate.

Student representative Mason said that he feels that Board should act on what is being expressed.

Dr. Acuff said that she cannot support the petition for collective bargaining of ACPS employees at this time. Her reasons are several but central is the fact the statute crafted by the General Assembly is unworkably vague. Collective bargaining of public employees in Virginia was illegal for nearly 50 years and the infrastructure for collective bargaining is absent in both regulation and the Virginia statute authorizing collective bargaining only with local governments and school boards—not any state employees. Lacking are such basic elements as the process for verifying signatures, how elections are to take place, what employees are subject to collective bargaining, and many of the provisions that are the norm in other states and make collective bargaining work. As a result, rather than focusing on our students, which is her highest priority at this time, she fears a significant amount of time and resources would have to be devoted to developing the collective-bargaining infrastructure the General Assembly failed to provide. Additionally, as is often the case with new and poorly-drafted legislation, the first adopters are also likely to be embroiled in litigation and other challenges—detracting from both our students and any meaningful efforts to support staff needs. A second reason is that this School Board lacks the legal authority to raise revenues. She understands many have emphasized the effort toward collective bargaining is not *solely* about money but many of the changes sought would have a financial impact. The School Board has annually advocated to both the Board of Supervisors and our state representatives for greater support for public education and this year we have managed to secure the largest raises for our employees in our history. Many of the other issues raised by our petitioners also involve increased revenue – smaller class sizes, more time for planning, etc. Albemarle County Public Schools already devotes 86% of its operating budget to personnel and, without additional funding from the state or BOS, we have little room to maneuver. Both of her parents—as well as her stepmother -- worked in public education. Her father was a middle school science teacher for 40 years. She does have an appreciation of the hard work and dedication that is required. And, she absolutely supports working more closely with our teachers and staff, but she cannot support this collective bargaining resolution.

Mr. Alcaro said that collective bargaining is a subject that he can embrace and believe in. But, as Dr. Acuff said the legislature had a robust bill that they were working on and could not get it passed. What they ended up doing was put out a 386-word bill. There is no modern-day case law in Virginia on the subject of public sector collective bargaining. There is no labor relations type of entity that provides oversight on elections, on other processes that make collective bargaining work like in other states. There is a lot of work that needs to be done at the legislative level and across the state with infrastructure before public sector collective bargaining can be launched. There needs to be a commonality of structure and processes across the school boards in the Commonwealth; otherwise, what we will have is 132 school divisions setting up 132 different processes to do collective bargaining which will be messy. School Boards are completely dependent on federal, state, and local governments for revenue. The School Board does not have taxing authority in Virginia. We do not have the ability to bind the Board of Supervisors to multi-year labor contracts. When the subject of collective bargaining came up two years ago he was interested in it, and then it became obvious that the new law was not going to be much help to school boards across the state. He felt strongly that our Board should wait and see how other school boards handle it across the state operationally. He is not going to support the AEA resolution or public sector collective bargaining at this time. His vote has nothing to do with AEA.

Ms. Callsen said that she will not support the AEA resolution for collective bargaining. She said that she has done the work and research to help formulate her opinion. She said that she does not see conclusive research that shows unions help with student achievement or teacher satisfaction. She noted that we do not have any guidance from the legislature that guides the process – Wisconsin is an example of a state that has process in the legislature. She consulted with others with experience and or opinions on the matter. Again, she does not support the resolution that was submitted.

Ms. Le said that she is more conflicted about this than expected. She does see the concerns about the statute not giving us a path forward and she agreed that is valid. This is not the resolution she would have passed but, as many members said, this was just a starting point, and we could have treated it as such. She also believes

that, for the most part, the division at least tries to deal in good faith. But that is not a reason to vote against collective bargaining. There doesn't have to be a bad situation for there to be collective bargaining. She fundamentally believes in collective bargaining and she would be voting no on this motion.

Ms. Osborne said that she fundamentally believes in collective bargaining as well. However, she cannot support collective bargaining at this time, most specifically due to the labor-intensive work of standing up a Human Resources Department with this on top of that work, so it is not the appropriate time to consider collective bargaining.

Mr. Paige said that this has been a difficult decision for him. He said that he understands that there are potential large costs associated with collective bargaining and that there are no guidelines on how collective bargaining should be done. On the other hand, he was a teacher in Albemarle County Public Schools and he understands how stressful it can be a teacher even before all that is happening in the world today. He does not support the motion presented by the AEA, however, he will vote against the motion because he believes that teachers deserve to have collective bargaining.

Roll was called, and the motion passed by the following recorded votes:

AYES: Dr. Acuff, Mr. Alcaro, Ms. Callsen, and Ms. Osborne.

NAYS: Mr. Paige and Ms. Le

ABSENT: Mr. Oberg.

Motion carried by a 4:2:1 vote.

Mr. Paige said that even though the School Board has not authorized public sector collective bargaining for the ACPS at this time, the AEA's position that administration and staff must collaborate frequently and effectively in the best interests of the school children we serve is a valid one. We should increase opportunities for the School Board and administration to listen and learn and obtain thoughtful input and feedback from teachers in the classroom and classified staff who are vital in creating an educational environment conducive to learning. For this reason, he asked for a motion that the Board ask the Superintendent to explore meaningful meet and confer options and other alternatives for mutual interaction between management and staff to be established by School Board Policy to provide staff a resonant voice in the operation of the ACPS. A report back to the School Board with your recommendations within 90 days for further discussion and consideration.

Ms. Callsen offered a **motion** to ask the Superintendent to explore meaningful meet and confer options and other alternatives for mutual interaction between management and staff to be established by School Board Policy to provide staff a resonant voice in the operation of the ACPS. A report back to the School Board with your recommendations within 90 days. Mr. Alcaro **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

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

NAYS: None.

ABSENT: Mr. Oberg.

Motion carried by a 6:0:1 vote.

Agenda Item No. 8.2. Adopt FY 2022/23 School Operating Fund and Special Revenue Funds Budget.

Ms. Kumazawa provided for the Board's consideration a proposed school operating fund and special revenue fund budget for FY2022/2023. On April 28, staff provided final recommendations to revisions in the FY 2022/23 budget, which included updates in School Fund revenues and expenditures. Since the approval of the Funding Request, recommended expenditure revisions include higher fuel and utilities costs, technical

adjustments, one-time uses of fund balance, and cost neutral shifts in the School Fund and Special Revenues funds.

Adopt the FY 2022/23 School Board Budget of \$246,458,034 for the School Fund and \$39,424,421 for Special Revenue Funds.

Mr. Alcaro offered a **motion** to adopt the FY 2022/23 School Board Budget of \$246,458,034 for the School Fund and \$39,424,421 for Special Revenue Funds. Ms. Le **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

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

NAYS: None.

ABSENT: Mr. Oberg.

Motion carried by a 6:0:1 vote.

Agenda Item No. 8.3. Update on High School Redesign.

Mr. Thomas, Ms. Gellner, and Ms. Dudley provided for the Board's consideration an update on the high school redesign. In 2015, the school division began to re-imagine what the high school experience might look like for our students. This work will become fully implemented with the graduating class of 2026, members of which will begin their high school experience in the fall. At tonight's meeting, the team will provide a brief update to the Board on this work and will return in the fall with a more comprehensive review of the plan.

Dr. Acuff asked how staff would assess how many students want to go in terms of career clusters.

Ms. Le asked for the definition of a 7+1 schedule for enrichment. She said that she has received feedback about the impact of losing one elective class.

Mr. Alcaro asked how many classes will be taught with a 7+1 schedule. He also asked for the status of the community partners for career clusters.

Ms. Callsen asked if staff had completed a program review on Freshman Advisory.

Ms. Osborne asked if every teacher had to teach a Freshman Advisory class.

Student representative Mason expressed concern about how learning communities will reach only certain students.

Mr. Paige asked for a list of community partners for each pathway, and then asked if there was a problem finding community partners for any of the pathways.

Dr. Acuff asked how internships and community-based projects were working for students with our current community partners. She also asked how many students take advantage of internships.

Student representative Mason asked where the learning communities would be located and will transportation be provided.

Ms. Callsen said that she would like to see more emphasis put on career counseling at the high schools.

Ms. Le expressed support for the work on cell phone use.

Agenda Item No. 8.4. Break.

There was a break from 9:13 p.m. until 9:23 p.m.

Agenda Item No. 8.5. Summer Learning 2022.

Ms. Castner provided for the Board's consideration an update on the summer learning for 2022. In 2015, the school division began to re-imagine what the high school experience might look like for our students. This work will become fully implemented with the graduating class of 2026, members of which will begin their high school experience in the fall. At tonight's meeting, the team will provide a brief update to the Board on this work and will return in the fall with a more comprehensive review of the plan.

Dr. Acuff asked if bus transportation is provided.

Mr. Paige asked how many sites will the elementary program be offered.

Ms. Le asked if special education students were invited to participate this year.

Dr. Acuff asked how the program worked last year to assist students in catching up. She also asked if special invitations were provided to those identified as newcomers.

Mr. Alcaro asked about participation at the high school level.

Student representative Mason asked if school breakfast would be provided for students who participate.

Dr. Acuff asked if virtual school students were included.

Agenda Item No. 8.6. June 13 School Board Retreat.

Dr. Acuff provided for the Board's review a draft of the retreat agenda. Characteristics of effective school boards include a commitment to high expectations for all, clearly defined goals for success, development of a unified team with board members and the superintendent, and building shared knowledge, values and commitments. One way in which the Board is supported in developing these characteristics is through our annual school board retreat.

The Board received the draft agenda for information.

Agenda Item No. 8.7. School Board Salary Advertisement.

Mr. Paige said that an elected school board may pay each of its members an annual salary that is consistent with the salary procedures, and no more than, the salary limits provided for local governing bodies.

The School Board has adopted the procedure currently used by the Board of Supervisors in setting its members' salary pursuant to Virginia Code section 15.2-1414.3. Specifically, the School Board will establish its members' salary by affirmative vote annually between May 1st and June 30th. Before setting its salary each year, the School Board is required to hold a public hearing and provide notice as specified in Virginia Code sections 15.2-1426 and 1427. If the salary increase is approved by an affirmative vote, then the increase will take effect on July 1.

The Board may adjust its salary annually after a public hearing following the same procedures used for the original setting of the salary.

Currently, school board members receive an annual salary of \$7,183. The current chairman stipend is an additional \$1,800 annually and the vice-chairman receives a stipend of \$35 per meeting chaired.

Typically, the School Board increases its salary by the same increase provided to classified staff. If the Board follows the same increase for employees (10.2% - includes mid-year salary increase), then the salary beginning July 1, 2022 would be \$7,916.

Cost implications for the 2022-23 fiscal year depends on the amount the school board votes to set for their annual salary. The school board will also need to determine the chairman and vice-chairman stipend at the same time that the school board salary is set.

Direct the Board Clerk to advertise for public hearing a School Board Member salary of \$7,916 with a chairman stipend of \$1,800 and a vice-chairman stipend of \$35 per meeting chaired.

Ms. Le offered a **motion** to direct the Board Clerk to advertise for public hearing a School Board Member salary of \$7,916 with a chairman stipend of \$1,800 and a vice-chairman stipend of \$35 per meeting chaired. Mr. Alcaro **seconded** the motion. **Roll was called, and the motion passed by the following recorded votes:**

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

NAYS: None.

ABSENT: Mr. Oberg.

Motion carried by a 6:0:1 vote.

Agenda Item No. 9.1. Other Business by Board Members/Superintendent. None.

Agenda Item No. 10.1. Closed Meeting. None.

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

Agenda Item No. 12.1. Adjournment.

At 9:41 p.m., hearing no objections, Mr. Paige adjourned the meeting of the Albemarle County School Board.

Chairman

Clerk