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Loudoun County School Board, Finance and Operations Committee Meeting, Tuesday, October 3, 2023

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Place Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)
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- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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[00:00:01] Good evening. Welcome to the Tuesday, October 3rd, 2023 Finance Operations Committee meeting. We'll start with remote participation. I've been notified that Denise Corbo would like to remotely participate in tonight's Finance Operations Committee meeting. Ms. Corbo, please state your location, whether this is a medical or personal matter, and if anyone is with you.

[00:00:22] Thank you. I'm home, I'm alone, and I'm asking for remote participation for a personal health condition. I'll entertain a motion for her remote participation based on medical condition.

[00:00:38] Is there a motion? That will fail for lack of a motion. Would you like to participate as a personal matter? No, thank you. All right. So we'll go ahead and move on to item three, item two on the agenda, which is public comment.

[00:00:55] We don't have any speakers for this evening, so we'll move to item three, which is draft minutes. Is there a motion, Mr. Mejedevi? Yes, Chair. I move that the committee approve the meeting minutes from September 19, 2023. I'll second that. Further discussion? Seeing none.

[00:01:10] All those in favor of the motion, please say aye and raise your hand. Aye. That motion will carry 2-0. Ms. Corbo absent for the vote. Thank you. All right, moving on to item 4.01, support services, approval of the capital improvement fund transfer and transfer of county-held LCPS CIP contingency

funding to the school security improvement project, the Arcola Elementary School parking expansion, and the Woodgrove High School Fields Farm Park Road project.

[00:01:39] I think we'll start with a motion. Mr. Madam. - Thank you, yes, Chair. I move that the Finance and Operations Committee recommend to the Loudoun County School Board to request from the Loudoun County Board of Supervisors the transfer of \$5,151,677 from the completed capital projects to the school security improvement project, comma, \$5,268,475 from county-held LCPS-CIP contingency funding to the school security improvements project, comma,

[00:02:14] \$1,265,000 from county-held LCPS-CIP contingency funding to capital facility renewals and alterations fund for the Arcola Elementary School Parking Expansion Project and \$8,815,000 from the county-held LCPS-CIP contingency funding to the Woodgrove High School slash Fields Farm Park Road Project.

[00:02:43] I'll second that. We're going to need to make some adjustments based on the latest numbers that were received. So provided on that sheet is, and we'll read it into the record just to make sure that the public knows, the finance for the adjustment will come from, and I'll go ahead and make an alternate motion.

[00:03:05] I'm sorry. So the alternate motion is to request transfers from the Independence High School 11 CIP project in the amount of \$484,432. Out of the Light Ridge HS09 account, which is \$12,476. Out of the Laney Thompson account for \$143,427. Out of the ES Classroom Edition Hutchison of \$30,733. Out of

[00:03:37] the HOVADER, which is an active CIP project for \$394,610, and out of the Student Welcome Center for \$4,086,000. Is there a second? Seconded by Mr. Mejedevi. Okay. I'd like staff to go ahead and talk through the new numbers, please.

[00:03:59] The difference of the numbers from the information item are, quite simply, after we assembled the information item, we received feedback from the county that there were some projects that we could not transfer balances from. So those projects were taken off the list, and we increased the number for HOVADER, and we had to increase the ask from the county-held LCPS contingency fund as well.

[00:04:21] Okay, so the sum total is also reduced, let's see, we're down to \$5,151,000, and it was looking like there was \$5.2 million that was coming out from county-held LCPS CIP contingency funding.

[00:04:48] So was there a final adjustment in the number from... 5.2 million down to 5.1? No. That was always the number? Correct. 5.1. Okay. So it was just an adjustment in the sources. Okay.

[00:05:03] And this does not reflect all of the resources still available. This is just what was removed from the accounts. That's correct. And I did ask for an upcoming meeting for the staff to provide us the total balances that are available on all of the active and expired accounts.

[00:05:21] So that will be helpful for the future board to understand where the resources are coming from. Yes, we'll prepare that board item as well. Okay. Any further discussion or comments? Mr. Mejedevi. Yes, Chair.

[00:05:37] Thank you. So the budget impact that you have here, the three line items, the request to increase the funding for the school improvement, school security improvement project in the total of 10 million, that's what we have, five million from the completed, which I think Mr. Morris just, and then from the county held.

[00:06:01] So that's quite a bit of, I guess, a cost increase. Can you speak to the total dollar amounts we had budgeted for the school security improvement project? And just trying to get an understanding this percentage increase of 10 million versus what we had planned for, can you speak to that?

[00:06:25] As you're aware, this is a multi-year project, which was funded quite some time ago. And through those years, there's been some increases to scope, meaning some technology has changed and increased in cost. We've seen some of that. And to a great degree, we've seen inflation over the last few years.

[00:06:43] We've seen inflation impact our numbers quite a bit. And so we have, you know, six remaining projects, but we were sort of starting to run a deficit before we hit those projects. But we've seen a great amount of inflation over the last couple of years in particular. Well, so how much of the \$10 million is, I mean, again, now I hear there was inflation the last couple of years.

[00:07:07] So what is the total increasing to the project? I mean, \$10 million seems a lot of dollars for six projects. So what was the budget for those six remaining projects? And how much of an increase we're asking in addition to what the budget was?

[00:07:22] So I'll clarify that by saying that the \$10 million is not specifically for the next six projects. We had to look at the project as a whole, meaning we spent more last summer than we anticipated, and we didn't get those final numbers until after our budget was approved.

[00:07:40] So therefore, that \$10 million increase is not just the remaining projects, but it's the projects we did last year as well combined. Mr. Morris, I mean, typically what we pay is what we pay for the year. It's not like we get credit for the last year's spending that we have done.

[00:07:59] My understanding is that you used resources from other projects that were not either all expended during that time frame. And now we're fulfilling that. But I think we do need to know the answer to the question of what was the percentage of increase over the scope of the security projects that came to \$10 million.

[00:08:23] Because it is a large number. We were doing modifications to just about all of our schools, except for the very new ones, I believe. But I think that's going to be important, especially for the board to know just what was the amount of the percentage-wise of the overrun.

[00:08:41] Okay, I can put that together. Okay, so I will support the motion. Obviously, I'd like to move this forward, but I do think it's important for the board to have that information.

[00:09:00] So I will support moving it forward, depending on Mr. Mejedevi's vote, but ensuring that we have that data available for the full board so that we can move forward tonight with the next item. Mr. Mejedevi. Thank you, Chair. I think to the point you made, I don't know if you can or...

[00:09:19] So what's the timeliness of this particular request? I mean, how critical is it or is it has some more time for us to do this? - It is critical in nature as we're preparing to, we need to award our contract for two high schools soon so we're able to buy long leave materials for next summer.

[00:09:42] - So that again, that kind of beats me with the point about, so this money will be used to pay for the two new projects, but somehow we're trying to backfill the project cost of the previous one. So I agree, I guess in this, just to kind of move it forward, but tonight I can support just sending it to the full board, But I have to see the numbers in order of fully support on the full board.

[00:10:04] Thank you. Okay. With that, we'll go ahead and place the alternative motion to a vote. All those in favor of the motion, please say aye and raise your hand. Aye. Aye. That motion will carry 2-0 with Ms. Corbo absent for the vote. And we'll look for the additional information available as an information item on the next board agenda.

[00:10:22] Thank you. Next item up is Action Item 4.02, Support Services, Revision of Policy 6220, Student Safety and Discipline on Buses. Is there a motion? Mr. Medevi? Yes, Chair. I move to the Finance and Operations Committee, recommend that the Loudoun County School Board approve the staff and SBAC recommended revisions to policy 6220, student safety and discipline on buses.

[00:10:50] I will second that motion and I'd like to turn it over to staff to discuss the changes that were captured in the comments on the main sheet. It looks like we addressed the concerns of all of the comments that were received from the public, the LEF, equity committee, LCPS parents.

[00:11:11] I know there are some concerns specific to the amount of time at which the notification has to be made. And so, can I turn that on? Yes, sir. Just to recap, on the 18th of April, we brought this to the F&O committee as an info item. It was then referred to the Student Behavior and Accountability Committee, where those comments were incorporated.

[00:11:32] And then on May 16th, it went out for public comment. We received comments from LEAF, Equity, and one LCPS parent. Then June, it went to the F&O Committee. It would then move to the June 20th meeting. And subsequent to that, after Mr. Lewis brought it to the Cabinet for discussion, after the last time it was at the F&O, there was concern that was raised, as you indicated.

[00:11:57] regarding the two-day time limit for reporting incidents and for investigating and responding to those incidents and staff believe that it was best to use the word timely rather than stick to a specific time frame because each incident is unique and may take a variety of a variable of time to investigate and so i have miss ray mitchell as well that can help expand and answer any questions related to the discussions that occurred to cabinet okay so just for clarity uh this came

[00:12:33] to the finance operations committee in june it was approved by the committee to move forward to the full school board correct uh and the full school board did not vote on this that's correct the board directed it to be returned to finance and operations no sir okay i i think that's a problem in process i think we need to have if it's if we approved it out of here to go to the board I think the next step would be for the board to receive it and for us to request it be kicked back to the committee for further reconsideration.

[00:13:08] Mr. Mejedevi, do you have any thoughts on the process? No, I'm kind of lost. I think it went to the SBAC before it came here, right? Correct. Yes, sir. So we felt that it was better served and more efficient to revisit the issue that was raised in cabinet back at this committee before going to the board, but it does impact the process that you raised, sir.

[00:13:36] Right. I think the proper process would be to send it to the board and then have it and then bring it back to our committee for that discussion on the concerns. Those concerns, we should have heard those prior to voting on it as an action item.

[00:13:54] So, unfortunately, I think once we've directed that it go to the board to be placed on the agenda, on the information agenda, which is what I assume we did back in June, then at that point, I believe we can either have the chair of the board kick it back off of the agenda.

[00:14:14] You could talk to him about that at the agenda meeting. Or we could have it as an information item at the board meeting and then just request we suspend the rules and return it back to committee. Just from the process perspective, once we vote to send it forward, I don't know that I feel comfortable re-voting on that without the board having the information came in after we voted on it.

[00:14:44] So can you, sorry, forgive me. I guess process, it's definitely easier for us just to go ahead and pick it up tonight. There's no question. So if you think for expediency, we'll just pick it up and move forward with it. Okay, then we'll do that. We'll work on it tonight.

[00:15:00] All right, so we're back. It's back as an action item tonight. So I think what we need is a refresher. I did read the comments and the response to the questions, but staff was supposed to justify why it came back from Cabinet with a recommendation of two days is not a desirable amount of time for a response.

[00:15:22] So can you kind of fill us in on why that is? I'm actually going to turn it over to Ms. Mitchell. Ms. Mitchell, thank you. Good evening. So the reason with the two days instead of using the work timely is because there could be multiple factors that could impact getting something in for two days.

[00:15:43] For example, if there's a discipline issue and the principal needs to request the videotape from the bus, that in and of itself could take longer than two days. If there's follow-up, if they have to do an investigation, it would be hard to do all of that and get it entered into CIS within a two-day time period.

[00:16:04] I think that makes sense. I'm trying to figure out how we can accommodate an adjustment like that and yet answer the community's concern that vital information is going to be released.

[00:16:23] I wonder if there's a way that we could place in there a stipulation that anyone that cannot be released within two days that the superintendent would be notified specifically so that at least we have a top level understanding of why we were unable to achieve a release deadline.

[00:16:45] Because we have the deadline in there right now. We've proved that through committee that it'd be two days. So we could add an amendment to the motion which would say any notifications that occur beyond two days, the superintendent will be notified within that two-day process.

[00:17:07] So after two days, if they need to get the video, they simply notify admin up to the superintendent that we're going to continue our investigation. We need X more time so that we can have top level visibility. And the reason why I'm asking for that is because typically when we have incidents on buses, there is a lot of presence of social media, a lot of engagement, a lot of community wanting to know exactly what's going on.

[00:17:34] And I just feel that instead of maintaining it down at the school level, because there's going to be division-level attention on it, I think that the superintendent would want to just be made aware of that.

[00:17:51] So let's see where we could insert some. Yeah, Mr. Mahanity. Thank you, Chair. So would that be the superintendent or would that be the supervisor of school like Ms. Michele? Or are we talking about superintendent?

[00:18:07] I think that'd be fine. I think supervisor level would be, because I'd like to remove it from the school. So if we could bring it up to the supervisory level. Or language that we sometimes use as designee.

[00:18:26] Yes. So it could be someone. I think that's perfect. So why don't we look in cases where, let me find the red line. What number are we working for the notification? It should be line, I think 67 is where it

was.

[00:18:41] 67 in the red line. shall be reported or shall be placed into the student information system submitted to the principal. Now, you could do an interim. The principal could do an initial notification. Is the student information system only available for final reporting on incidents, or could an initial report be placed into it?

[00:19:07] It could, and they could go back. For example, if there's a situation that could be handled within two days, If it's a minor infraction and the lead driver has that information and it's something that needs to go to the school and they can handle it in two days, they will.

[00:19:24] But let's just say it involves maybe multiple students and through student statements, they haven't been able to really get a handle on what has occurred and they have to request the bus video. So starting that initial investigation and then finding when they're at the end and they put a final disposition into CIS, that is what sometimes takes longer.

[00:19:47] So we would have to look at who's being notified if they put something in CIS. They're always communicating with parents, but in terms of if there's a suspension or something like that, that could possibly happen at the end of maybe five days. Sure.

[00:20:03] Sure. Understood. Would you prefer, from a staffing perspective, to have the flexibility of just notification of the superintendent or his designee? Or would you prefer to just have an initial report placed into the student information system, which provides you the flexibility that you would need?

[00:20:21] I mean, actually, I think it could be both. If they begin something and they note it, insist, it's just not finalized. And then the principals have the flexibility to go back in and put any SBAR codes that they need to put in and close the disposition.

[00:20:36] Because then if it's a suspension, for example, it would go to our office of school administration. And so making sure that principals still have some of that flexibility to be able to go back in to CIS and make any corrections that they need to make.

[00:20:53] And or once they communicate with the office of school administration, if they need to go back in and adjust some things based on the final review of the incident and any investigative things that they found, the principal has the autonomy to do that. so do they uh today do they have that flexibility and is it used i mean is the report updated and is the process there so that we're not recreating a new process yes i would want it to be aligned with what we do with school-based incidences the same as what we would do if the incident

[00:21:26] happened on the bus i would want it to be aligned um with that practice so should we say uh would Could we just call this the initial report? That would be great. Instead of the such discipline report. So the initial report shall be placed into the student information system submitted to the principal within two days.

[00:21:47] Right. And so that makes it different. If I put an initial report in to say something has started versus the expectation that as a principal, I'm trying to investigate, request a video, administer discipline, and do all of that.

[00:22:06] That is the part that was problematic to do in two days. Okay. I think, Mr. Mejedevi, do you have thoughts on an interim report? Mr. Mejedevi. Thank you, Chair. So I think you used the word initial

interim. I think it would be fine. But then I think what you're proposing is to put the within two days of the incident to be put it back in there, right, the line?

[00:22:28] Can staff explain it struck out in the red line, the two-day, within two days of the incident. Was it struck out in the approved version from the committee headed to the board? No, sir. That was the language where it so struck out is what staff was proposing back to the committee for consideration.

[00:22:50] The original language did include that. It's just, you know, with the red lines and then we have staff's changes. Are there additional changes that staff had put in or is it just that one? Just that one and the line below it where the two-day incident reporting, initial reporting, and then the response that also included the two-day timeframe for the principals to respond.

[00:23:11] Okay, so... I think what we're doing is we're steering clear of the two-day response commitment because of the potential for digging longer. But at least leadership will be aware of it. So the initial report would be required within two days. So let's go ahead.

[00:23:27] We'll accept staff's recommendation to strike the second commitment to two days. And the initial report will be within two days of the incident. So Chair, we will read this as the interim or the initial report shall be placed into the student information system submitted to the principal within two days of the incident.

[00:23:48] Yes. So you want me to make that motion? Yeah, please. Okay. So I move to just language on the red line draft to read an initial report shall be submitted, shall be placed into the student information system submitted to the principal within two days of the incident.

[00:24:09] Second. Further discussion on that? All those in favor of the motion, please say aye and raise your hand. Aye. That motion will carry 2-0, so we can take the amended version to place it on the information agenda for the full board's next meeting. No other changes on that? That was it? Okay, I think we're good.

[00:24:30] So you saved us about 30 minutes of admin time. I'm sure staff appreciates that. All right, so we're on to the information items. We'll start with 15. I'm sorry, go ahead, Mr. Madhavi. We still have to make a vote on the actual itself.

[00:24:46] You're right. So we voted on the amendment. So let's go ahead and place the actual policy update. So I move to accept and forward to the board for consideration the amended policy. Second.

[00:25:01] Further discussion? Nope. Seeing none, all those in favor of the motion? Aye. Aye. The motion will carry 2-0. Now we can send that as an information item. Thanks. Okay, so we're on to 5.01, which is custodial supplies and equipment for ongoing needs.

[00:25:17] Good evening. This is an annual contract that we bring before you to purchase custodial supplies and equipment for the ongoing needs of the school system. The funding for this is in the facility services appropriated budget, and based on usage of substitute items, which may or exceed the required specifications, we actually have seen a price decrease on this contract of 5%.

[00:25:45] So I bring it before you this evening and if approved is scheduled to come back as an action item to your next meeting followed by a school board meeting on the 24th. That's encouraging news. That's the first time I've heard that in many years, a decrease in cost.

[00:26:03] Mr. Mehadovi, questions? Thank you, Chair. So Ms. Philo, just for understanding, so this is for buying mostly supplies that we use across all schools for cleaning and so on and so forth. We had increased, I guess, back in the time during the COVID for purchasing additional cleaning supplies and so on and so forth.

[00:26:27] Those were just done through that COVID funds were not part of the normal contract process. We had our normal contract items we still purchased for the schools as well as items that were specific to the needs to combat the COVID pandemic.

[00:26:43] So there was both bought in those instances. Would this contract still have those COVID? I mean, I think because we bought a lot of hand sanitizer. The items that we bought for COVID were bought as an emergency or off a cooperative contract, and we're not part of the agreement being presented to you this evening.

[00:27:02] Okay, that was my question. Thank you. Is there a consensus with placing this on consent agenda for the next committee meeting, please? So staff, please place this one on consent for the next committee meeting. On to 5.02, which is construction support services renewal.

[00:27:22] Ms. Filial. Yes, this is the annual renewal of this contract. And I will share with you that the increase on this was an average of 8%, but that was due to the fact the vendors had not requested an increase since the original contract award in 2019.

[00:27:38] So what we are seeing is catch-up. This was in line with the Consumer Price Index, and therefore we have brought it before you this evening to renew with the four vendors identified in the item. Remind me, is this the last year of this contract?

[00:27:54] Yes, this is the fourth and final renewal option, so this will go out to bid. for next year. Questions on this? Desire to place this on consent as well. Okay, so we'll place that one on consent for the next committee meeting. On to 5.03, which is appropriation of Sterling Meadow cash proffers. Ms. Tate. Just changing up your direction. Good evening.

[00:28:22] We are bringing this item before you to seek the ultimate board action to allocate \$1,732,000 to the FY24 Capital Improvement Program, specifically the Capital Facility Renewal and Alteration Funding Account, to expend proffer contributions that have been received by LCPS for four specific schools, Countryside Elementary, Sugarland Elementary, Riverbend Middle School, and Potomac Falls High School, from the developer of the Sterling Meadow Project, now known as Regal Chase.

[00:29:03] The proffers are school-specific, and they are even more so specific in what they can be allocated for. And so support services staff has been working collaboratively with all of the four administrations to identify projects.

[00:29:18] And so we're bringing this forward to you for school board action. It does not require board of supervisor action because in their approval of the rezoning, the board approved the proper language that had the monies going directly to Loudoun County Public Schools for these specific projects or schools.

[00:29:37] And I'm available to answer additional questions. Ms. Madhavi. Thank you, Chair. So, Ms. State, I guess the question I think in the last time when we asked the digital marquee or sign for the, I guess this is for elementary school.

[00:29:56] So when we use the proffer funds for these projects, I'm presuming, so if you use the \$1,732,000 from proffer funds, then we would have the \$1,732,000 from CIP available for other projects?

[00:30:13] Was that fair to say that? Yes. Depending upon when that funding was planned in the CIP, I believe the marquee signs were not in this fiscal year.

[00:30:29] And so we're able to potentially place a marquee sign at Sugar Land Elementary specifically is where we are. And so that school would not need CIP funding for that project. I'm really not answering your question. I apologize.

[00:30:45] It's okay. I mean, it's a broad question because I think when we as a board approved \$500,000 for the marquee signs for elementary schools, we didn't specifically dedicate towards any particular school, but we allocated a lump sum amount to be leveraged. So again, this is, so when we do use the proper funds for doing already approved CIP projects, and if we had funded them for 2024 and we're going to use this, then the money could be available depending upon what year of money is, and then we can use that for.

[00:31:18] Would we get any, like, can we get an update on that to see if these were used for the \$24 CIP projects or not so we know how much money could be available in the CIP if we were to apply these proffer funds? We can certainly provide that to you.

[00:31:36] Specifically, as an example, Riverbed Middle School, there was not a pavilion project in the CIP for them, and so that was something the school requested. The proffer funds for Potomac Falls, when it was originally written, said it could be used for the weight room improvement project, but that's already been funded in prior CIP, so that does kind of speak to your example that you just gave.

[00:32:00] But yes, we can certainly identify if any of these were. We did, in reviewing these with the principals, go through capital improvement and capital asset preservation projects in addition to the kind of wish list projects that they had. So, yes, sir, we can provide that.

[00:32:16] Okay, great. Because I think one item we had for Seneca Ridge there was some improvements for the library to add. I don't know if that was complete or not. I haven't been tracking that since about two years ago that the library they want to put some more um what do you call it um some like i don't the the thing that you put on the roof to get light in from outside they're interested in doing something like that so i know we try to put something in the cip but so that was anyway that's not my school but i know that that was something i had requested for seneca ridge while back but uh yeah getting

[00:32:53] some updates on this thing so if there's money available we can uh allocate it to other other schools I think that'll be really helpful. And certainly we would provide you an update as the FY25 CIP is presented as well because we know that there are projects that are planned for future years. So yes sir. Thank you miss. I mean that's helpful but sometimes it just there's so much going on at least I can speak for myself that this information will get I mean for me will get lost by the time we come to the CIP of I guess we'll be starting the 25 CIP project, probably CIP budget in the next month or two, right?

[00:33:30] So, okay, fair enough. Yeah, so this would be pulled off. Any of the projects that are currently captured would be pulled off. The 2024 or 2023, I guess, those projects that were there, there might be some available funding left in that budget year, wherever these were assigned.

[00:33:48] So I wouldn't want to take it in a specific, very specific project, but to look at the needs of all the schools. before we start to reallocate. So I think that's why the CIP process would be the best place to look at that. It's a great project, but just need to see what the other priorities are.

[00:34:07] - So I completely agree. I was just simply using that as an example, not necessarily saying that's where we should be. I think the collective board can make the decision what the priorities are and including the staff too. - I would offer that looking at this, none of these projects were receiving FY24 money in the capital budget, but they could have been planned for future years in that six-year plan.

[00:34:30] Interested in placing that on consent as well? Okay, we'll put that on committee consent for the next go. 5.04, adoption of new policy 6330, distribution of information and posting within schools on school grounds or during school-sponsored events, and deletion of policy 8-65.

[00:34:53] Just out of curiosity, how was this assigned to finance and operations? Any thoughts on that? This is really a facilities-related thing. It's about posting and distribution of materials inside of the school buildings or on the school property.

[00:35:10] Okay. I was thinking maybe communications, but I'll bite. All right, so I'll turn it over to you, Mr. Stocks. Yes, thank you. So we bring forward this draft policy, this new draft policy, 6330, as a draft to replace policy 865.

[00:35:30] We identified this through our five-year policy review cycle, And we have reviewed it and thoroughly gone through it and created a matrix in the body of the item for you, identifying where things were brought over.

[00:35:47] Through the process of the policy development, we realized it was probably easier to draft a new policy and incorporate the existing policy than to just make edits to the existing policy. Therefore, the recommendation of deletion of 865. So as you can look down through, we've associated line numbers with things that we've ported over as well as clarifying comments and statements.

[00:36:12] But I would like to draw your attention to two process changes. The two items at the very end of the matrix will change current practice in LCPS, but it's staff recommendation.

[00:36:28] The previous language, if you look at lines 48 through 53 of the new policy, this language provides language that prohibits staff from conveying or delivering any materials that advocates for or against any political or governmental issue.

[00:36:52] And it prohibits students from being required to distribute any materials. The difference here in the current language is the current language prohibits any staff or students from being required to distribute any political related materials.

[00:37:11] This is actually prohibiting staff from doing so on school property and keeps the requirement that students may not be required, or keeps the prohibition that students may not be required to distribute political materials on campus.

[00:37:32] Okay. Did you have a comment on that? Go ahead, Mr. Madiv. So can you repeat that again? Yeah, so current policy and practice is that the language states students and staff may not be required to distribute political or governmental materials, verbally, handouts, postings, anything.

[00:38:01] This language prohibits staff from distributing anything, political or governmental issues, for or against, and keeps in place that students may not be required to do so.

[00:38:18] Okay, and we'll read the policy, but does it say anywhere on the school property or just... It's, yeah, anywhere in school, in the buildings, on the grounds, or at school-related events. So this would also carry off-campus at a school event, similarly to other policies that are related to students.

[00:38:37] I totally support it. Okay, so I have a concern. I agree with the political side. It's the government side that concerns me because government notifications could be anything from, it is Hurricane Awareness Month, and FEMA wants to provide information.

[00:38:53] Is that identified in here? Yeah, if I may, may I read the language that's in the new draft policy, maybe that'll do better than my summary or explanation. Staff shall not be permitted and students shall not be required to convey or deliver any material that advocates, one, the election or defeat of any candidate, two, the passage or defeat of any referendum question, or three, the passage or defeat of any matter pending before the school board, Loudoun's County Board of Supervisors, the

[00:39:27] general assembly, or congress. Okay, so one example that hits close to home for me is the distribution of the referendum question for schools, which typically we hand out now. I mean, we're just excluding employees or staff. I guess the question is, are we staff by that definition? Because I've always handed out the bond referendum information requesting support from the community for the school board bond referendum at events such as back to school

[00:40:06] night. I can bring that, I can take that to division council and seek guidance on how. I think that would be helpful. And your question is specifically for school board members handing out bond referendum questions, not candidacy materials. So I think you've answered my question concerning government notification.

[00:40:25] That's not captured in any of those three scenarios. So I think we're okay with distribution of FEMA hurricane information. Mr. Mejelevi. Thank you, Chair. So can you, I'm Now, a little bit of a, what's the word for it?

[00:40:44] I'm curious, what's an example, like, in the past that happened where it says election or defeat of any candidate? Or, like, what was an example that made to put these three different bullet points in there? Did we have any scenarios in the past?

[00:41:00] Or what were some of the examples? I'm sure there must be some history, some examples to have these three items in there. I don't have a specific example to cite today. I think the idea is to just have, you know, individual viewpoints on political matters, not on school property.

[00:41:28] And like I said, before I read this thing, I totally support it because I know my, I shouldn't bring it up, but my previous opponent had leveraged the school, in the school I heard they had done a mock-up and was very involved in the classrooms with the students in terms of getting them volunteer hours as part of the National Honor Society and et cetera, I thought was kind of weird anyway.

[00:42:00] So to answer that, I did omit the last sentence because it wasn't particularly directly related to what I was trying to clarify, but we do still have the statement on line 48, starts on line 48, that says, this policy shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of the classroom discussion or project.

[00:42:27] So back to your point, though, would that preclude, but this is on school property, so I think that's fine. I don't have an issue with that. All right. So, yeah, let's clarify position of school board members

being allowed to provide that kind of information.

[00:42:46] And this also is interesting because it says the passage or defeat of any matters pending before the school board, which means union information and employees, things like that, will not be distributed as well. So that would be captured under this, correct? Correct. Now, the second update where you talk about prohibitive distribution of political materials in any format on school property when not an election site on election day.

[00:43:18] Correct. So the current policy captures Virginia code that stipulates that on election day and at an election site, materials may be distributed from 40 feet from the entrance. Our policy incorporated that language without the specificity of election day and election site.

[00:43:41] So theoretically, any day of the year, at any site, if someone was attempting to hand out political materials, we would direct them to be 40 feet from the building, the administration building or a school building. This actually incorporates the exact language of Virginia Code and only allows that distribution of materials on election day at an election site.

[00:44:04] Can you tell me which out of lines 52 to 60 are verbatim quoted out of there? Because if it says political material may only be handed out and displayed no closer than 40 on the day of the election. I don't know that it is verbatim from Virginia Code.

[00:44:24] Is that what you're saying? Yeah, because if it is, there's no discussion. right? If this is out of Virginia code, there's no discussion. We have to accept it. If it is not, if it is an interpretation, then we need to have legal counsel weigh in and then we'll have discussion on the board, because I'm sure there will be some discussion on that. Mr.

[00:44:43] Mejedeby. Thank you, Chair. So I know as an election officer, we would draw like a 40 feet, like literally have a tape and draw outside the school arc where they could post the political science campaigns and where they can be so i know the 40 feet rule but i think i agree with mr morse i think if you can get some more information from the council that'll be helpful my sort of subsequent question to this is and again i agree um i don't know how others may feel about it but it also comes back to back to school night where we have a lot of political activity on the back to school night too uh so you know again there's

[00:45:20] A lot of candidates showing up, a lot of materials being shared, and I did not do it myself, just a public record, but I don't think I ever did that. But I think that something would be, so they cannot do that on back-to-school night as well.

[00:45:36] That's a great example to utilize. Current policy, that's acceptable, and they would be asked to be 40 feet away from the entrance. New draft policy would not be permitted unless it happened to be on an election night at a school hosting an election. Yeah, so that's why I need the legal interpretation to find out if that is an option or if that's just a recommendation coming out of staff.

[00:46:00] Oh, you mean, so as far as Virginia code spells out. Does it spell out that it can only be done within 40, only on election day? If the code says that, if there's no room for negotiation, then that's important for the board to know.

[00:46:17] I will clarify, but I have been working on this for a very long time, and my understanding and interpretation, but I will clarify with Division Council, is Virginia Code will not allow a school district to prohibit the distribution of materials on an election day at an election site.

[00:46:35] No. Kind of the reverse. What we want to know is, is the language being used by the state precluding any other distribution other than on Election Day?

[00:46:50] Correct. I do not believe so. I'll confirm that. Because there will be discussion if that's not the case, right? Yeah. So if we can figure that out. So let's place this one on action for the next committee meeting so we can have further discussion. But, Mr. Stocks, if you could research that and bring that back for the next committee meeting, that would be great.

[00:47:11] Yes, thank you. Do you have a good feel for what we're looking for as far as the specific language? Yes, if the language prohibits it on non-election day, non-election site, or not. Correct. Excellent.

[00:47:29] Okay. Well, that puts us to item, let's see, 505, which is emergency and weather-related operations. I'll be introducing this one, too. This draft policy is a brand-new policy to LCPS.

[00:47:48] It is a recommendation by the Virginia School Board Association that school boards have a policy related to emergency and inclement weather or weather-related closures. And so, therefore, we bring this policy forward for year review as policy 6360, emergency and weather-related operations.

[00:48:09] Okay. So I would go with the first question, and that is decision matrix. Is there a decision matrix that would be included, or where is that decision matrix located?

[00:48:26] We believe that that decision matrix, the tools that we utilize to make the decisions would be better served in regulation. Okay. Yeah, I wouldn't argue that point, but I would have that available at least so that board members can understand where that is being decided.

[00:48:43] Don't give them the algorithm. Don't let them know. They can't figure this out on their own. have to keep them in suspense. All right, further discussions on this? I think I'd like to keep this one on action as well, because I'd like to review some more of the content.

[00:49:00] I would like to add, just for full transparency, on line number nine, there is just a typo, where we do utilize the phrase follow guidelines from the superintendent or designee. It says of designee now. We'll have that corrected before we bring it back.

[00:49:18] And does it address... ability to do remote learning? Yes, it does. Beginning on line 58, we address the virtual learning and then we reference back to our contingency planning policy that talks more about and outlines virtual learning. On a public health emergency. Okay, very good.

[00:49:41] Mr. Mejedevi. Thank you, Chair. I have a procedural question. So I think I'm not, like, typically we probably don't see too many policies come through here, but it does go through the like public feedback, et cetera. Where in our process, because we want to see before, at least the other one, I know we had a good discussion on 6330 to get community feedback and other sort of advisory council feedback on their policy before we send it to the full board.

[00:50:17] 6330 is the voting, is the posting one? Yeah. That's a good question. Yeah, if I may, I apologize. I would end each of those items as we concluded in stating that it will be posted for the 10 to 14 days for the community feedback before we bring it back to you guys as action.

[00:50:35] And we'll work through their comments and bring that back to you guys, to this committee, for consideration. Is there any new business? No. Is there no new business? We are adjourned. Thank you very much.

[00:50:51] Not quite the last financial committee meeting we had, the four-minute or five-minute mark. Yeah, a little bit longer.



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