



MACHINE TRANSCRIPT • CORAGGIO CONSULTING

Loudoun County School Board, Special School Board Meeting - Closed Session Only, Monday, June 17, 2024

Date Monday, June 17, 2024
Place Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)
Length 2h 2m (video)

- Official meeting video (Vimeo / LCPS-TV): <https://player.vimeo.com/video/960779598?rel=0>
- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-21. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:05:51] Good afternoon. I call to order this June 17, 2024, Loudoun County Special School Board Meeting. I have been notified that Ms. LaBelle would like to remotely participate in tonight's special school board meeting. Ms. LaBelle, please state your location and whether this is a medical or personal matter. I am at home in Lovitzville, Virginia, and this is a medical matter. Is anyone present with you at this location? My husband, but he is up in the other room on the other side

[00:06:24] of the house. The dog may drop in, I have to be honest. If so, please state their names. Michael Seidelman is my husband. Simon is the dog. Thank you. Therefore, I'll entertain a motion that Ms.

[00:06:45] LaBelle's request to participate remotely be granted. Do I have a motion? I move that Ms. LaBelle's request to join the meeting be granted. I have a motion by Ms. Chernoff. Do I have a second? Second. I have a second by Dr. Deans. It's been properly moved and seconded to approve Ms. LaBelle's remote participation. At this time, we'll take, oh, is there any discussion? No. At

[00:07:16] this time, we'll take an electronic vote. Clerk, please open the vote. Board members, please record your vote.

[00:07:37] Clerk, please close and display the vote. And that motion passes unanimously with Vice Chair Streffi, Ms. Donahue, and Ms. LaBelle absent for the vote. We'll move on to item 2. 01, the motion to

convene a closed meeting.

[00:08:13] And before I entertain a motion, I'd like to thank audience members and the media who's chosen to engage with the school board today. While tonight's meeting has been noticed as a closed session, your attendance and interest in LCPS are appreciated. I'll remind everyone that the audience and media must maintain civility, decorum, and respect for the functioning and the dignity of the school board at all times.

[00:08:35] For members of the media, interviews must be performed outside the building, not in the boardroom or hallway. Cameras and tripods are allowed outside or in the designated media area only. Violations of decorum or servility by any meeting attendee may result in the attendee being removed for the remainder of the meeting.

[00:08:54] The public is reminded that access to school board meetings is also available through LCPS-TV on Comcast Channel 18 and Verizon Fios Channel 43. The live stream of the meeting may also be viewed on the website. Ms. Chandler, do you have a motion?

[00:09:13] Yes, Madam Chair. I move that the Loudoun County School Board recess this public meeting and enter into a closed meeting pursuant to 2.2-3712 of the Code of Virginia for the following discussion and consideration of the performance and disciplining of a specific public officer as authorized by 2.2-3711A1 of the Code of Virginia.

[00:09:40] Ms. Chandler has made a motion. Do I have a second? Second. I have a second by Dr. Rashid. It has been properly moved and seconded that the Loudoun County School Board recess this public meeting and enter a closed meeting pursuant to 2.2-3712 of the Code of Virginia for the following reasons, discussion and consideration of the performance and disciplining of a specific public officer as authorized by 2.2-3711A1 of the Code of Virginia.

[00:09:58] Is there any discussion? Yes, Mrs. Griffiths. Thank you, Madam Chair. Pursuant to Virginia Code 2.2-3712, I would ask that I have my attorney present during the closed meeting. Thank you.

[00:10:29] Mr. Allen, would you please weigh in here for that motion? Is that a motion that can, a proper motion?

[00:10:48] I can repeat if you'd like. Thank you. Thank you, Madam Chair and Mrs. Griffiths. As I understand it, participation of a board member's individual counsel is completely at the discretion of the board, so it is a proper request for consideration by the board.

[00:11:21] While a public body may allow non-members into their closed session if their presence will aid in consideration of the closed session topic, or the public body otherwise considers the presence necessary, the Virginia Code does not mandate a non-member's participation in a closed meeting of the public body.

[00:11:44] References as to legal counsel are strictly to the legal counsel employed or retained by a public body as an entity. So this is proper for the board's discussion and consideration. So therefore, it's a proper amendment or something to our closed session meeting?

[00:12:04] Thank you, Madam Chair, for the clarifying question. While it's not customarily a formal motion that's made, it is a matter that can be considered by the board when it retires into closed, who it may deem as being a necessary individual or someone that can reasonably help inform the board.

[00:12:31] So I'm hearing that it is not something that we would vote on. It was something that would be considered once we decide to go into closed, if we decide to go into closed, if that's voted upon. That's correct, Madam Chair. Should the board vote and determine to go into closed session, the board can consider that request properly made then.

[00:12:53] Thank you, Mr. Allen. Okay, board members, we still have a motion up on the floor for a closed session. Is there any other discussion? Yes, Mrs. Griffiths. Thank you, Madam Chair. Per having this closed session, I motion to have an open session for the disciplinary action of this board member today for transparency.

[00:13:16] Thank you. I second. Okay. I haven't said that yet, but I just need to clarify that the original motion was for consideration of the performance, discussion and consideration of a performance and disciplining of a specific public officer, not just the disciplining of a specific public officer.

[00:13:48] So would you please rephrase your motion? So I rephrase my motion to have an open session to go over the performance and possible disciplinary action for a school board member there's a motion on the floor by Mrs. Griffiths do we have a second I second we have a second by Mrs. Labelle is there any discussion yes Mrs. Griffiths I just want to thank you Madam Chair I just want to mention the

[00:14:27] closed session called for today at 5:30 will be held by the school board in violation of 2.2-3711 and the 37.12 of the Code of Virginia, Virginia Freedom of Information Act. The motion for the closed session fails to identify any subject matter for the meeting beyond a mere statutory recital.

[00:14:49] See *Cole v. Smith*, Board of Supervisors, 298 Virginia 625842 SE 389 2020. Moreover, in a motion for a closed meeting could satisfy Code 2.23712.

[00:15:04] by merely citing the exemption and paraphrasing the statutory language of the exemption, despite the statutory language which prohibits a party from doing so. It would render the subject matter requirement in Code 2.23712 meaningless.

[00:15:21] Also, the invocation of 2.23711 relates only to public officers of a public body and not a publicly elected member of that body. Part 2. Notwithstanding its oblique notice, I understand that the board will use this closed session against myself, Dena Griffiths, for providing public information to the public.

[00:15:42] Should the board take this threatened action in secret, the board will violate its duty for public disclosure under the VA FOIA. In light of this board's historic failures to provide public information to the public, I strongly suggest that it follow the advice of its own communications audit report, continue to include stakeholder groups in the communications roadmap, page 44.

[00:16:05] Secret reviews of political actions are the antithesis of a well-developed communications roadmap. Public meetings also avoid the risk of future invalidation of secret conduct that our laws require be performed in front of our constituents.

[00:16:23] Loudoun does not deserve yet another board that requires constant policing. This is by former Virginia Attorney General James Autry. Thank you. - Thank you, Mrs. Griffiths.

[00:16:38] Mr. Allen, is this authorized? Is this an appropriate authorization for a closed session? - Thank you, Madam Chair. Pursuant to Virginia Code 2.2-3711A1, this is permissible for, it's permissible.

[00:16:57] The code says may, so the board is authorized to go into closed session to discuss and consider the performance and disciplining of a public officer pursuant to the plain language of the Virginia Code,

and that's within the Virginia Freedom of Information Act.

[00:17:16] So ultimately, I'm unaware of any law that requires the board to go into closed for such discussions, but the code does authorize the board to go into closed for such discussions, as does a policy 1035 the school board policy but it's certainly within the will of the board or discretion to vote on this motion that Mrs. Griffiths has raised thank you Mr. Allen. So I would hazard to say that maintaining closed session is appropriate so that we could have open and candid conversations between

[00:17:50] board members it's not uncommon for public bodies to hold closed meetings to address and resolve concerns during these discussions in addition confidential items and personnel matters may be mentioned during the discussion of a specific officer's performance, and therefore it would be inappropriate to discuss them in an open meeting. People look to us to set examples to follow procedures and policy, and people's evaluations are private and confidential.

[00:18:19] Is there any more discussion? Yes, Mrs. Griffiths. Thank you, Madam Chair. I want the public to know, they may know already, there's nothing to see here. There is no scandal here. This shows dysfunction in private and public by this board. This was a waste of my time and the public's time for the people that attended today. The school board are civil servants elected to serve the community and their constituents. All meetings should be open to the public since the community are the ones whose interests we are talking about. A closed meeting implies the board is doing something illegal or nefarious and not in the interest of the community or the constituents

[00:18:56] they represent. Board members have a responsibility to do the majority of what the community wants done with the money they pay in taxes. We have no right to have a closed-door meeting to proceed with a personal agenda. I should not be penalized or reprimanded for letting the community know what's going on. It is my job and why I was elected by the people of Ashburn. Again, I should not be attacked or disciplined for doing my job for the people of Ashburn. Thank you. Thank you, Mr. Griffiths.

[00:19:27] is there any other discussion yes yes Miss LaBelle Madam Chair I would like to point out Mr. Allen's reference to policy 1035 if you look at page four section c line five it says that school board members may respond to questions from the media related to their personal positions on an issue but must clearly indicate that they are speaking for themselves and not for the school board so if you'd like to check that out, it says that it includes members vote on a particular motion, a campaign position, or current events.

[00:20:07] I think that needs to be taken into consideration before we move to a closed meeting, as this particular item is actually relevant to what happened in this case. Thank you, Ms. LaBelle. Any more discussion? No. Okay. Well, we will now vote on Mrs. Oh, I'm sorry. Who? Oh, I'm sorry, Ms. Chandler.

[00:20:33] Thank you, Madam Chair. I also would like to refer back to policy. I think it's very important for us to understand and consider that when we, as a board, create policy, we have an obligation, especially as we ask the division, the students, and the community to respect the policy to model what's appropriate first.

[00:20:57] And as the policy stands right now, if you look at policy 1030, a code of conduct for school board members, you will see that we are asked to respect the stated purpose for and maintain the confidentiality of discussions that are held pursuant to the code of Virginia as closed meetings.

[00:21:21] And additionally, if you look at policy 1035, our school board norms, protocols, and violations, members will adhere to policy 1030 a code of ethics for school board members for example confidential

and privileged information and or documents information and discussions from a closed session attorney client privilege communication and other confidential information shall not be disclosed without the prior written approval of the board in the event confidential or privileged information is released or otherwise disclosed without the consent of the board then

[00:21:56] the board shall vote to either authorize the disclosure or reaffirm the confidentiality and or claim of privilege in addition the board may in its discretion reprimand or censure a member for improper disclosure of confidential or privileged information thank you thank you miss chandler any other discussion before we vote on yes miss griffiths okay yes i would like to point out then that what we have here in the two policies and within the policy 1035 itself is a

[00:22:33] conflict what we need to do as a board is sort the conflict out to make it perfectly clear because they both can't be in place at the same time thank you miss labelle mrs griffiths thank you madam chair and just to go over policy 1035 again uh b one uh school board members shall indicate that they are communicating as an individual member of the school board and that their statements reflect their own views and not necessarily the official position of the school

[00:23:10] board of Loudoun County Public Schools. School board members shall only post on behalf of the division if delegated to do so by the school board or if they are reposting information already publicly released by LCPS. Thank you. Thank you, Ms. Griffiths. Ms. Donahue. Madam Chair, I'd like to call the question. I think we have to vote on calling the question. And that is a

[00:23:42] two-thirds vote. All right. Yes, that's correct. So the motion is to call the question, which means we automatically vote and the discussion is over. So it means that the discussion is over and we automatically vote on your amendment. Was there a second, Madam Chair? I'm going to get that to that point do i have a second i have a second by ms chandler okay so we are now voting to call the

[00:24:20] question clerk would you please open the vote board members please record your vote ms labelle would you please state your vote is this to move forward with the closed session or to move to call off the closed session could you clarify please so this vote is to what is call the question which

[00:24:52] means that to just go ahead and vote on mrs griffith's amendment without any more discussion it needs to pass with a two-thirds vote so it's on mrs griffith's motion it is no so it's to call the question first and what we do is we would vote and there would be no more discussion i see

[00:25:20] okay so thank you okay so i vote yes to call the question clerk would you go ahead and display the vote. Close and display it. All right so it looks like we the call the question has been passed with six votes with Dr. Deans and Ms. Chernoff in opposition and Mr. Estreffi absent for the vote.

[00:25:53] So we will now go ahead and vote on Ms. Griffith's motion. Would you I'm sorry Ms. Griffiths could you say it one more time so that everybody's clear on what we're voting on? No. I motion that this board decide to have an open session over a closed session at this time that motion was properly

[00:26:29] moved and seconded so we will now go ahead and take the vote clerk please open the vote board members please record your vote miss labelle would you please state your vote yes yes if you gotcha thank you um clerk please close and display the vote that motion does not pass

[00:27:07] five to three with Dr. Deans, Ms. Chandler, Chair Mansfield, Ms. Donahue, and Dr. Rashid in opposition, and Mr. Estreffi absent for the vote. So we now go back to the base motion for a closed session.

Clerk, will you please open the vote? Board members, please record your vote.

[00:27:45] Ms. LaBelle, would you please state your vote? No. Clerk, please close and display your vote.

[00:28:06] That motion passes five to three with Mrs. Griffiths, Ms. Chernoff, and Ms. LaBelle in opposition of the vote, and Mr. Estreffy absent for the vote. The board is now in closed session.

[01:55:30] Yay, I made it safely back to the main room.

[01:56:18] Okay, the board is now coming out of closed meeting. Ms. Chandler, do you have a motion? I move that the closed meeting be adjourned and that the Loudoun County Board reconvene its public meeting and that the minutes of the public meeting reflect that no formal action was taken in the closed meeting i have a motion by ms chandler do i have a second second i have a second by um ms donahue is there any discussion seeing seeing no discussion we'll take an

[01:56:52] electronic vote clerk please open the vote board members please record your vote ms labelle would please please state your vote yes clerk please close and display the vote did i say that okay and the vote passes unanimously with vice chair straffi absent for the vote now we'll move

[01:57:32] to item 2.03 to certify the closed meeting ms chandler do you have a motion i do thank you madam chair i move that the following resolution certifying the closed meeting be adopted and reflected in the minutes of this public meeting resolution number 30-2324 whereas the loudon county school board has convened a closed meeting on this date pursuant to an affirmative recorded vote in an accordance with the provisions of the Virginia Freedom of Information Act and whereas section 2.2-3712 subsection D of the Code of Virginia requires a certification by the school

[01:58:07] board that such closed meeting was conducted in conformity with Virginia law. Now therefore be it resolved that the Loudoun County School Board hereby certifies that to the best of each member's knowledge one only public business matters lawfully exempted from open meeting requirements by virginia law were discussed in the closed meeting to which the certification applies and to only such public business matters as were identified in the motion convening the closed meeting were heard discussed or considered by the loudon county school board i have a motion by miss chandler to certify the closed meeting do i have a second i have a second by dr dean's is

[01:58:46] there any discussion if there's no discussion we will take an electronic vote clerk will you please open the vote board members please record your vote clerk please oh Ms. LaBelle yes could you please state your vote yes clerk will you please close and display the vote and that motion passes

[01:59:21] eight with Mr. Streffy absent for the vote we have a motion required by the closed meeting Ms. Chandler Madam Chair I move that pursuant to policy 1035 section a subsection six and in light of the board being aware of an unauthorized disclosure of confidential information pertaining to an individual rating concerning the superintendent's evaluation that was otherwise discussed in a closed section the board votes to reaffirm the confidentiality of individual ratings

[01:59:58] and all aspects of such evaluation discussions which the board has a duty to treat confidentiality confidentially individually and collectively i have a motion by ms chandler do i have a second i have a second by dr rasheed is there any discussion yes do you have discussion miss donohue thank you madam chair i just wanted to say that i will be supporting the motion but

[02:00:33] i am i have been frustrated by the language in the contract that limits what we can discuss because the language in the superintendent's contract which i believe is public states very clearly that all aspects of the evaluation process are to remain confidential. That was a contract that was approved by the previous board. Before we got on this dais, we had no part in approving the language, but we are constrained by it because to violate it could open the division

[02:01:11] up to lawsuits and plays into our responsibilities under policies 1030 and 1035. Thank you. Thank you, Ms. Donahue. Is there any other discussion? Seeing none, we'll take an electronic vote. Clerk, will you please open the vote? Board members, please record your vote. Ms. LaBelle,

[02:01:41] would you please state your vote? Yes. Clerk, please close and display the vote. That motion passes unanimously with Mr. Estreffy absent for the vote. And with that, the June 17, 2024 meeting of the LCPS School Board is now adjourned. Thank you for your work and drive home safely.



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