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Loudoun County School Board, Legislative, Audit and Policy Committee Meeting, Tuesday, December 17, 2024

Date	Tuesday, December 17, 2024
Place	Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)
Length	54m (video)
- Official meeting video (Vimeo / LCPS-TV): https://player.vimeo.com/video/1040188968?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 2026-10-20. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:00:09] Good evening. This is April Chandler calling to order the Legislative Audit and Policy Committee meeting for December 17, 2024. We will begin with public comment. Sign up to make in-person public comments occurred prior to the start of the committee meeting. The meeting will be audio recorded and posted in BoardDocs. Today we have one speaker signed up for public comment. We will allow three minutes.

[00:00:36] Our first and only speaker is Erin Kunkel.

[00:00:54] Good evening. First, MSAC would like to acknowledge LCPS's progress in advancing equity and creating more inclusive environments. This works matters and we see it. MSAC appreciates the intent behind the proposed amendment to include political affiliation and policy 1040. However this policy is specifically designed to address inequities faced historically by marginalized groups such as race, gender identity, or disability. Identities that have experienced pervasive and systemic discrimination, both institutionally and systematically.

[00:01:28] Political affiliation, while significant, is not a federally nor Commonwealth of Virginia protected class, like race, gender, or disability. It is protected under the First Amendment. Adding political affiliation muddies the policy's purpose, shifting it away from addressing systemic inequities and moving it toward the polarizing political climate we currently live in.

[00:01:47] This amendment also raises practical concerns. No one has been denied access to education or educational services because of their political affiliation. How would political affiliation be operationalized under this policy? Are there specific scenarios where its inclusion is necessary?

[00:02:03] This policy strength lies in its focus on systemic barriers that have historically denied equitable opportunities. Broadening the policy to include political affiliation risks diluting its purpose and undermining the critical work that it is meant to accomplish and moves a policy away from neutrality. Let's remain focused on addressing systemic inequities and centering those most impacted by barriers in education. Thank you. Thank you. Now we will move on to item 3.01 to approve the draft November 19, 2024

[00:02:39] minutes. May I please have a motion to approve the minutes? I move to approve the November minutes. Thank you, Ms. Donoghue. Second. Thank you. Ms. Chernoff, The motion was made by Ms. Donahue and seconded by Ms. Chernoff.

[00:02:54] All those in favor, please raise your hand and say aye. Aye. Seeing none opposed, the motion passes unanimously with all committee members present. We will now move on to our information items. We will begin tonight with item 4.01, Office of the Auditor General, Quarterly Update.

[00:03:11] This update aims to enhance the transparency of the Office of the Auditor General's functions and to provide the committee and other stakeholders with periodic updates on audit management. Mr. Ahmad Woods, Auditor General, will be presenting. Mr. Woods, the floor is yours. Thank you.

[00:03:29] Good evening, Chair Chandler, members of the committee. Today I am presenting the quarterly update for the Office of the Auditor General. Next slide. The purpose of the presentation is to update the LA&P Committee on OAG activities from September through December 2024.

[00:03:49] The areas I'll touch on include a high-level summary of activities we performed, completed engagements, in process and plan engagements, our audit calendar, my concern is hotline activity, OAG internal resources, and lastly, we'll finish with an update on our fiscal year 2025 initiatives.

[00:04:16] Over the past four months, some of the highlights, but not all, include the issuance of two audit reports with one soon coming. We also integrated Let's Talk into OAG's my concern is hotline submission process. During this period, staff completed their minimum annual 40 hours of continuing professional education, which is an audit requirement that we're required to perform per calendar year.

[00:04:43] So from January through December, we are asked to get 40 hours of training. The OAG started three new audits, and we have started the early incorporation of our quality assurance and improvement program. Next slide. For the period of September through December, the OAG issued two audit reports, which identified a total of four findings and resulted in seven audit recommendations.

[00:05:14] Of note, the audit of student software applications does contain confidential information and will not be posted publicly for security purposes. The OAG currently has five ongoing audits and is preplanning four ongoing audits and one upcoming audit.

[00:05:37] The first audit on the list is the audit of student placement policies and procedures. This audit is in its final stages, and we plan to issue the final report for that audit after the winter break sometime in January. Audits two through four were initiated between September and December, and they include IT third-party risk, LCPS staff support and advocacy resources, and LCPS transportation management.

[00:06:02] Both the IT third-party risk and LCPS staff support and advocacy resources are currently in the field work phase while the transportation management audit is in the planning phase and lastly we have the jefferson contracts administration audit which we are currently in pre-planning for and so that one would be considered in the planning phase we hope to issue an acknowledgement letter to the audit clients sometime in january next slide here is our audit calendar for audits from the previous slide this is our expected timeline for those

[00:06:39] ongoing and current audits the calendar covers a period of September 2024 through June 25 and will be updated as other audits come online next up is a summary of my concern is hotline in September the OIG added let's talk as a way for staff and community to submit concerns to the hotline with the addition of let's talk OIG is now aligned with division-wide practices Also, in this same period, we received two hotline submissions, both of which are considered open.

[00:07:17] Next slide. This next slide is our internal resources and is pretty basic or very simple right now. The reason is we are currently still in an infancy of establishing our office.

[00:07:39] And what that means is as time goes on, we will be better able to analyze if current staffing levels are adequate to achieve the audit plan, as well as identify any gaps in oag resources gaps and resources can include financial resources human resources and in a modern world technological resources and so this is where we would have that conversation and the reason we would have that conversation here is to ensure independence it ensures members of the committee have the information they need to carry out their duties

[00:08:13] in the oversight to ensure the oag has the needed resources to carry out their duties but for now i want to point out the OIG is currently authorized for four FTEs and all are currently filled.

[00:08:29] Last up we have our fiscal year 2025 initiatives. We are currently working on updating our internal audit manual. We've run a first print that will help us with item three which I'll touch on in a moment. The manual serves to streamline audit processes and provide guidance to audit staff. I know it can get a little mundane talking about the audit manuals but it really serves as a purpose to show external reviewers how we address conformance with the global internal audit standards. It highlights our competency, our dedication to continuing professional education, due professional care, and the managing of internal audit function here at

[00:09:08] LCPS. So for us, it really is, so to speak, our bible. Next up, we have started our quality assurance and improvement program. In November, audit staff met to discuss areas of improvement as well as lessons learned over the past year or so.

[00:09:26] We've also began the administration of post-audit surveys to those we audit so we can look or identify areas where we can improve our processes. It also helps us build relationships with those we audit. That brings us up to our conformance readiness assessment, which we will begin in March of 2025.

[00:09:47] During that assessment, we will review our current audit manual with new upcoming standards, which will be adopted or incorporated in July of 2025. And so we'll use that manual, which is our current practices, measured against those that we'll adopt at that time.

[00:10:05] This brings us up to our last item on the list, which is our fiscal year 26 annual audit plan. We will begin the planning of our next fiscal year annual audit plan in January. During that period, we'll query board members and staff.

[00:10:21] So be mindful that when we audit topics, you'd like us to audit. That is the time that I suggest you provide us with those topics to include in our audit universe. That concludes our quarterly update.

[00:10:37] If you have any questions, I am more than welcome to answer those now and I'll do my best. Thank you. Thank you, Mr. Woods. Are there any questions or comments from the committee? Ms. Chernoff? I just wanted to thank you for slide six. It's very helpful to see the timeline this way, and if you can continue to do that, that would be very helpful.

[00:10:58] It just helps to see where you're planning and where you're doing the work and reporting. I know we've had a lot of conversations about where we are in the process and we check in. But this like really just as a visual learner was very helpful. So just that feedback to you. If you could continue to do that, that would be helpful.

[00:11:15] Will do. Thank you. All right. Seeing no further questions, we'll move on. Our next item is 4.02, the legislative update. Kozin O'Connor, our legislative consultant, will give a pre-session legislative update to the committee about the landscape and important issues ahead of the upcoming legislative session.

[00:11:37] This update will help the community and the school board to understand the legislative priorities of the Loudoun delegation, the bills that will be presented as a part of the General Assembly session, and how they might impact LCPS. Today, we will hear from Mr. Kyler Hedrick.

[00:11:53] Mr. Hedrick, the floor is yours. Thank you, Madam Chair and members of the committee. Good evening. So with the Virginia General Assembly going into session in just a few weeks, just after the holidays, I wanted to give a high-level overview of session in a brief timeline, highlight LCPS's legislative priorities, which I'll quickly cover because I know that the full legislative program is available on board docs, so I'll try to be brief on that.

[00:12:21] I'll talk about some bill draft requests and budget topics relevant to those priorities. and highlight a quick save the date just for your calendars for a legislative dinner with the delegation, with General Assembly members. So the legislature goes back into session on January 8th, which is quite literally the earliest date that they can go into session, because the prior Wednesday is actually New Year's Day, so constitutionally they would have to go in on January 8th.

[00:12:51] But the 2025 session is a short session, and that will last 45 days. It will run consecutively until February 22nd. That's a Saturday. We call that sine die when they will gavel out. And this is an off-budget year since the General Assembly passed a new two-year budget last year.

[00:13:13] So this year is an opportunity to amend that budget. The General Assembly has a history of operating very efficiently, and I don't expect that to change this upcoming year there are bill limits in place for General Assembly members and we've heard a lot of talk about when bills are introduced that they need to kind of go through the vetting process and kind of be a final product by the time they're introduced so we're expecting things to move pretty quickly in those 45 days we will also be monitoring the governor's budget unveiling which is tomorrow so this is timely and it's expected to come out

[00:13:51] I would say even though the full budget comes out tomorrow, he's actually been putting out some press releases leading up to the full unveiling, so we're starting to see some of those budget items come out. Just a few ones I wanted to highlight for you all this evening.

[00:14:08] He does have some budget items, including \$517 million increase in direct aid to K-12 education, a \$110 million increase in support for English learners, \$25 million for an new lab school partnership with HBCUs, a \$35 million increase to fund high school dual enrollment and CTE, and this is among other things as well, and we'll see more tomorrow.

[00:14:35] And when that does come out, we will do a full kind of combing through the budget and also ensure that the funding for the recovery school remains in place. We'll monitor mental health funding, and I will also just mention that this is just the beginning of the process, the House and the Senate will, of course, put their fingerprints on the budget, so it could look very different by the time we get into February.

[00:15:00] So I wanted to quickly highlight LCPS's legislative priorities and just provide updates where relevant. One of the biggest priorities that you, again, would find on board docs is enacting the JLARP recommendations in regards to the K-12 report, and I know my colleague Julia gave a little more detail on that in the prior board meeting but the near-term recommendations are more likely to be considered during the general assembly session in 2025 this includes addressing technical issues to the formula discontinuing cost reduction measures from the great recession era

[00:15:39] changing the local composite index to a three-year average things of that nature as i mentioned earlier continuing to support the recovery the recovery school so we will be monitoring the budget to make sure that funding remains in place an audit of higher education teacher preparation programs delegate reser pre-filed legislation to put a stronger accountability framework or a rubric in place to ensure compliance with instruction standards that are outlined in the virginia literacy act that was enacted two years ago and there's a few

[00:16:14] different options on how that can be put in place that could be a process similar to the special education rubric that's in place right now it could be adopting a curriculum review frame framework and applying that on the instruction side of things or it could be adopting a rubric that other states have adopted so there's we've had conversations with delegate research about which you know strategy to implement there another priority is is comprehensive student mental health policy and funding.

[00:16:44] We will be monitoring that through the budget, but I also wanted to note that Delegate Martinez has pre-filed legislation to form a work group just to do really a comprehensive study on funding and resources, training and professional development, curriculum development, research and evaluation, and then public awareness campaigns To make sure that people in the work group, which would include General Assembly members, folks who are on the money committees in the General Assembly, that would be Senate Finance and Appropriations, House Appropriations, Senate Education and Health Committee, and

[00:17:23] House Education, as well as relevant stakeholders in the mental health space, can come together in 2025, come up with legislative recommendations that could then be put forward to the 2026 General Assembly. But this legislation carried by Delegate Martinez would first have to be -- would first have to pass for that workgroup to convene.

[00:17:45] We'll continue advocating for commitments to the teaching profession and supporting special education transition programs and services. And one thing I did want to note is that the near-term recommendations of JLARC also include directing further study of special education staffing needs.

[00:18:04] that's something that could also be implemented in 2025. Lastly, Delegate Martinez is also carrying legislation that would add an attendance withdrawal code that can be used for circumstances where a school has been notified of a planned absence of more than 15 days that will result in a mandated withdrawal so that that planned absence does not count against accreditation for school so this would cover situations where a student maybe goes on a trip for longer than 15 days visiting family in a different country making sure that that does not impact school

[00:18:44] accreditation so lastly the last thing I want to cover is just marking your calendars so the LCPS legislative dinner is scheduled for January 27th that's a Monday at six o'clock in Richmond and we have invitations rolling out to the delegation so just mark your calendars for that other than that that concludes my report thank you so much mr. Hedrick and are there any questions or comments from the committee sure not this is something that chairman sealed shared with me about the audit of higher education so the state of Ohio is kind of already on this journey they've just

[00:19:23] hired someone with for they're spending 3.6 million dollars to roll this out because of legislation that was similar to what we're trying to model so I don't I don't know if Delegate Reser knows about all that. I'm sure she does, but we've been following that because it seems like it may be a template for how they got that work accomplished.

[00:19:41] Right. We've mentioned Ohio and also Colorado, I think, has a similar process in place. So we've had those conversations. And just trying to finalize which language we want to go with and what works best in Virginia. And that's a great recommendation.

[00:19:58] Yeah, so it's nice to see when people are paving the way maybe it works smarter not harder absolutely yeah not reinventing the wheel for sure thanks thank you so much and now we will move on to our action items beginning with item 5.01 policy 1040 equal opportunity for equitable safe and inclusive environments this item comes back to us after we took some time to process the very thoughtful recommendations made by the msac committee Tonight, we are joined by Mr. Wes Allen, our division counsel, who will be presenting.

[00:20:34] Mr. Allen, the floor is yours. Thank you, Chair Chandler. As you indicated, this is Policy 1040, the Equal Opportunity for Equitable, Safe, and Inclusive Environment. This policy is being reviewed to be in compliance with recent changes to the Virginia Code as a result of legislation in 2024, specifically General Assembly House Bill 18, that amended the Virginia Human Rights Act to reflect that ethnic origin is a protected class, and that was an impetus for reviewing Policy 1040.

[00:21:08] My understanding is that this was continued as an action item tonight to consider feedback from MSAC, and you'll see that the language highlighted in green reflects Chair Chandler's proposed amendments, the language highlighted in teal reflect Ms. Chernoff's proposed amendment, And the language highlighted in yellow reflects prior amendments proposed by this committee based on community feedback.

[00:21:32] As you will see, as part of Chair Chandler's proposed amendment, there is recommended language to authorize the superintendent to develop an accompanying regulation to this policy to clarify school procedures that operationalize or implement this policy. And it's my understanding that the thought is that such regulation would incorporate in part feedback received from MSAC.

[00:21:53] with that I'm happy to take questions thank you mr. Allen are there any questions from the committee sure not to thank miss Kunkel for her comments and actually I had a statement prepared which was very similar I came to the same conclusion in meeting with division counsel and looking at some of our other policies and protections I sort of wish we talked about it beforehand because it feels like we kind of got to the same place and I do believe that those protections are in place I don't regret bringing it up because I think sort of on the heels of what we're dealing with in the culture I do think those topics

[00:22:30] are relevant to our students and thinking about those protections and I think that's top of mind for me and for a lot of parents and other people that are involved in our schools but I did want to thank you for speaking out and I will spare everyone my long remarks because you so beautifully captured it and I absolutely agree so I am officially I we never put it out there I put it out there as an idea so it was never officially proposed but I am withdrawing that tonight. So that will not be part of the conversation unless someone else wanted to take it up, but I highly doubt that. Well, thank you, Ms. Chernoff. And with that, I'll reflect for

[00:23:07] the official record that the Chernoff Amendment is withdrawn. Ms. Donahue? Thank you, Ms. Chandler. I have a question, but I wanted to briefly respond to Ms. Chernoff's comments and Ms. Kunkel's comments that I similarly was not feeling strong thoughts of wanting to add this language in for political affiliation, but I absolutely take Ms. Chernoff's point, and I think that it's important

[00:23:39] for everyone on the board, in the staff, in our community to be committed to ensuring the safety, and equality of everyone in our LCPS community. And that does include not wanting people to be harassed or bullied or discriminated against on the basis of their political affiliation.

[00:23:58] But I also think that Ms. Chandler's proposed amendments go a long way towards spelling out that the protections and the concerns that we're trying to address in this policy are not limited to the specific bases that are identified in lines 16 through 20.

[00:24:17] and I feel pretty good about where we are with this. That being said, I did have, I have one question/comment that I just wanted to verify that on line 17, where it says perceived or actual, right in front of race, but then there are many other things listed in that paragraph, I just wanted to confirm that the language perceived or actual is intended to apply to all of the things come after that phrase thank you miss donahue yes that is correct the phrase perceived or actual

[00:24:54] applies to all of those um categories that follow thank you that was my only that was my only thing thank you miss donahue um i i would like to start tonight by personally thanking the msac community and the msac team for their work on bringing forth this policy and strengthening this policy. I believe that MSAC as an organization that's made up of students, parents, teachers, and community members with the express focus of championing opportunities for academic access and success for minority students, an organization that promotes inclusivity,

[00:25:34] collaboration, and unity through building community and advocates for minority students and their families. This organization is in the absolute best position to offer solutions in the form of meaningful policy and regulation recommendations to help us reduce the gaps and access and opportunity that may exist within our community and in sort of reflecting on the feedback from msac i think this policy offers us the ability to meet our obligation to every student to offer every student what the division has to offer

[00:26:11] at the highest level and to offer each student the opportunity to meet their full potential i really feel this is a student focused policy that also offers more dignity and more protection to teachers as well and with these edits i hope we can make sure that every child has the opportunity to succeed without limitation and with very careful consideration of the msac feedback i would like to officially make a motion to insert the new proposed language is outlined in the Chandler amendment second thank you the motion was properly

[00:26:49] made by me Ms. Chandler and seconded by Ms. Donahue is there any discussion sure I'm sure enough thank you uh chair Chandler and I agree that a lot of beautiful work was really put into this and this is where you really see our advisory committees just thriving I think because you get to see that you guys are putting in the work and that helps us because you have a different lens and we can't see all the things certainly in this area we definitely can't so I am appreciative I understand I have a question for you

[00:27:27] first you are presenting this all as one it's all or nothing correct at this time okay I'm pretty comfortable with the language what I more am thinking about is and actually it was one thing that MSAC said in their comments was sort of like ours is very brief compared to other school districts and so then that got me thinking about what do we want this policy to be and how do we unpack all of that and I mean this in a very caring way but it almost feels like it's taken on a lot more and so it feels like a new policy to me in a lot of ways

[00:28:03] which is I think good because it's expansive now the thing that I'm going to ask in order if we approve these amendments is that I know that this is action tonight but this is a lot that we've added a new language and I believe there's a new code reference and so I am wondering if we need the public's feedback again here or if maybe the committee wants to see that and maybe that's a question after we work through the approval of the amendment but to me this kind of it takes it into a new place which to me does raise some new

[00:28:37] questions, especially as we think about adding in a regulation, which I do support a regulation going forward, especially after talking to Dr. Spence. It gives an opportunity for staff and for leadership to be able to sit down more closely and work with MSAC and sort of put out the nuts and bolts. So I don't know if you want to handle that separately, but I feel like in terms of a lot of the different language that is in here now, it is talking about bias, it is talking about institutional and systematic level discrimination and things like that that have existed which were

[00:29:14] not previously in the policy so i do believe we're taking this in a deeper level and i would like to hear what the public has to say about that should we approve the amendments thank you ms chernoff ms donahue thank you chair chandler i just wanted to briefly respond feedback from our community is always of huge importance for us to consider that being said i would be inclined to i would be in

[00:29:49] support of still voting to move this policy to the full board tonight for the reason that it will presumably if we do approve it to go to the board will be on for information in early to mid january and then not on for action until towards the end of the month and i i would hope that that would give adequate time for the community to share their thoughts with us about that and for all of us to further wrestle with the new language but that's just my just my two cents um and I in sort of reflecting back on what we've received

[00:30:25] already and we have received feedback from the community and and I would agree that as this moves forward there will certainly be continued opportunities for the community to offer feedback in

terms of emailing the school board or providing us with public comment. So with that, I would be disinclined to hold it in committee any

[00:30:48] further to explore feedback. Could we please take a vote on the amendment? So seeing no for, or is there any further discussion? I don't want to move too quickly. Anything else you want to chat about?

[00:31:09] Sure. Okay. Ms. Chernoff. I guess my only question then is, and Dr. Spence is not here tonight, and maybe this is something we can engage msac with as well is sort of it's always curious to me how regulations work i know we've talked about this on our board we've sort of like they had this like love hate relationship with regulations and what best practices and it is my understanding that regulations become that that's more of a staff purview that that in this case it would be more under the superintendent um and that that necessarily wouldn't come back to us for approval because we've approved the policy to guide the regulation, and I understand that.

[00:31:48] Selfishly, as it will be a new regulation, I think that it could be important that we kind of understand the direction that that's going. So I think going forward, my questions, when it's at the full board, are going to reflect what that purpose is, what they're looking to do.

[00:32:06] I'm more thinking about are we looking at applying resources in our equity department and throughout the division that already exist? are we going to be adding new things maybe both um so i'm just curious about i don't know if you guys have any insight i don't think that you can speak for dr spence but um and maybe those things will unfold but i will be curious to see what all of that will look like given um i wanted i don't want to use the word heaviness but given the weight of of these things these are these are heavy topics and they carry a lot of weight with them in terms of what this means for our division and

[00:32:41] in our students so with that I will end my comments we can vote but I wanted to say that I am curious about seeing the regulation as part of this policy and as part of this committee thank you mr. not just a clarification because I've been reminded that we actually only have one business meeting in January for the full board so to the extent that we were discussing the timeline we would in the normal course not be voting on this until February thank you for that

[00:33:20] clarification Ms. Donahue with that to return to the amendment the amendment has been properly moved by Ms. Chandler and seconded by Ms. Donahue we have discussed it could we take a vote on the amendment please let's see all those in favor please raise your hand and say aye aye seeing none opposed the motion or the amendment passes unanimously is there any further discussion on the base

[00:33:54] motion no okay seeing no further discussion could I have a please have a motion to approve this item and move it forward to the full school board I move to move I move for the LA&P committee to send the proposed revisions to policy 1040 as amended pursuant to our vote on incorporating the Chandler amendments to the full board for its consideration thank you miss Donahue I'll second with

[00:34:34] that the motion was made by miss Donahue and seconded by me miss Chandler all those in favor please raise your hand and say aye aye okay um so all those opposed please raise your hand and say nay the motion passes with Miss Donahue and Miss Chandler voting a and mission off voting nay with that it will move forward to the full school board we will now move on to 5.02 policy 2420 meeting

[00:35:07] procedures. Updates to policy 2420 are required, again, to comply with recent changes to the Virginia Code. Mr. Allen, our Division Counsel, will be presenting. Mr. Allen, the floor is yours. Thank you, Madam Chair. As you indicated, we are reviewing policy 2420 meeting procedures, and the changes

proposed to this policy are being made to comply with updates from the Virginia Code. Specifically, the proposed proposal is to add language regarding and clarifying what constitutes a quorum.

[00:35:40] Specifically, that includes remote participants with a disability or acting as a caregiver in Section C1A. This is pursuant to Virginia Code Section 2.2, 3708.3, Section B2. And that language can be found on Lines 30 through 33.

[00:35:58] Additionally, there's an added language to Line 80 with the word preceding. That is intended to provide greater clarity with respect to the exceptions to remote participation in a student disciplinary appeal hearing or administrative appeals proceeding.

[00:36:15] It just provides greater clarity. My understanding is that there was no feedback received for this policy, and with that, I'm happy to entertain any questions. Thank you, Mr. Allen. Are there any questions or comments from the committee? Seeing no further questions or no further discussion, could I please have a motion to approve um policy 2420 meeting procedures and send it to the full board for as an information item i move that policy 2420 meeting procedures be moved to the full board as an information item

[00:36:55] second thank you the motion has been made by ms chernoff and seconded by ms donahue all those in favor please raise your hand and say aye aye i'm seeing none opposed the motion passes unanimously with all committee members present. Lastly, we will move on to 5.03, policy 2450, board minutes. This policy also includes or comes before the committee to ensure compliance with recent changes to the Virginia code. Mr. Allen, again, we'll be presenting. Mr. Allen, the

[00:37:32] floor is yours. Thank you again, Madam Chair. In addition to what you've just shared, specifically The substantive proposed changes reflect added language that clarifies that remote participation cannot prohibit or restrict a board member from voting.

[00:37:48] That tracks language in Virginia Code Section 2.2.3708.3, Section D.2. The other proposed changes reflect stylistic and/or other amendments that ensure the policy conforms to the board's customary practices.

[00:38:04] With that, I'm happy to entertain any questions. Thank you, Mr. Allen, for that clarification. there any questions or comments from the committee um last meeting we had talked about in the original policy um which i don't see on the red line version which i'm a little bit confused about because i think we had a conversation about a record of the presence or absence of the superintendent which in the original policy was item number four on the list under contents and i thought we had had a conversation about possibly adding in a record of the superintendent or

[00:38:43] superintendent designees attendance when a record of it when attendance is required so knowing that there are certain meetings that the superintendent is required to be at we would then record it in the minutes. Thank you but sure enough I wasn't present at the last meeting so I can attest what was discussed but we can certainly listen back to that to provide greater clarity I do know that there was in the current policy there is a provision under section a that does provide for that and I don't see it here and this iteration of

[00:39:22] the policy so we can take that back and check on it yeah in the original version it does say item number for a record in presence or absence of the superintendent which we thought was unnecessary the justification for that being unnecessary and being struck was because it's not the expectation that the

superintendent would be at every single meeting that we have the 200 whatever we have had this year they said last time but I think like in terms of making sure that there is a record of it when it's required like for full board meetings to me that makes sense in terms of making sure people know not only who the superintendent

[00:40:00] when he was there but when there was a designee in terms of accountability and and I've spoken with him about this but I do think that that I think that that is a fair thing to keep in the the board minutes so I don't know if that's something that I need to motion to amend and I'm happy to do that I have the language here but I can do that or if that's something that just got lost in translation so can you help me guide me on that Ms. Donahue would you like to make a comment thank you chair Chandler I

[00:40:34] appreciate Ms. Chernoff bringing that up I had not recalled that conversation until you mentioned it but when you started talking about it it did sound familiar to me and i i believe that that is correct that that we saw that in the red line at the previous meeting initially didn't have a particular objection to striking that provision but then engaged in that conversation that as at least as far as the meetings that the superintendent or a designee is required to be at it would be a good idea to have that reflected in

[00:41:08] the minutes and I I would support having something along those lines back into the policy red line if we if it is something that we discussed at the last meeting I don't know if it's if it is necessary to do an amendment but that's what my aide said too definitely talked about it yeah um okay uh well thank you so much for the clarification um Ms. Kasterly do you have any recollections

[00:41:44] that you would like to share with the committee it was discussed keeping it in and there are some meetings that are required for the superintendent and there are some that are not I think there's some clarification maybe regarding that on the line would be helpful that you all did discuss some of that it is a complete oversight that that line is missing but it's almost why it makes sense that there's a red for right otherwise why would there be a red for so I think it was just a mistake on my part and so that line should be still there i think you still want to consider the wording of it um thank you so much for that

[00:42:22] clarification um with that um it would be extremely helpful to have some proposed language if you have some ready i do would you like me to do that in a formal way that we would vote on sure you know i love the rule i know um so i am going to make a motion to amend this policy um that to add on line 13 so between number three and number current redlined version number four we would add the number four and subsequently bump down all other numbers and that it would say number four

[00:42:58] the record of the superintendent or superintendent's designee when their attendance is required and so just to clarify the reason that that's like a short sentence is because content says the minutes of meeting of the board shall include and then it would say the record of the superintendent or superintendent's designee when when their attendance is required mr allen well yes if i my i just want as a point of clarification pursuant to policy 3120 which is the powers and duties of

[00:43:33] the division superintendent as a default the superintendent is required to be present at all meetings of the school board unless there's an or a designee unless there's an affirmative vote of the majority of the school board members then his attendance or the designate could be dispensed so the default is that for all school board meetings full school school board meetings the superintendent would be present well mr allen if that's the default and that's encapsulated in policy 3120 is it necessary for us to make an amendment to policy 2450?

[00:44:12] thank you madam chair i think that's the the inquiry and perhaps why that was proposed to be stricken previously. But again, I wasn't here at the meeting for that discussion. Of course. Ms. Chernoff. While the amendment is floating in the air, I'm going to make a comment about that. This is about board minutes. So for me, this is about keeping track and for record for the public and for us. So let's say, I mean, I know a lot of us read minutes and a lot of us go back and listen to things. So for me, it's about knowing who was there. Oh yeah, was that the designee? Who do I talk to? I mean, for me it's just it's not even meant to be a gotcha or anything like that it's just a matter of if we

[00:44:52] our attendance is taken because we're required i think so should he and so because it is board minutes related and that it will be included in board minutes which are a public foiable document i think that this is an important clarification okay um miss donahue thank you chair chandler i tend to agree uh and i i do support adding the language back in i would i might suggest also adding presence or absence a record of the presence or absence of the superintendent or

[00:45:25] designee um i find myself not being perfectly comfortable with this um and and i think it's one of those things where um given the fact that the superintendent or a designee um is required to be present at all meetings um i would want to be particularly careful about how it's noted in any meeting minutes because certainly as we've all stated given the fact that we have 200 committee

[00:46:01] meetings a year and would never have the expectation that the superintendent be at all of those meetings i and there certainly are always designated cabinet members at all of those meetings i would want it to be clear that there's not truly an expectation that the superintendent be available at that time that that would be my concern i understand that concern and maybe we need to provide some clarity there but i you know i think it's pretty clear where he is i mean we can find

[00:46:34] that out where he is and is not required but or she should it be a she someday um i so i'm gonna stick to this i i believe that this is important and so i understand but disagree okay um with that I don't believe the motion or the amended the amendment um officially was seconded I think it was made was it seconded second okay thank you um the amendment has been made by Ms. Chernoff and seconded by Ms. Donahue all those in favor please raise your hand and say aye aye all those opposed please raise your hand and say nay nay um the motion passes with Ms. Donahue and Ms. Chernoff

[00:47:12] voting a and Ms. Chandler voting nay and we should return to the base policy base motion like let's go back to policy 2450 is there any further discussion sure Ms. Chernoff tonight my question is in line in the red line version number the new number six which will again become number seven now um a summary of the discussion on

[00:47:52] matters proposed deliberated and decided is and this is kind of a question for the board too and for for legal is that assumed that questions would also be included because to me it's really important to know what questions are asked and who's asking them and what answers are given because we ask a lot as i am right now we ask a lot of questions and then i can chase that person down if I need clarification before things come to the full board if it were in committee so I wasn't sure if language around questions asked should

[00:48:26] also be included in that section or is it included surmised through the language that exists how is for you mr. Allen okay does it include questions in your mind or not I guess so the plain language to me interpreting it seems to be matters that are kind of either proposed to be on the table and just determined or decided upon not necessarily questions and I think it's

[00:49:01] somewhat of a slippery slope if we do start the practice of questions and then rhetorical questions or you know but I can't say that all meetings are electronically recorded and full board meetings are video recorded and you can kind of link to the further discussion if that's any comfort that is very helpful and that's all I needed here. Thank you. Ms. Donahue. Thank you, Chair Chandler. I wanted to briefly follow up on Mr. Nolf's point because I have been struggling with the language in lines 36 to 37 of the red line that say that the

[00:49:41] minutes shall otherwise be as brief and simple as possible because case in point our discussion that we were just having about what was said with regard to the previous line for at the last meeting if it's not clear from the minutes that can create some problems but at the same time being too inclusive can also create problems especially if there ends up being a disagreement between committee members or board members about what was said and I I have had some discomfort

[00:50:16] with the encouragement to say shall be brief and simple as possible but I I I think I have come around to thinking that it is probably better to keep that language in the policy, at least for the time being, pending how it unfolds going forward.

[00:50:35] Thank you, Ms. Donahue. And I would ask a question, Mr. Allen. I believe my recollection regarding the line that Ms. Donahue mentioned is that that might actually be from Robert's Rules. Is that the case? That's correct.

[00:50:52] I think when I reflect on the purpose of this policy and how it could be most useful, I want to ensure that we keep an accurate and transparent record for the public, but I also think that operationalizing every word and in the minutes would be burdensome on our executive assistants and our staff.

[00:51:15] And I think there are other ways in some of the conversations that we've had offline, Vimeo, the service that we use to record meetings offers a transcript that's AI generated.

[00:51:36] And that may be something that the school board members could utilize their staff aides to have a more, like, thorough and accurate record of the meeting without making additional work for anyone else on the administrative team.

[00:51:55] All right. So with that, is there any further discussion? No? Okay. Seeing no further discussion, could I please have a motion to approve policy 2450 and send it to the full board as an information item?

[00:52:12] I move that policy 2450 board minutes moved to the full board as an information item as amended as amended second the motion has been made by ms shernoff and seconded by ms donahue all those in favor please raise your hand and say aye aye all those opposed please raise your hand and say nay seeing none the motion passes unanimously with all committee members present we have completed the items on our agenda for this meeting does anyone have any new business to offer i'm seeing

[00:52:51] no new business we are adjourned this is the last meeting of the 2024 calendar year we'll look forward to seeing you in the new year thank you and have a good night



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