

**BUENA VISTA CITY PUBLIC SCHOOL
BUENA VISTA, VA
MINUTES
SCHOOL BOARD RETREAT
AUGUST 5, 2021
6:00 PM**

School Board members present – Teresa Ellison, Wayne Flint, John Rice, Mac Felts, John Roberts, Lisa Kerr and Roy Mohler. Also present – Gennifer Miller, Tony Francis and Sandra Mohler.

Meeting was called to order at 6:00 PM. Pledge of Allegiance and a Moment of Silence was observed.

Approval of the Agenda – Need to amend the agenda to add an informational item for the update on opening school before public comment. Need to add an Action item to approve the school opening plan. Need to add a closed session for personnel issues. Wayne Flint made the motion to approve the agenda with stated amendments. It was seconded by Mac Felts and passed by a 7-0 vote.

Dr. Francis introduced Dr. Gennifer Miller to the Board as the New Assistant Superintendent of Instruction.

Presentation: School Opening updates. The Governor announcement today at 4 o'clock, changed the updates I was going to present to you tonight. I have Information on what surrounding school division are doing. Rockbridge and Lexington - masks are required for unvaccinated students and staff. Amherst, Bedford, Augusta, Botetourt, Roanoke County are making masks optional for students and staff. Albemarle, Rockingham County, Charlottesville are requiring universal masks mandate for all students and staff regardless of vaccination status. CDC guidance was amended today. I received 5 emails requesting that masks be optional, 3 emails that asked that we implement the current policy and 1 email wanted to know if we were going to ask for proof of vaccination. We will not require proof of vaccination. We are using the honor system. COVID numbers right now are in the moderate range for transmission, but it is trending up. The transportation mandate has not changed. Everyone riding the bus or public transportation must wear a mask. At the Governor's press conference today, he referenced Senate Bill 1303. Which was approved on March 30, 2021 and is currently code of Virginia law. That bill required school divisions to have school 5 days a week. But, we must adhere to the maximum practical extent of the guidelines provided by Federal Centers for Disease Control and Prevention. I have provided you with a copy of Dr. Lane's email, which clarifies that. The CDC has recently updated their guidance for K-12 schools for the 2021-2022 school year. They are now recommending universal masking of students and staff, regardless of vaccination status. This is in response to the recent increased spread of the highly contagious Delta variant of COVID-19. The Governor when asked why he did not issue a mandate. "A mandate was not necessary because it is a law." Signed into law on March 30, 2021. I was going to say it was your choice, but now after the Governor's press conference today, the law says you must have school 5 days a week and you must follow CDC guidelines. This has changed a lot of things. I had a conversation with our School Board Attorney, he brought up 2 issues we need to consider. 1) It is a law and 2) need to talk to our insurance carrier. If we don't follow the law, then we may not be covered if something happens. VaCorp is our

insurance carrier. If we vary from CDC guidelines, then we should contact VaCorp and make sure we are covered.

This was a surprise and it caught a lot of divisions by surprise. I also provided you with a copy of Senate Bill 1303. This is the latest update as of this afternoon. Questions?

John Roberts - This affects our opening plan?

Dr. Francis - Yes, it does.

John Roberts -The Action Item we will be voting on later, is it on the amended plan?

Dr. Francis - We have two parts to the original plan, 1) we will follow CDC guidelines and 2) mask requirements were based on the guideline available at the time it was written. We will need to update the current plan to include updates received today. CDC guidelines will change. If we keep in our plan that "we will follow CDC guidelines," we would be okay.

Mac Felts – When did this Senate Bill 1303 go into effect?

Dr. Francis - March 30, 2021.

Mac Felts - Why did they not enforce this in April and May of this year? I think it would be a good question to ask our Attorney. Why is it just coming now?

John Roberts – We really can't vote on the opening plan now?

Dr. Francis - You could say we will follow CDC guidelines.

John Roberts -But we would still have to amend it, right?

Roy Mohler- Since we just received the information this afternoon, maybe we should table the vote.

John Roberts – I agree with you! I think what we are voting on is cloudy right now.

Roy Mohler – That would give us time to meet and discuss it more.

John Roberts – time to see what direction we want to go in.

Mac Felts – I would like to know what school divisions who decided on masks as optional what are they going to do now. I would like to see further investigation into this Senate Bill 1303 and why it was not enacted until August, 2021.

John Roberts – We do have some time before our kids come back to school. I agree we should table the vote until later.

Roy Mohler – I would like to see what other divisions are going to do and see what other options we have available to us. If we have options, then we need to explore them.

Dr. Francis – You could put it off to August 17th. We start August 25th, but we need to give parents and community enough time to understand what is happening. It will probably change again during the school year. CDC has really changed guidelines a lot. We can have a Called meeting on August 17th.

Wayne Flint – Can we have in the plan that we will follow CDC guidelines?

Dr. Francis – Yes, if you approve a plan that we will follow CDC guidelines, then our plan would change to reflect updated/current CDC guidelines. At the time the plan was written we were following current CDC guidelines at that time.

John Roberts – I just don't want to approve a plan that is already out there in a document saying K-6 must wear masks and the guidelines have change.

Roy Mohler – I just want to look at it and see if we have wiggle room. I would like to see what happens before we vote on the plan.

Teresa Ellison – I would like to hear what other Board members have to say.

Mr. Rice – I agree with everything Roy had to say. We need to look at this before we vote on it.

Mrs. Kerr – I would definitely like to hear the attorney's opinion and if we have to follow a law then that's what we have to do. But if there is any wiggle room, I would like to explore those options as well. I know members of the audience has opinions and I value those opinions.

We will delay the discussion regarding Called Meeting until after public comment.

Public Comments: Teresa Ellison – We do ask that you are respect each other. Please introduce yourself before speaking.

Chelsea Whetstone –3 of her 4 children are attending school here. She disagrees with the mask requirement for her children. I don't want my children to wear a mask. Requirement of wearing a mask is an overreach of the State and Federal government. I will home school my kids.

Cheryl Hickman – I have a petition to give to the Board. Disagrees with the transgender policy, CRT teaching and mask mandates. Please don't adopt this policy required by VDOE. Non-transgender students also have rights. School Board have the choice to accept or reject these VDOE requirements. Please choose to stand up for our children and community. These guidelines and policies are recommended not mandatory. I will pull my child from school.

Tamara Cooper – Thanked the School Board for everything they do. 5 of her 6 kids are in the school system. Disagrees with requiring kids to wear masks. It is very difficult to communicate with a mask on. It's a barrier for little kids. Makes it's hard to understand the teacher. My son struggles with speech difficulties. A mask makes it hard for him to learn to form the words and sounds. He cannot watch the teacher's lips if they are wearing a mask. Thank you for your time and consideration.

Corky Garrett – Disagrees with children wearing of masks. His grandson has a hard time wearing a mask. On the bus it is hot and he gets sick when he gets off the bus. This is not good for a child. Wearing masks are ridiculous. Does not agree with the transgender policy. Worried about what could happen in restroom.

Sue Brandt – Has grandchildren and great grandchildren in the school system. I am very concerned that the government could be involved here. Disagrees with the DOE, government and CDC telling the parents what is being taught and how it is going to be taught, is wrong. I believe transgender is wrong, critical race theory is wrong. Forcing a child wear a mask all day long at school, against parent's wishes for the child's health is wrong. For any child to be brought up in a school system anywhere that don't respect the rights of the parents is wrong.

Bethany Whitehead – We homeschooled our children last year. Our children miss their friends and teachers. My oldest son wants to wear a mask, it's his choice. But disagrees with forcing children to wear a mask. I strongly agree with speakers before me.

Mac Felts asked the children in the audience to come forth and show everyone their signs.

Teresa Ellison – We appreciate everyone who came out tonight.

School Board Retreat presentation. Dr. Francis to present his plans and goals for this year.

Superintendent Entry Plan – Being new I have to learn a lot of things. My goals are:

Develop working relationships and build trust with stakeholders.

Learn current standard operating procedures for BVCPS

Become familiar with the district's initiatives, values, norms and expectations.

Communicate expectations and leadership style to school and community members.

Develop a report based on findings that will be shared with the School Board and community leaders.

Use the input and information gathered to update the division's strategic plan.

Phase 1 – May – June, 2021 - Learn about the division's operating procedures and current initiatives before assuming the position of Superintendent. This was accomplished by meeting with current Superintendent and reviewing the following documents:

Organizational chart

Budget

Capital Improvement Plan

Strategic Plan

Graduation Rate & Enrollment Trends

Central Office Staff & Principals' Resumes

Employee Turnover Rate

Scheduled meeting with Dr. Keeler

Phase II - July-August, 2021 – Provide direction for the first two months of entry into the Superintendent position. Provide personal introductions and establish relationships with school and community stakeholders. Meet with the following groups:

School Board members (Retreat)

Principals

Support Staff

Parents and Students

City leaders (Mayor, City Manager, City Council members, Chief of Police, and faith-based leaders)

News and Media outlets

Surrounding School Superintendents

Phase III – September – October, 2021 – Hold intentional meeting with various groups and individuals such as school board, principals, central office staff, parents, students and community members. Ask the following:

What do we currently do well?

What could be improved upon?

What are the challenges facing BVCPS?
Where should BVCPS be in five years?
Where do you see yourself in five years (staff and school employees)?
Like to talk to people, don't like to send a lot of emails.

Phase IV – Nov – Dec 2021 – Formulate ideas and frame strategies for improvement based on information gathered. Collaborate with stakeholders and being to develop a vision for the future of BVCPS. Use this information to update and refine the Division's strategic Plan (Jan –May, 2022)
Work with central office/school staff to analyze the data gathered to develop a concise report of findings.

Present report to the School Board in open session and discuss findings.

Share report publicly with school and community stakeholders to identify and create action steps to move the division forwards.

Update and refine Strategic Plan and other guiding documents such as the Capital Improvement and Crisis Plans.

Have a conversation about what the Board feels like it needs to be done. Where we need to go and what is important.

Teresa Ellison - We had discussions regarding a new school. We got some advice from our legal team regarding our PPEA policy. Has to do with some funding options for building a school. Our legal team asked that look into the motion that was made. It was general, it needs to be specific and we are going to be reviewing and updating the policy and guidelines at our August Board Meeting. The revisions will be presented to the Board as a 1st reading. We did receive an unsolicited proposal and August 6th is the deadline to receive any other proposals. Once we get the update in August we will take action on the PPEA policy in September.

Dr. Francis – Need to provide great educational facilities for our students. We will have to return any unopened proposals. We would have to adopt the guidelines and then repost for the 45 days. I will let the Board know if I receive any proposal tomorrow.

Mac Felts – Why did the attorney wait the 11th hour to discover this inadequacy? This was done in April. It was filed in June; he knew about it all this time.

Teresa Ellison – It was mention earlier in June, follow up has come now.

Mac Felts – What is the situation if we get no additional bids?

Dr. Francis – If you approve new guidelines, you would still have to repost the acceptance of bids.

I will send the board an email if we receive any new proposals. Deadline is 2:00 tomorrow.

Teresa Ellison – You mentioned a 5-yr Plan. We have a 5-yr plan in place.

Dr. Francis – yes, it runs through 2023. I pulled the plan, and I am working with Central Office staff. You should update and make changes to the plan annually.

Teresa Ellison – Can you tell the audience what categories are in the 5-yr or strategic Plan?

Dr. Francis – Strategic Plan focuses on your instructional practices and so forth, facilities, teacher training and recruitment. All of those things that go into making a strong school division.

Includes everything in the division and how you are going to get there. Identify areas you need to improve on. Timelines and milestones to achieve goals. Plan should relate back to your Mission and Vision Statement for the schools.

Teresa Ellison – Who works on this Strategic Plan?

Dr. Francis – Everyone in the division. Would have teacher representatives, administrators and central office staff. You want buy-in and you need to hear from staff as well. Some divisions include students.

Teresa Ellison – Interest in knowing the number of teaching experience our teachers have. How many teachers could retire in the next 5, 6, 7 or 8 years? It is important for us to know, so we can address teacher shortages. Could we get a report in the next couple of months?

Roy Mohler – We should track students who leave here who want to teach. Students who were in the Teachers for Tomorrow Program. Students who want to be teachers. Check in with them to see if they are still interested in teaching. Recruit these homegrown students to come back to teach in our school systems. Reach out to our students first before they go to another school system. Help with us with the teacher shortage.

Teresa Ellison – Ms. Cobb, do we still have the Teachers of Tomorrow program?

Ms. Cobb – yes, we do. We usually average about 20 students at the beginning. Falls off some due to schedule conflicts. They receive college credit for participating in this program.

Wayne Flint – We will have to do something about getting the salary scale up so we can compete with Rockbridge and Lexington.

Teresa Ellison – I saw something today, that Virginia teaching salaries is ranked 50th.

Roy Mohler – It would be nice to get our starting pay better so we could attract beginning teachers.

Sherrie Wheeler – DOE has a program called “Grow your own”. Over a 3-year period a teacher would get a substantial amount of money (almost \$8,000) for coming back to their hometown to teach. Would receive this for 3 years.

Wayne Flint – Our benefits are good!

Teresa Ellison – that brings up another thing we need to look at this year, our salary scale. It has not been updated or looked for a while now.

Dr. Francis – I have met with Mrs. Mohler and we discussed updating the salary scales. Getting our salary scales back in line may take a while. It may take 3 to 5 years to fix it. We will address salary scales and teacher recruitment in our strategic plan.

Teresa Ellison – I want parents to know that we want the best teachers for our students, because teachers are a very important part in the lives of your children.

John Roberts – I assume that we are keeping all of the recognition programs, like senior of the month.

Dr. Francis – yes, we will continue with these programs. They will start in the September meeting. These recognitions are well thought of and well received.

Teresa Ellison – We have one thing coming up right before school starts. Sherrie tell them about the backpack program.

Sherrie Wheeler – We are giving away backpacks and school supplies for K-7 on August 13th and 20th at the Ramsey Center from 8-12 on both dates. We will also have the “Books for Blues”. Each child will receive a book.

Teresa Ellison – I know that parents and children appreciate the backpacks, books, and the materials they receive.

John Roberts – I have heard that there are poles sticking in the ground?

Dr. Francis – yes, the poles for the lights were put up by Dominion. We are going to recognize Dominion at our convocation. We are waiting for the lights to arrive and they will be installed. Lights will be on the softball and baseball fields.

John Roberts – Has the merry-go-round stopped for you yet?

Dr. Francis – It's been fast and furious, but that's part of the job. I had a chance to watch "Be a Blue" video. And that summed up why I wanted to come here, that community pride. It's unique being a Fighting Blue, because there is only one Fighting Blue. Everyone knows that is it Parry McCluer Buena Vista. It's been great, a lot of pride, people willing to work hard. You don't hear "that's not my job." I have heard it in other divisions. At Buena Vista I hear "how do we get this done." Work ethic here is wonderful; I have really been very impressed. It has made my job easier, because of people willing to step up to do the things that are best for students.

Action Item

Approval of Policy updates from our July meeting. Updates from the VSBA. Most of them had to do with code changes, changes of minor wording. Ms. Cobb do you have anything to bring forth?

Ms. Cobb – 13 updates and the local wellness policy and like you said most were minor word changes.

A motion was made by Mac Felts to approve the policy updates. It was seconded by Wayne Flint and passed by a 7-0 vote.

We are going to table action item for approval of the school opening plan until a later date.

Need to decide on a date for a called meeting. It was decided that a called meeting would be held on August 16th at 6:00 pm at the Middle School.

Motion was made to approve a Called Meeting on August 16th at 6:00 pm to discuss and approve school opening plan by Mac Felts. It was seconded by John Rice and passed by a 7-0 vote.

In regards to the question on transgender policy. Chair Teresa Ellison stated that we already have policies in place in our current policies that prohibit against non-discrimination and provide equality and equal opportunities for all. We did not have to approve any new policies regarding transgender. You might be referring to the transgender practices. How we plan to carry out transgender practices are up to the school divisions. Dr. Francis do you want to address this?

Dr. Francis – we already have VSBA policies in place against discrimination and harassment. We presented practices. Single use bathrooms, only one student in the bathroom at a time. Students have the option of not dressing out for PE at the high school. Students would not have to go to the locker room to change for PE. Sports teams are covered by VSHL. Transgender students who want to play sports would have to petition the VSHL in order to play. Has to be approved by VSHL before they can play. We have ordered privacy curtains for the showers and changing areas. We will have monitors to make sure only one student is in the bathroom at a time at the middle and high schools.

Audience – Why did you not have to vote on it? When were these policies voted on? Confused on this.

Dr. Francis – I am not sure what you are asking about. But as far as the policies, they already exist in our current policies that reference gender identity. We did not adopt or rejected model policies. We have policies already in place that address all of the transgender issues. In the Grimm vs Gloucester case, the Supreme Court rejected Gloucester case. "You must offer transgender students access to bathroom and

locker room that corresponds to the gender they identify with.” Elizabeth Ewing, VSBA attorney states “however; the law is clear, transgender students must be allowed to use the restroom/locker room of the gender which they identify. Students may be given other options, such as the use of private restrooms however if a transgender student chooses to use the restroom/locker room designated for the gender they identify with then the law requires that they be permitted to do so.” What we have put in place is single use bathrooms for all.

Audience Mrs. Hickman – does all students have this option? Will you make accommodations for my child to have choices like transgenders to have a bathroom/locker room for biological male and female only? Can you have make policy for this?

Dr. Francis – With PE being optional students don’t have to dress out.

Teresa Ellison – I have a question for Ms. Cobb. Would those locker rooms/showers be monitored?

Ms. Cobb – yes, by a teacher.

Mac Felts – But it doesn’t prevent a male identifying as a female from walking in there whether it was monitored or not.

Teresa Ellison – that is where Dr. Francis said that we would have privacy curtains.

Audience - I have a daughter who must dress out for PE and she needs to shower. This is her right, why are taking this from her? Are there female PE teachers? Is the male PE teacher going to be in the locker room monitoring my daughter?

Ms. Cobb – A male teacher will not be in the locker room. We have addition staff aides that are female who will monitor girl’s locker room.

Audience – Mr. Coffey – Transgender do they have to identify themselves when they come to school? Can they be who they want to be day to day? The School system needs to know what they identify as.

Roy Mohler – I think that is valid. We would have to check with legal. Writing down your questions so we can get some answers. We are all in this together, just relax a bit. We need to check what our legal options are. We have to follow the law. Do we have enough bathrooms to designated boys, girls, and transgender only? We have to check with the attorney. If it is legal we need to check.

Dr. Francis – I did talk to attorney today about designating one bathroom/locker room male, one female and one unisex. His said you can do that, but you still not cannot prevent a male student who identifies as a female from entering the female bathroom/locker room. Anyone can ask for a private changing area or private restroom and we can accommodate them. All students have that ability to request private changing area or restroom.

Sherrie Wheeler – It’s my understanding is that if you have a male, female and unisex bathroom and you have a male who identifies as a female goes into the female bathroom, you cannot ask them to leave the female bathroom because that would be considered discrimination.

Teresa Ellison – We need Dr. Francis to check with our attorney on a couple of things.

Audience - Hickman – that is discrimination against my child. I want accommodations made for my child. My daughter should not be made to feel uncomfortable.

Teresa Ellison – Policy last year during COVID that kids go to the bathroom one at a time. That’s not anything new.

Audience - Corky – How are curtains going to work in locker rooms? Would someone be standing behind the curtain while my daughter is taking a shower?

Teresa Ellison – People need to calm down.

Dr. Francis – Need to remember any student can request a private bathroom or private changing area. All students regardless of gender identify has the right to request a private bathroom or changing area.

If we have a student who requests a private shower, then we would have to make accommodations for that request. Number of students taking showers is minimal, very few students take showers after PE class.

John Roberts - You don't have to take a shower now.

Roy Mohler – answer to your question is, your daughter can request a private shower.

Audience – Coffey – I would like to know the teacher's personal view and administration's view, what they think on this matter. Not the Governor's or DOE views. I know you might not be able to say anything. I want to know that the teachers are teaching and protecting kids regardless of what the CDC, DOE and Governor thinks about transgender.

John Roberts – Let's back up here for a second. You said our teachers are protecting our students. Teachers are protecting their students and they have the best interest of our kids in mind. My personal views are probably the same as many of you. I don't know if my personal views will make you feel any better.

Roy Mohler – there is a difference between have a view and having to put ourselves behind bars or being sued if we tell the Governor that we are not going to follow the law. Let's see what we can legally do.

Audience – Hickman – That's all we are asking, because we feel like this was just slid in. Take another look at it. I know you have to follow the law, but something there are ways around the law.

Mac Felts – we can build 6 new bathrooms in the new school, with no heading on it. A transgender student can walk into any one of them and use the bathroom they want to and our hands are tied. If you don't understand that, take the time to read Grimm vs Gloucester. Also write Gloucester and ask how much money they spent in attorney fees defending it. You know where you are because you came out last month and shut us down on our school proposal because of finances. We understand, it's a big issue. We want what you want.

Audience – Hickman – I want accommodations made for my daughter.

Teresa Ellison – I hope you appreciate all this additional comment time this evening. There are some questions that Dr. Francis needs to address. Some things have come up tonight that we need to take a look at. We are available to hear what you have to say. We are trying to do the best we can.

Motion was made by Mac Felts to table the vote on the School opening plan until August 16th. It was passed by Lisa Kerr and passed by a 7-0 vote.

Wayne Flint - I move that we go into Closed Session for Personal changes as it relates to resignations. It was seconded by Lisa Kerr and passed by a vote of 7-0.

Motion was made by Wayne Flint to adjourn Closed Session. It was seconded by Mac Felts and passed by a 7-0 vote.

Certification was read and the Board was polled.

Mr. Felts – yes

Mr. Roberts – yes

Mrs. Kerr – yes

Mr. Flint – yes

Mr. Rice – yes
Mr. Mohler – yes
Ms. Ellison - yes

Lisa Kerr made a motion to accept Kristi Kehrer’s resignation effective August 5, 2021 from Buena Vista City Public Schools. It was seconded by Mac Felts and passed by a 7-0 vote

Mac Felts made the motion was made to adjourn the meeting. It was seconded by Lisa Kerr and passed by a 7-0 vote.

Teresa R. Ellison

Teresa Ellison, Chair

09-23-2021

Date

Sandra Mohler

Sandra Mohler, Clerk

9/23/2021

Date