

**SPECIAL MEETING MINUTES OF THE SUFFOLK CITY SCHOOL BOARD**  
**Thursday, March 24, 2022 ~ 6:00 P.M.**  
**Colonel Fred Cherry Middle School, 7401 Burbage Drive, Suffolk, VA 23435**

Due to the COVID-19 pandemic, this meeting was held while practicing social distancing.

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**Board Members Present:**

Dr. Judith Brooks-Buck, *Chair*  
Phyllis Byrum, *Vice Chair*  
Heather Howell  
Karen Jenkins  
Lorita Mayo  
Tyron Riddick  
Sherri Story

**Administrative Staff Present:**

Dr. John B. Gordon III, *Superintendent*  
Wendell M. Waller, *School Board Attorney*  
Tarshia L. Gardner, *Clerk*  
Keesha L. Hicks, *Deputy Clerk*

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**OPENING OF SPECIAL MEETING**

➤ **Call to Order:**

Chair Dr. Brooks-Buck began the meeting and welcomed all in attendance to the Special Meeting of the Suffolk City School Board.

**MOTION TO GO INTO A CLOSED MEETING**

➤ Attorney Waller read the following motion:

A motion is needed to go into a Closed Meeting to discuss the following item and subject pursuant to Section 2.2-3711 of the Code of Virginia (1950) as amended:

The discussion and/or consideration of the Student Appeal Number 21/22-2 where the discussion in an open meeting would involve the disclosure of information contained in a student's scholastic record.

Which is authorized by Section 2.2-3711 A.2 of the Code of Virginia (1950), as amended.

Vice-Chair Byrum moved and Member Riddick seconded the motion to approve the motion as read by Attorney Waller.

Upon a roll-call vote, the vote was: Aye: 7 / Nay: 0 / Absent: 0. The motion Passed. 7 to 0

**RECONVENE IN OPEN MEETING**

The Board reconvened in the Public Meeting.

## **CERTIFICATION OF CLOSED MEETING**

- Attorney Waller read the following certification of the closed meeting:

### **A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF MARCH 24, 2022 PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED**

WHEREAS, the School Board of the City of Suffolk convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia (1950), requires a certification by the School Board that such closed meeting was conducted in conformity with Virginia law.

NOW THEREFORE, BE IT RESOLVED that the School Board of the City of Suffolk hereby certifies that, to the best of each member's knowledge, (i) only business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this resolution of certification applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the School Board of the City of Suffolk.

Vice-Chair Byrum moved, and Member Riddick seconded the motion to approve the certification as read by Attorney Waller.

Upon a roll-call vote, the vote was: Aye: 7 / Nay: 0 / Abstain: 0. The motion Passed. 7 to 0

## **ACTION ON CLOSED MEETING ITEMS**

Vice-Chair Byrum moved and Member Riddick seconded the motion to reverse the decision on Student Appeal #21/22-2.

Upon a roll-call vote, the vote was: Aye: 7 / Nay: 0 / Abstain: 0 . The motion Passed. 7 to 0

## **UNFINISHED BUSINESS**

- **Budget Work Session / Discussion**

Dr. Gordon and Mrs. Forsman entertained questions from the Board regarding the proposed 2022-2023 Budget during this time.

Board Member Howell asked for clarification regarding the budget for Technology Department. Mrs. Forsman indicated that this was a clerical error. Information was listed in the wrong column and that funds would be coming from different areas.

Member Story appreciated the raises being given and the transparency and organization of the budget. However, she said that raises have not kept up with the cost of living. She also expressed concern with additional administrative positions being included in the budget. She believes that SPS is administratively heavy. She went on state additional administrators

is not our greatest need. She also does not believe that the School Board should be asking the city for additional money.

Member Riddick asked — based on the raises projected to be given — if Suffolk Public Schools were still being competitive with the surrounding divisions as some have already implemented raises in their division. Mrs. Forsman indicated that SPS will still be competitive.

Member Riddick also asked if raises are included for GED staff. Mrs. Forsman indicated that raises are include for this group of employees.

Board Chair Dr. Brooks-Buck thanked Mrs. Forsman and her team for their work on the budget and for all that they did. There being no further questions or comments, the Clerk read the following resolution.

**A RESOLUTION OF THE SCHOOL BOARD FOR THE CITY OF SUFFOLK APPROVING THE BUDGET FOR SUFFOLK PUBLIC SCHOOLS FOR FISCAL YEAR 2022-2023 AND REQUESTING THAT SUFFOLK CITY COUNCIL FUND THE BUDGET BY APPROPRIATING CITY FUNDS TOTALING \$67,332,201**

**WHEREAS**, Virginia Code Section 22.1-92 requires each division superintendent to prepare, with the approval of the school board, and submit to the governing body appropriating funds for the school division by April 1<sup>st</sup>, the estimate of the amount of money deemed to be needed during the next fiscal year for the support of the public schools in the school division; and

**WHEREAS**, the School Superintendent has prepared, with the approval of the School Board, an estimate of the amount of money deemed to be needed by Suffolk Public Schools during the next fiscal year as required by Virginia Code Section 22.1-92; and

**WHEREAS**, the School Board gives final approval of the estimate and adopts the same as its budget for submission to the Suffolk City Council.

**BE IT THEREFORE RESOLVED** that the School Board for the City of Suffolk hereby approves the budget for Suffolk Public Schools for fiscal year 2022-2023 and requests that Suffolk City Council fund the budget by appropriating city funds totaling \$67,332,201 with approval of the School Board's budget by May 15<sup>th</sup> or within 30 days upon receipt of the estimate of state funds, whichever shall later occur.

- **Resolution 21/22-16 – A Resolution of the School Board for the City of Suffolk Approving the Budget for Suffolk Public Schools for Fiscal Year 2022-2023 and Requesting that Suffolk City Council fund the Budget by Appropriating City Funds Totaling \$67,332,201.**

Vice-Chair Byrum moved and Member Howell seconded the motion to approve the budget as presented.

Upon a roll-call vote, the vote was: Aye: 6 / Nay: 1 (Story) / Abstain: 0. The motion Passed. 6 to 1

## **NEW BUSINESS**

- **Masks Optional Discussion for Suffolk Public Schools**

Board Member Jenkins indicated that she had received several comments regarding masks especially since the CDC has relaxed masking and in light of the low number of cases in the Suffolk area.

Board Member Jenkins moved and Member Story seconded the motion to make masks optional.

Board Member Jenkins restated her motion to read as follows:

Board Member Jenkins moved, and Member Story seconded the motion that universal masking by employees of Suffolk Public Schools, parents, and visitors while on properties of Suffolk Public Schools, be suspended and they be given the option to wear a mask. While Covid-19 community levels remain low in Suffolk, the universal masking by students while riding school busses be suspended and students be given the option to wear a mask while riding the school bus and for students and employees who may request masking as a reasonable accommodation under the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act, Suffolk Public Schools consider masking as a reasonable accommodation.

Chair Dr. Brooks-Buck suggested that Member Jenkins make each motion separate from each other as she stated three different motions.

Attorney Waller clarified that the original motion stated “that masks be optional” is the current motion on the floor. He then provided guidance for withdrawing and offering a new motion to be considered, if that was the desire of Member Jenkins.

There was discussion from Chair Dr. Brooks-Buck. However Attorney Waller offered suggestions as to cleaning up the motion for clarity by withdrawing the original motion made and start all over again and address each of the three areas mentioned by Member Jenkins separately.

Board Member Jenkins withdrew her first motion and Member Story concurred with the withdrawal.

Discussion ensued between Dr. Gordon, Dr. Brown and Members as they provided additional information/answers to questions from Board Members.

Member Story moved and Member Howell seconded the motion to have an optional mask policy for employees, visitors, and students while riding on the school bus.

Chair, Dr. Brooks-Buck inquired of Attorney Waller of the case sent to Members earlier in the day from Western Virginia and how it could possibly impact the Board. Attorney Waller indicated that there could possibly be an indirect impact. The opinion only applied to those school divisions named as parties to the suit. The court entered a temporary injunction prohibiting the Governor and Attorney General from taking legal action against the named school divisions should they consider masking as a reasonable accommodation under the ADA or Rehabilitation Act of 1973 Section 504 for anyone with an underlying health condition. School divisions are allowed to consider masking, but masking is not required under the court's order.

Upon a roll-call vote, the vote was: Aye: 5 / Nay: 2 (Riddick / Brooks-Buck) / Abstain: 0. The motion Passed. 5 to 2.

Member Riddick explained the reason for his vote indicating his concern with lack of air conditioning on all buses and students being exposed to the virus by Covid positive staff who are not wearing a mask.

➤ **Effective Date for Optional Masks Wearing by SPS Employees**

Chair Dr. Brooks-Buck explained the reason for her vote indicating that 100% of staff did not agree to the removal of masks and that she received very few communications requesting removal of masks. Therefore, she was not comfortable with rescinding the mask mandate.

Member Jenkins moved and Member Story seconded the motion to make masks optional effective Monday, March 28, 2022.

Upon roll call vote, the vote was: Aye: 5 / Nay: 2 (Riddick / Brooks-Buck) / Abstain: 0. The motion Passed. 5 to 2

**ADJOURNMENT**

- There being no further business or questions Board Chair Dr. Brooks-Buck asked for a motion to adjourn the meeting.

Vice Chair Byrum moved, and Member Mayo seconded, the motion to adjourn the meeting.

Upon a roll call vote, the vote was: Aye: 7 / Nay: 0 / Abstain: 0. The motion Passed. 7 to 0.

Board Chair Dr. Brooks-Buck adjourned the March 24, 2022 Special School Board Meeting at 8:48 p.m.

  
Dr. Judith Brooks-Buck, *Board Chair*

  
Tarshia L. Gardner, *Board Clerk*

