

POLICY REVIEW COMMITTEE MEETING MINUTES

King's Fork High School
351 King's Fork Road, Suffolk, VA 23434
Media Room, 2nd floor
February 24, 2025

Present:

Members

- ✓ Mrs. Kimberly Slingluff, **Committee Chair**
- ✓ Mr. Sean McGee, **Committee Member**
- ✓ Mrs. Karen Jenkins, **Committee Member**

Participants

- ✓ Dr. John B. Gordon III, **Superintendent**
- ✓ Wendell M. Waller, Esq. **School Board Attorney**
- ✓ Renee Davenport, **Legal Administrative Assistant**

Attendees

Member of the Public

➤ Call to Order.

- The meeting was called to order at 3:31 PM. Minutes for January 29, 2025 were reviewed and approved.

➤ Unfinished Business

• POLICY SECTION 1-6.2:1 – Transgender Policy

- Committee Member McGee advised that even though the committee had discussed reviewing the present policy to see what should be addressed, his recommendation is to adopt the VDOE model policy and strike the SPS policy in totality instead of reviewing and making changes bit by bit.
- Committee Member Jenkins asked what bits and pieces did Board member Committee Member McGee have an issue with?
- Committee Member McGee did not mention specifics but stated that after his initial review, and his strikethrough's, he wanted the wording of VDOE policy.
- Committee Chair Slingluff stated that her strikethroughs consisted of a lot of the definitions, specifically "gender identity" especially since the Governors executive order is moving away from "gender identity". Also, the model policy would have the legal backing from the attorney general.
- Conversation insured about the following points:
 - The SPS policy includes language from the model VDOE policy.
 - The model policy defers to the court's decision in "Grimm", so it carves out this exception for use of bathrooms based on gender identity.
 - The SPS policy is more comprehensive in that the superintendent is allowed to develop regulations that will clearly identify those limited situations in which a student is allowed to use a bathroom based on gender

identity.

- Unlike the model policy that is heavily weighted in favor of parental rights, the SPS policy balances parental rights with student rights using languages such as, “we will notify the parent except when the life of the child is in danger” as an example.
- Committee Member McGee would like to see all of where it says that students have a right to make certain decisions removed from our current policy. Committee Member McGee expressed the opinion that parents — not students — should be making those decisions and the parents should be involved in any process, step by step when it comes to transitioning.
- Committee Chair Slingsluff indicated that language such as “unless SPS is of the opinion” is too subjective.
- Committee Chair Slingsluff went on to state that as a school system, we can’t change things in the home. It’s a liability for us to assume what will happen in a home. As a school system, we don’t have the ability to take the parental rights away.
- Committee Member Jenkins reminded committee members that students may only receive the support and help they need at school. Parents rights should not be taken away but we have to give the students a little leeway and listen to them as well. We have to come to some kind of compromise; however, she sees the other side of that with the students and there can be life and death situations.
- Discussion ensued as to what is the difference in this issue or discipline issues, when parents are notified? What happens when a student receives a discipline referral and says don’t tell my parents because I’m scared something might happen to him/her. Students do have rights when those situations arise as well. The school division can contact CPS.
- Discussions were held regarding the process that is involved with students suffering from gender dysphoria and the Grimm case.
- It was pointed out that the VDOE model policy was written with the attorney general’s approval and there are school districts that have adopted this model policy. Discussion ensued on if there have been lawsuits brought upon school systems that have adopted this model policy and examples of possible cases that could arise.
- There was additional discussion regarding forms and the process that is being used by Suffolk Public Schools before a student is allowed to use a bathroom that corresponds with the student’s gender identity.
- Committee Member McGee stated that this may be on paper but feedback from teachers and students is that it is not being followed.
- Attorney Waller stated he is not sure what is going on at the building level, but if that is the case, the policy, regulations or paperwork is not problem, but enforcement and adherence to what has been put in place is the real concern. It is a personnel issue. It’s a problem with enforcement. Even if you have the model policy in place, you can still have enforcement issues, where teachers or administrators, etc. are not following the model policy. Enforcement may be the issue. A student must have a medical diagnose of gender dysphoria before being allowed to enter a bathroom that corresponds with the student’s gender identity. In addition, the parent

would have to agree that their child should go to the bathroom that corresponds with their gender.

- In situations where school administration decides that the child would be subject to an unreasonable risk of injury, if the parent is notified that his/her child has gender identity issues, then the parent will not be notified. However, the determination that a child would be subject to an unreasonable risk of injury, is not made in a vacuum. Evidence to substantiate the risk must be provided. Discussion was held regarding CPS or the police involvement in those situations.
- Both Committee Chair Slingluff and Committee Member McGee agreed to having the VDOE Model Policy.

- **POLICY SECTION 2-2.6:1 – Norms and Protocols**

- Committee Member McGee addressed the issue of board members talking to administrators in Section B(5). He agrees that there should be something in place to address rogue board members talking to administrators, but there should be a common-sense type of grace when a board member talks to administrators.
- Committee Chair Slingluff stated her opinion is that it is a very gray area and the term “communicate” could be broadly interpreted.
- Committee Member Jenkins asked if either McGee or Committee Chair Slingluff had any problems with letting Dr. Gordon know when they were visiting a school. Both said No. Jenkins communicated that she doesn’t understand the problem. It’s a respect thing. As soon as a board member goes to one of the schools, it draws excitement and we don’t want that.
- Committee Chair Slingluff addressed the subjectivity of the norm and not being able to address/communicate with staff.
- Conversation ensued using examples of when to communicate with staff.
- Section B.2.(iii) – Committee Chair Slingluff suggested changing the language to but then after much discussion, Committee Chair Slingluff said she didn’t see a need to change the language.
- Committee Chair Slingluff questions section “C” and how does other school divisions handle board members “go rogue”. Is this a standard policy with other board members. There are FOIA opinions that address going into closed session to discipline “official members”.
- Attorney Waller suggested to the committee to send him any concerns they may have regarding this policy and he will try to address them and/or have more conversation about them. He will also attempt to draft language that the Committee can consider at a subsequent meeting. Attorney Waller also stated the he would send Committee Chair Slingluff this policy in Word.

➤ **New Business**

- **POLICY SECTION – 2-2.7:2. Citizen Advisory Committees**

- Discussion ensued regarding the three changes in this policy. Committee agreed to add the written report from standing or citizen advisory committee’s to be added to the agenda as an information item to the School Board. Attorney Waller will add the language “and placed as an information item” to this policy. Committee agreed to have this policy presented as first reading and adoption.

- **POLICY SECTION – 2-2.6:1. School Board Norms, Protocols**
 - Committee agreed to have this policy presented as first reading and adoption.
- **POLICY SECTION 2-2.7:3.1 Voting**
 - This addition came from Board Member Riddick that when you abstain from voting, you should clearly express why. Discussion ensued as to the necessity of this addition. Committee agreed to add the revision and present to the board to decide. It will be presented as first reading and adoption.
- **POLICY SECTION 7-7.1 – Political Activity**
 - Committee Member McGee presented a policy that he had drafted. This will be moved to unfinished business for the next PRC committee meeting.
- **POLICIES SECTION 2-2.1, 3-1.12, 7-2.1, 7-16.1, 7-16.3, 7-23.1**
 - Committee Chair Slingluff expressed that in her request for these policies, she is not looking to change policies but would like to know what the hiring processes are. The board is being asked to approve hires and if they have any reason not to hire this person, they are not given the opportunity to present any information or a leeway to reject them if we don't feel comfortable with it. Committee Chair Slingluff referenced the Virginia Code indicating that the board is responsible for hiring and rejecting new hires. She stated that the code doesn't say that the board is to accept all the recommendations that the superintendent puts forward. In her opinion we are not really approving the superintendent's recommendations, we are excepting it.
 - Attorney Waller will send it to the committee drafted language that will actually give board members the opportunity to express concerns regarding a hiring recommendation before the recommendation comes before the Board.
 - Committee Member McGee requested an opinion or some type of oversight so the board members can make sure they are doing their due diligence. What is the interpretation of our role in the approval process?
 - Dr. Gordon noted although the boards responsibility is over "all" hires, the oversight that is being requested is just over administrators. It shouldn't be that the board is involved in the hiring process. If there are concerns, then we need to discuss that. You now have an opportunity to do so, if you are getting these highlights about new hires seven days in advance.
 - Committee Chair Slingluff had issues with being able to view the personnel report and if this extra information would be added to that report.
 - Committee Member McGee campaigned on cutting the fat at the top, the board has to approve the budget and he feels that if administration is not "cutting the mustard: then they need to go. We need to hold people accountable.
 - Dr. Gordon admonished the members that administrators are feeling like they are being targeted at SPS. It is our job to hold administrators accountable, not the boards. The boards' job is to hold Dr. Gordon, Attorney Waller and Ms. Gardner accountable. When the board tries to get into the HR process of hiring, the board is overstepping. He will always try to find ways to give the board what they request without impeding on the day-to-day operations. Board members are not in the hiring process, the screening, the interviews, etc. Board members that get involved because they may know something about the person being

recommended for hire, can cause a problem. It does have an impact and we have lost people in this system because of board members. We will put the resumes in a separate attachment, we will delete the recommendations from the personnel report, and it will be put as the regular hires.

- There is no need to consider all these policies that are attributed to this request. Attorney Waller will send revised language on 7-16.1.

➤ **Business by Committee Members**

- Next meeting will be held Monday, March 24, 2025 at 3:30 at King's Fork High School.
- We will try to schedule meetings the week before agenda review at the end of the month.

➤ **Adjournment at 5:32 PM.**