



MEETING MINUTES

JOINT SCHOOLS WORKING COMMITTEE

A Joint Committee of the
School Board of Stafford County and the Stafford County Board of Supervisors

February 28, 2023

12:00 p.m.

George L. Gordon, Jr., Government Center
Conference Room ABC
1300 Courthouse Road, Stafford, VA 22554

I. CALL TO ORDER

A. Call to Order

The meeting was convened by Dr. Yeung at 12:00 p.m. She stated that the Joint Schools Working Committee is a committee whose purpose is to facilitate dialogue and sharing of information so that the members of both boards, as elected officials, can see where the two agencies lie.

B. Roll-Call

The following committee members were in attendance:

Darrell English – Board of Supervisors (Hartwood District);
Monica Gary – Board of Supervisors (Aquia District);
Maya Guy – School Board (Aquia District);
Patricia Healy*, Committee Co-Chair – School Board (Rock Hill District);
Maureen Siegmund – School Board (Garrisonville District); and
Dr. Pamela Yeung, Committee Co-Chair – School Board (Garrisonville District).

School Board Chairwoman Susan Randall was also present as an observer*.

Also participating were School Superintendent Dr. Thomas Taylor; Deputy School Superintendent Chris Fulmer; Deputy County Administrators Donna Krauss and Michael Morris; County Intergovernmental Affairs Manager Anthony Toigo; Deputy Clerk of the Board of Supervisors Cheryl Giles; and Clerk of the School Board Melissa Hall.

**Ms. Healy arrived at approximately 12:03 p.m. Ms. Randall served in Ms. Healy's stead from 12:00 p.m. to 12:03 p.m.*

II. APPROVAL OF MINUTES

A. Approval of the July 13, 2022 Meeting Minutes

Ms. Siegmund moved, and Mr. English seconded, that the committee approve [the draft July 13, 2022 meeting minutes](#). Ms. Randall stated that the reason these minutes were not previously approved is because some of the details within them were not accurate and the three members from the school board had stated at the last meeting that they were not comfortable voting in favor of approving them. Dr. Yeung stated that this information provided by Ms. Randall can be added to the July minutes. Mr. English asked if the requested information had been corrected in the draft minutes, to which Ms. Randall stated that she had not yet been able to read the minutes to see if they had been corrected. Mr. English therefore withdrew his second to Ms. Siegmund's motion, and the July minutes remain unapproved.

B. Approval of the November 2, 2022 Meeting Minutes

Ms. Randall moved, and Ms. Siegmund seconded, that the committee approve [the draft November 2, 2022 meeting minutes](#). The motion passed unanimously.

III. AGENDA APPROVAL

A. Approval of the Agenda

Ms. Siegmund moved, and Ms. Guy seconded, that the committee approve [the agenda](#). The motion passed unanimously.

Ms. Healy requested that the agendas be published earlier for future meetings so that members have sufficient time to review them.

IV. OLD BUSINESS: HEATHER EMPFIELD DAY SCHOOL PLAYGROUND

Requested by Ms. Siegmund

Ms. Siegmund stated that at its last meeting, the committee discussed the school board's ("School Board") request for the board of supervisors ("Supervisors") to provide funding for [the purchase and installation of a playground](#) for the Supervisors' public day school program which is housed on the campus of Drew Middle School. It was her understanding that the committee considered the playground request to be a high priority matter and should be moved forward; however, now four months later, it remains in limbo.

Mr. English stated he thought the Supervisors had transferred the funds to the school division for the project. Ms. Healy stated the same, adding that she heard last November from Supervisor Meg Bohmke that she thought the funding had been provided.

Ms. Krauss reported that she presented the School Board's request to the Supervisors at their November 15 regular meeting. At that time, the Supervisors took no action and requested additional information regarding the stalled memorandum of agreement (MOA) for the public day school program. Ms. Krauss stated that since then, there has been dialogue between the two agencies about the MOA; but as of today, no action has been taken by the Supervisors to fund the playground.

Dr. Yeung asked whether the MOA and the playground funding request had been lumped together by County staff. Ms. Krauss responded that as of November 15, she had not received an executed MOA. She stated that some recommendations were made with her presentation to the Supervisors regarding the MOA, to which the Supervisors articulated their desire to have the MOA executed by both parties prior to funding the playground.

Dr. Yeung noted that the day school MOA is listed on today's agenda under "New Business," but could be discussed now if that were the will of the committee. Ms. Healy, however, stated that the two issues are and should remain entirely separate from one another. She stated that she does not want the kids' playground to be "held hostage" because of the unresolved differences of opinion regarding the MOA.

Ms. Siegmund expressed her frustration that while the two boards are "figuring out paperwork," the students who are most in need of support have no proper playground, unlike the other 19 elementary campuses do. She stated that these students with disabilities are currently using a parking lot along Route 1 as their play area.

Ms. Healy stated that the School Board is asking that the request be resubmitted to the Supervisors for action. She stated also that a question had been asked as to whether the playground would be relocatable, to which the answer is yes. If the day school program is ever moved to another campus, the playground equipment can be relocated with it.

Dr. Yeung asked if the day school program ever had a playground. Ms. Siegmund stated that the program did have a playground on its previous campus. Ms. Healy concurred, adding that the School Board members were not aware until recently that the program did not have a playground in its current location.

Ms. Siegmund reported that the school division was ready to install a playground several years ago, but the work was postponed by the COVID-19 pandemic.

Mr. English remarked that he had heard the MOA would not be signed by the School Board and asked if that was accurate. Ms. Siegmund responded that it has never been the intent of the School Board to not sign it.

Ms. Gary asked if there is any additional background on what has happened, and asked if staff can provide information since there seems to be confusion about whether the playground funding was approved. Ms. Krauss stated that she had been contacted by Ms. Bohmke, who was asking for confirmation that the funding had been approved and sent to the school division. Ms. Krauss stated that she explained to Ms. Bohmke that it had not yet been approved by the Supervisors, and then she (Ms. Krauss) sent an email to all Supervisors explaining that action is still needed from them on this matter. Ms. Gary stated that she wants the matter to be brought back to the Supervisors in a board meeting. Dr. Yeung confirmed that it will be added to their meeting agenda. She promised that the Supervisors will get back to the School Board and will make sure the children get their playground.

Ms. Krauss confirmed again that the playground funding has not yet been approved by the board of supervisors. It was originally presented to the Supervisors for approval on November 15, but the Supervisors took no action at that time. The only thing the Supervisors did on November 15 was request that Dr. Taylor come to a board meeting to address the issue of the as-yet unsigned MOA.

Ms. Healy asked that the Supervisors address the request soon so that the children can have a playground.

V. NEW BUSINESS

A. Joint Effort for the Next Legislative Session on the Increase in Cost-of-Compete Adjustment (COCA) Funds

Requested by Ms. Healy

Ms. Healy stated that it is in the interest of both boards to try to get the COCA for Stafford increased from the current 25%. If Stafford were to receive the same percentage as our northern neighbors, it would put an additional \$20M in the school division's FY24 budget. This would be a "win-win" for Stafford County. Both boards have legislative priorities. She suggested that when the time approaches for the boards to begin assembling their legislative agendas, perhaps they can collaborate and come up with a plan. United, the two boards can show that Stafford should be considered separately from the other jurisdictions with which it is currently grouped (i.e., Spotsylvania, Fauquier). Securing an increase to our COCA percentage will help the Supervisors and the School Board.

Ms. Gary stated that she believes everyone is in agreement that Stafford absolutely needs the additional COCA funds, but it just has not happened. As we move forward, she believes it is important that they talk not only about what they will put on their legislative agenda, but that they ensure parents and others who are concerned about school funding understand the actions that *they* can take to support these efforts. Ms. Gary stated that constituent support is needed en masse, because we are simply not seeing any support at the State level. She cautioned, however, that it is important for folks to receive consistent and accurate information about what our goals are specific to COCA, and that they have an understanding of who they can reach out to at the State level.

Ms. Siegmund asked if the Supervisors have set dates on which it will be meeting with their lobbyist leading up to the next session of the Virginia General Assembly. She does not want the School Board to miss the opportunity to share its legislative agenda with the County for possible inclusion in the Supervisors' lobbying efforts.

Dr. Yeung stated that the board of supervisors' legislative committee meets regularly, and members of the School Board are usually invited to attend. She recalled that when she served on the School Board, she was their appointed liaison to the Supervisors' legislative committee. She stated also that she has been working on the COCA issue for the past six years and thinks it may be time for the two boards to change their strategy on this issue. She believes Stafford County cannot succeed on this unless we bring others onboard to fight with us.

Mr. Toigo reported that the Supervisors have taken different strategies on COCA in the past. This matter has been on their legislative program for about five years, and it has been ranked at different levels on the list of priorities. The Supervisors attempted unsuccessfully to get 100% COCA funds one year under Delegate Thomas; the following year, we tried for 50%. He explained that we have historically experienced three main challenges:

- 1) There's little incentive for the State to adopt it because it does not have a statewide impact.

- 2) It has a relatively high cost associated with it. (In 2018, the full COCA was estimated to be at \$15.4M; today, it would be approximately \$20M.) The high cost makes it competitive, and it is a general fund obligation for the State. The State would therefore have to fund it every single year, and it would be competing against all other State funding requests.
- 3) The legislators from full COCA localities have concerns about how their jurisdictions might be impacted. It is a very real concern that some of the Northern Virginia localities look to Stafford County for their teacher recruits. Their legislators are therefore worried about losing that competitive advantage.

Mr. Toigo went on to explain that in the past, Delegate Durant did submit a request for Stafford to receive 50% COCA (which equated to \$4.5M). However, this was not included in the House budget report. He added that we are currently lobbying Governor Youngkin to get a meeting to make a second effort at getting him to include the full 100% COCA in his budget when he receives the Budget Conference report. The conference report has not yet been received in the governor's office, so we are currently in a waiting mode until the General Assembly hashes out its budget differences. Mr. Toigo stated that the County's contracted lobbyist lobbies with the General Assembly on a regular basis. She has been lobbying the County's message on COCA to not only our own delegation, but also to the budget conferees and the governor's office.

With respect to the Supervisors' lobbying meetings, Mr. Toigo stated that County staff has sent dates to the governor based on the Supervisors' calendar. If it is the will of this committee and if they would like to send school representatives, staff will send an invitation once they have the meeting date and arranged the meeting.

Ms. Siegmund asked if other Northern Virginia school boards have their own lobbyist, to which Dr. Taylor replied that they do. He explained that the 12 largest school divisions in the Commonwealth have their own lobbyists. Stafford's school division is the only one of comparable size that does not.

Dr. Taylor stated that he currently serves as the School Board's liaison for intergovernmental relations, but having additional assistance in that sphere would be helpful. He also stated that he has not received an invitation from the County to participate in anything legislatively, and he and the School Board would welcome such an invitation.

Ms. Gary asked whether it is possible for the school division to provide information to the County's lobbyist. Mr. Toigo stated that the current contract is exclusively for the County, but there would be no issue with information-sharing between the two boards.

Ms. Healy stated that she, too, believes that our strategies up to now have not worked, so a new approach is needed. She said the lobbyist is one thing, but they have lobbied and gotten nowhere. She would like to see the two boards work together on an approach that will help the community and our students.

B. Proposed Revisions to the Public Day School Memorandum of Agreement (MOA)

Requested by School Board

Ms. Healy stated that there is already a [fully signed MOA](#) in place for the current school year, but the County recently sent a proposed amended version to the School Board without any discussion about the needs for the proposed changes. The School Board agrees that changes would be beneficial, so they sent a [counter-proposed version](#) to the Supervisors via the county administrator on January 25. Since that time, no response has been provided by the Supervisors. It is now up to the Supervisors to tell the School Board if they like or do not like the suggested revisions, or if something else needs to be done.

Ms. Krauss reported that the proposed MOA changes did not originate with the Supervisors, they were initiated by herself and the county administrator after a meeting with Dr. Taylor and his staff to discuss the agreement. At that time, they agreed to some changes, which were made and then subsequently included in her presentation to the Supervisors on November 15. She stated that she subsequently received notification that the School Board wanted to review the MOA and make additional changes; this was after the committee which was established to create the day school was dismantled by the Supervisors because its work was completed. Ms. Krauss stated that she has concerns with the language in the current, signed MOA. She believes it exceeds what is intended of the MOA; it includes oversight with which the committee would have no oversight. Ms. Krauss stated that she shared her concerns with the county administrator and then with Dr. Yeung when the chair received a letter from the School Board chair.

Dr. Yeung requested that Ms. Krauss inform Mr. Vosburg to take a look at the draft and get with Dr. Taylor to review the updates and notify this committee when it is completed.

Ms. Guy stated that the School Board has already agreed on its proposed updates to the MOA. Dr. Yeung stated that the Supervisors have not.

Ms. Healy stated that this is the first time she has heard that the County has concerns about the School Board's proposal. She recommended that if the Supervisors have concerns, they should reach out to the School Board to lay out their concerns so that they can be addressed. She added that the superintendent is available to share information with the Supervisors if needed.

Ms. Gary requested that the Supervisors review the MOA before Mr. Vosburg does. She believes it might be helpful in preventing the issue being kicked back and forth. Dr. Yeung stated, however, that she believes Mr. Vosburg should review it first to see if he has any questions that he can get clarified before he brings it back to the Supervisors. Otherwise, it will be a continuous cycle.

Ms. Siegmund reiterated that the MOA is, and should be, a completely separate issue from the day school playground funding request. The two matters should be decided upon separately.

Mr. English questioned whether an MOA is actually needed. Ms. Gary commented that she believes the MOA should be brought to their full board for discussion so they can get a proper briefing from staff and then reach some consensus on what is needed.

For the record, Ms. Healy reiterated that the two boards already have a signed MOA that remains in effect for the current school year (through June 30, 2023). The agreement has not been dissolved because there is no provision in that document for either party to unilaterally dissolve it. Ms. Krauss responded that the County has complied with the MOA. The transfer to the school for the day school happened in September, so the monetary requirement outlined in the MOA has already been fulfilled.

Ms. Siegmund stated her understanding that the public day school belongs to the County and the board of supervisors. It is the legal responsibility of the Supervisors (not the School Board) to provide for the educational needs of those children who cannot be accommodated in a traditional class setting. The County, however, contracts with the school division to operate the public day school. She stated that without an MOA, the school division would no longer have a contract by which it could legally operate the program.

Ms. Healy stated that these are children who cannot be accommodated in the traditional public school setting. If the County did not have this public day school program, the children would have to be placed in private day schools, which would cost the County significantly more tax dollars. She stated that the school division is operating the public day school to help these families and to help the County keep its costs down.

Dr. Yeung stated that this matter will be taken back to the Supervisors to come up with recommendations and information that is needed for updating the agreement.

C. **Equity and Equality: Social Studies Curriculum, Race-Related Complaints from Parents and Students, and Racial Sensitivity Training**

Requested by Dr. Yeung

- **Social Studies Curriculum**
- **Race-Related Complaints**
- **Racial Sensitivity Training**

Social Studies Curriculum:

Dr. Yeung stated that one of her concerns is the Social Studies curriculum, specifically with regard to Virginia Code Section 22.1-253.13:1B. She asked if all teachers are following this law, but she also stated that having the law is one thing – following it is something else. She reported that she has been informed by some parents that their children are being subjected to wearing certain things in school.

Ms. Healy responded that Social Studies curricula are set by the State, and the standards currently being followed by Virginia school systems were set in 2015. She said that when the State revises the standards or adds new ones, Stafford Schools will follow them.

Dr. Yeung cited an example of information that was incorrectly presented in a fourth grade class and remarked that she wants to ensure the information is being correctly taught and the correct curriculum is being used. She wants to ensure there are not individual teachers using opportunities to change how history is being taught.

Ms. Healy assured her that Stafford Schools are following the law and using the standards set by the Commonwealth. If any information comes to anyone's attention that this is not the case, they should notify the superintendent.

Race-Related Complaints:

Dr. Yeung expressed her concern that the school division no longer has an office to which parents and students can report complaints and concerns about racial discrimination. She asked how such issues are being handled now.

Dr. Taylor stated that there used to be an Office of Equity within the school division, but that office did not handle complaints and had no mechanism to respond to them.

Ms. Healy explained that the school division does not distinguish racial issues from other issues. A policy has been adopted by the school board that provides guidance on the proper complaint process and channels ([Policy 1113](#)). All complaints, regardless of type, are covered by this policy.

Dr. Yeung asked what office exists that handles racial discrimination complaints and what process should be followed. Ms. Healy responded that the first step is for the student or parent to notify the teacher.

Racial Sensitivity Training:

Ms. Healy stated that Virginia law mandates that teacher performance evaluations include an evaluation of cultural competency. She stated that the Virginia Board of Education establishes the teacher annual performance evaluation system.

Dr. Yeung asked for an explanation of "cultural competency" and how it is not race-related. She stated that the school division needs to ensure its staff are sensitive to racial discrimination. Right now, children with black and brown skin experience discrimination, and she receives the complaints from parents and children who do not feel comfortable confiding in their School Board representative. She wants to ensure that these discrimination complaints are not quieted.

Ms. Healy commented that Virginia law requires "an evaluation of cultural competency" in teacher evaluations. She explained that teachers are provided cultural competency training by the school division, but this is somewhat different from what Dr. Yeung is suggesting. Ms. Healy stated that any complaints or concerns received by Dr. Yeung and the other Supervisors that involve schools should be forwarded to the superintendent, and he in turn will share them with the School Board.

Dr. Yeung voiced her concern that complaints about racial discrimination must not disappear into a "black hole;" she wants to ensure there is a process in place to properly handle them.

Ms. Gary reported that she, too, has received similar complaints and held conversations with her friends and leaders in the community. She stated that constituents come to Supervisors and say there are issues going on and they do not feel the issues are being addressed.

Ms. Guy stated that she also receives complaints, and she sends them to the superintendent so that he can address them. She believes that for marginalized

communities who struggle with inequities on a daily basis in their life, when the school division's Office of Equity was closed, it made them wonder where they could go with their concerns. People did not really know what the Office of Equity did and probably mistakenly assumed it was doing something it was not. Ms. Guy said that because the office no longer exists does not mean the School Board is not striving to support all students.

Dr. Yeung thanked the School Board members for assuring here that a process is in place.

D. Drew Middle School Elevator Repair Costs

Requested by Ms. Siegmund

Ms. Siegmund stated that the elevator at Drew Middle School (DMS) is used almost exclusively by the County's public day school program. The day school students use it almost daily. The School Board would therefore like some type of cost-sharing agreement with the Supervisors for the cost of maintaining and repairing the elevator which – due to its age – is becoming harder and more expensive to maintain. Ms. Siegmund further explained that parts for it are difficult to source. She added that all costs associated with the day school are supposed to be kept with the day school.

Dr. Taylor stated that it is extremely rare for the elevator to be used by anyone other than day school students and staff.

Ms. Healy invited Supervisors to visit the day school program at DMS if they have not already done so. Dr. Yeung stated that she has visited the program multiple times and knows how badly DMS needs to be replaced. She has also heard stories of roaches and other critters in the building. Ms. Healy assured her that all schools receive routine pest prevention treatments.

Dr. Yeung and Mr. English asked whether this project is on the capital improvement plan (CIP) or the annual maintenance (3R) plan. Ms. Siegmund responded that the elevator project is on the 3R list. Ms. Healy added, however, that there are many projects on the schools' 3R list, but there is not sufficient funding to complete them all.

E. Separate Fund for Major School Maintenance (Over \$50,000)

Requested by School Board

Ms. Healy stated that the School Board would like the committee to begin discussions about creating a [separate funding mechanism for major school maintenance projects](#). (See also the [bond referendum update](#).)

Ms. Healy reported that the School Board has a 10-year maintenance plan that is updated annually, but there is never sufficient funding available for each year's planned projects, so the list continues to grow year after year. Due to this lack of funding, the School Board usually prioritizes only the safety and health related projects, not the projects that would enhance the lifespan of the equipment and buildings. Ms. Healy stated that there is a separate fund for debt service that is funded independently of the operating budget. The School Board would like to explore the feasibility of establishing a similar separate funding stream for major maintenance to ensure the county's investment in its school buildings is protected.

Dr. Yeung stated that she will share this request with her fellow Supervisors.

F. Revenue Sharing Agreement*Requested by School Board*

Ms. Healy reported that approximately 15 years ago, the two boards discussed establishing a revenue-sharing agreement between them. To the best of her recollection, the School Board signed the agreement stating that they would enter into a memorandum of understanding with the Supervisors to establish [a revenue-sharing process](#). This would have given some stability to the school division for planning purposes on a percentage of the revenue coming into the county (similar to the agreement currently in place in Prince William County). If tax revenue increases, the funding to schools would also increase. If tax revenues decrease, so would funding to the schools. So it is not a guaranteed increase every year, but it is something that would provide a certain level of stability if such an agreement can be reached. She stated the School Board would like to know if this is something the Supervisors are interested in exploring.

Dr. Yeung stated that she will share this request with her fellow Supervisors.

G. New Sales Tax*Requested by School Board*

The School Board is interested in pursuing a new sales tax to benefit schools. Dr. Yeung asked whether Virginia law permits this. Mr. Toigo explained that [current law](#) permits certain specific localities to levy a general retail sales tax of no more than one percent to provide revenue solely for school capital projects. However, Stafford County is not one of the named localities. Mr. Toigo stated that Isle of Wight County is the most recent locality to be considered by the General Assembly (two years ago), but it was not approved. He reported that there has been no movement on this issue in the House, but the Senate has been more supportive. If a locality is approved by the Assembly, it will require a local referendum. Additionally, there is a 20-year sunset. And, again, the funds can only be used for the construction and renovation of schools. Mr. Toigo further advised that the legislature deliberately attached a lot of strings on this law because it was very much opposed to a state-imposed tax increase on a particular locality.

Mr. Toigo explained that if the Supervisors decide to move forward on the School Board's request, they could lobby for it. It would be a great opportunity for collaboration between the two boards. He cautioned that the proposed budgets of the House and Senate are about a billion dollars apart from each other due to differences in the governor's tax plan. The Senate wants to give this to schools, but the governor prefers to do more business and personal property tax.

Dr. Yeung stated that this topic can be brought back to her board.

VI. SCHEDULING OF NEXT MEETING**A. Scheduling of Next Meeting**

The committee tentatively scheduled its next meeting to be held on May 3 at 1:30 p.m.

VII. ADJOURNMENT**A. Adjournment**

The meeting was adjourned at 12:59 p.m.