

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 6

October 21, 2004

1. **CLOSED MEETING**

TAPE REFERENCE: 1-0006

1.01 Chairman Kathy Smith convened the Board in public session at 6:42 p.m. with a quorum of members present. Mr. Center moved, and Mr. Niedzielski-Eichner seconded, that the Board go into closed session: 1) to discuss and consider disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2); and 2) to discuss the acquisition of real property for public purposes, and the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Virginia Code Section 2.2-3711(A)(3). The motion passed 9-0, with Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye".

2. **MEETING OPENING**

TAPE REFERENCE: 1-0022

2.01 Call to Order/Pledge of Allegiance/Moment of Silence

Chairman Smith convened the meeting at 7:25 p.m. with the following Board members present:

Catherine A. Belter (Springfield; arr. 6:50)	Phillip A. Niedzielski-Eichner(Providence)
Brad Center (Lee)	Kathy L. Smith (Sully)
Stuart D. Gibson (Hunter Mill)	Daniel G. Storck (Mt. Vernon)
Stephen M. Hunt (At Large)	Jane K. Strauss (Dranesville)
Kaye Kory (Mason; arr. 6:50)	Tessie Wilson (Braddock)
Ilryong Moon (At Large)	

Also present were student representative to the Board Ian Hurdle (arr. 8:10); Chief Academic Officer Brad Draeger; Chief Operating Officer Thomas Brady; Executive Assistant and Clerk of the Board Pamela Goddard; Deputy Clerk of the Board Linda Sabo; and certain other members of staff.

2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mrs. Strauss moved, and Mr. Gibson seconded, that since the Fairfax County School Board convened a closed session meeting on October 21, 2004, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act, and since Section 2.1-344(D) of the Code of

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Virginia requires a certification by the School Board that such closed meeting was conducted in conformity with Virginia law, the Fairfax County School Board hereby certifies that, to the best of each member's knowledge, 1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting, and 2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek absent.

2.03 Announcements

Chairman Smith announced that Dr. Dale was attending a Learning, Empowering, Assessing and Developing (LEAD) Fairfax Conference, and Mrs. Oleszek was out of town. Dr. Draeger congratulated Ann Monday on her recent appointment as Assistant Superintendent for Instructional Services. Mrs. Kory announced that FCPS was currently celebrating Native American Heritage Month. Mr. Niedzielski-Eichner congratulated Luther Jackson Middle School on celebrating its 50th anniversary; the Fairfax County Board of Supervisors had proclaimed that November 8-12, 2004, would be celebrated as Luther Jackson Middle School Week, and that the anniversary coincided with the 50th anniversary of the Supreme Court decision that ended legal segregation in the United States. Mr. Niedzielski-Eichner encouraged the public to support the \$75 million Park Bond Referendum and the \$18 million Library Bond Referendum that would be on the ballot on November 2. Chairman Smith recognized the members of Boy Scout Troop 1130 of McLean, Virginia, who were present.

2.05 Recognition of National Career Development Month

Mrs. Kory said that FCPS school counselors and career specialists made major contributions to the lives of students; she recognized Coordinator of Guidance Services Richard Crowley and Elementary Guidance Specialist Lisa Price; and invited the counselors and career specialists who were present to join the Board for photographs.

2.06 Recognition of School Psychologist Month

Mrs. Kory said that FCPS psychologists supported the emotional, intellectual, and behavioral needs of students; and the psychologists who were in attendance joined the Board for photographs.

3. PRESENTATIONS TO SCHOOL BOARD

TAPE REFERENCE: 1-0437

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3.01 Spotlight on Learning — Teacher Cadet Program Featuring the Hayfield Pyramid (Exhibit B)

Dr. Draeger introduced Hayfield Secondary School Principal Dr. William Oehrlein, Island Creek Elementary School Principal Dr. Susan Owner, Lane Elementary School Principal Suzanne Montgomery, Family and Consumer Sciences Coordinator Sandra Jones and Hayfield Secondary School Teacher Cadet Instructor Debbie Gordon; Ms. Jones and Ms. Gordon made a presentation about the Teacher Cadet Program. On behalf of the Board, Mr. Center thanked the participants for the presentation.

3.02 Citizen Participation (Exhibit C)

Three speakers addressed the Board in the time reserved for public comment. Diana Barbera and Karl Polzer addressed telecommunications leases; and Maria Allen addressed minority achievement.

4. CONSENT AGENDA

TAPE REFERENCE: 1-1-96

- 4.01. Minutes** – Approve minutes of the October 7, 2004, regular School Board meeting (Exhibit D)
- 4.02 Monthly Separation Report** – Confirm separations for the period beginning September 1, 2004, and ending September 30, 2004 (HR; Exhibit E)
- 4.03 Quarterly Separation Report** – Confirm appointments and separations, for the period beginning July 1, 2004, and ending September 30, 2004 (HR; Exhibit F)
- 4.04 Fairfax County Purchasing Resolution** – Adopt the revised Fairfax County Purchasing Resolution (FS; Exhibit G)
- 4.05 Award of Contract** – Approve the award of contract, after final negotiations, for providing group term life insurance for employees covered by Fairfax County Employee's Retirement System to Minnesota Life, effective January 1, 2005, as recommended by the Selection Advisory Committee (HR; Exhibit H)
- 4.06 Confirmation of Nomination** – Approve the candidacy of Catherine A. Belter as the Fairfax County School Board nominee for vice president of the Northeastern Region of the Virginia School Boards Association (VSBA) (SB; Exhibit I)

Chairman Smith stated that, without objection, the six items on the consent agenda would be adopted. Hearing no objection, the consent agenda passed 11-0, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek absent.

5. APPROVAL OF OTHER ACTION ITEMS

TAPE REFERENCE: 1-1096

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- 5.01 Proposed Sale of Pohick Site** – That, following the October 18, 2004, approval of the Board of Supervisors, the School Board declare as surplus and thereafter sell, on the terms previously discussed in closed meeting, the Pohick School Site, with the proceeds from such sale being retained and accrued to the school system's capital improvement fund for use for new school construction and school renovation projects in accordance with Section 22.1-129(A) of the Code of Virginia, as amended (FTS; Exhibit J)

Mrs. Wilson moved, and Mr. Moon seconded, that following the October 18, 2004, approval of the Board of Supervisors, the School Board declare as surplus, and thereafter sell, on the terms previously discussed in closed meeting, the Pohick School Site, with the proceeds from such sale being retained and accrued to the school system's capital improvement fund, for use for new school construction and renovation projects, in accordance with Section 22.1-129(a) of the Code of Virginia, as amended, and as set forth in the attached Resolution.

A RESOLUTION DECLARING PROPERTY OF THE FAIRFAX COUNTY SCHOOL BOARD SURPLUS

WHEREAS, the Fairfax County School Board (the "Board") owns certain real property described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, in accordance with Section 22.1-129.A of the Code of Virginia (1950, as amended), on September 23, 2004, the Board held a public hearing to determine whether such Property should be declared surplus and the proceeds of any sale of the Property retained by the School Board; and

WHEREAS, on October 18, 2004, the Board of Supervisors of Fairfax County, Virginia approved the sale of the Property and the School Board's retention of the proceeds of any sale of the Property; and

WHEREAS, after deliberation, the School Board has determined that the Property should be declared surplus and the proceeds of any sale of the Property be retained by the School Board in its capital improvement fund; and

WHEREAS, the School Board wishes to authorize certain members of the School Board staff to execute and deliver any documents, instruments or agreements such authorized members deem necessary or appropriate to consummate the sale of such Property;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Fairfax County, Virginia:

Section 1. The Board hereby declares the Property to be surplus and approves the retention of any proceeds from a sale of the Property into the School Board, which proceeds shall be retained in a capital improvement fund as required by Section 22.1-129.A of the Virginia Code (1950, as amended) and used as required therein.

Section 2. The Board hereby authorizes the Division Superintendent or his designee to execute and deliver on behalf of the Board any documents, instruments or agreements the Division Superintendent or his designee deems necessary or appropriate to

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consummate the sale of such Property, including without limitation settlement agreements, purchase and sale agreements, deeds and affidavits.

Discussion included the following: an expression of thanks to the members of the Pohick site community for providing input to the Board of Supervisors (Belter, Niedzielski-Eichner); that staff members recommended that the Board approve the transaction; that FCPS would require \$1.9 billion for capital improvements over the next ten years; that a 'reverter clause' was associated with the Pohick property that mandated that the property become the property of the developer if a secondary or high school was not constructed on the site; that the proceeds from the sale of the property would enable FCPS to accelerate the opening of a new elementary school in western Fairfax County and the Coppermine Elementary School by three years, and would advance the renovation of other schools (Tistadt); that ten years ago, former School Board member Louis Zone had asked the Board to include a provision in its Legislative Package to request that the General Assembly give school boards the authority to sell surplus property and devote the proceeds to the capital improvement program; that FCPS desperately needed more schools to relieve overcrowding (Gibson).

The motion that following the October 18, 2004, approval of the Board of Supervisors, the School Board declare as surplus, and thereafter sell, on the terms previously discussed in closed meeting, the Pohick School Site, with the proceeds from such sale being retained and accrued to the school system's capital improvement fund, for use for new school construction and renovation projects, in accordance with Section 22.1-129(a) of the Code of Virginia, as amended, and as set forth in the foregoing Resolution, **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek absent.

- 5.02 Additional Appointments** – That the School Board appoint individuals to serve on committees as listed in the agenda item (SB; Exhibit K)

Mr. Gibson moved, and Mr. Storck seconded, that the School Board appoint individuals to serve on committees as listed in the agenda item. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek absent.

- 5.03 Confirmation of Action Taken in Closed Meeting**

Mrs. Wilson moved, and Mr. Gibson seconded, to expel a student for possessing and brandishing a weapon on a school bus. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek absent.

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Having served on a three-member committee chaired by Mrs. Wilson, Mr. Gibson moved, and Mr. Center seconded, to expel a student for physical assault and verbal abuse of a school resource officer. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Wilson, Mr. Center moved, and Mr. Gibson seconded, to expel a student for possession and brandishing of a weapon on school property. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Wilson, Mr. Gibson moved, and Mr. Center seconded, to expel a student for possession of a weapon on school property. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Wilson, Mr. Center moved, and Mr. Gibson seconded, to expel a student for involvement in an assault upon another student. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Wilson, Mr. Gibson moved, and Mr. Center seconded, to expel a student for possession of illegal drugs with intent to sell on school property. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Gibson, Mr. Moon moved, and Mr. Center seconded, to expel a student for possession of a weapon on school property. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Gibson, Mr. Center moved, and Mr. Moon seconded, to expel a student for possession of and assault with a weapon on school property. The motion **passed unanimously.**

Mrs. Wilson moved, and Mr. Moon seconded, to direct school system staff to continue pursuing opportunities for the acquisition of property for the consolidation of the system's administrative offices and authorize the Division Superintendent or his designee to execute on behalf of the Board such documents as are necessary and appropriate in order to complete the review and investigation of such properties for future consideration and action by the School Board. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek absent.

- 5.04 Pending Action Item** (Action 12/2/04) -- Science Textbook Adoption – Adopt textbooks and basal instructional materials for high school science courses in the disciplines of Biology; Chemistry, Physics, and Earth Science (IS; Exhibit L)
- 5.05 Pending Action Item** (Action 12/2/04) -- Social Studies Textbook Adoption – Adopt social studies textbooks for World Cultures (grade 5), United States History to 1877 (grade 6), and United States History from 1877 to the Present

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(grade 7), and for the core social studies courses at the high school level: World History and Geography I and II (grades 9 and 10), United States History (grade 11) and Virginia/United States Government (grade 12) (IS; Exhibit M)

Mrs. Smith announced that the science and social studies textbooks were available for review in the regional libraries, and the Board was scheduled to take action on those textbooks on December 2, 2004.

6. **NEW BUSINESS**

TAPE REFERENCE: 1-1655

6.01 **2005 Legislative Program** – Recommendation to adopt the 2005 Legislative Program, as reviewed and discussed at the Legislation, Policy, and Future Issues work session (S; Exhibit N)

Mr. Gibson said that the Board would vote on the Legislative Program at its regular business meeting on December 2; that the full text of the draft Legislative Program was available on the FCPS web site; and that Board members' questions should be directed to Michael Molloy, and copied to Mrs. Oleszek and himself.

7. **SCHOOL BOARD COMMITTEE REPORTS**

TAPE REFERENCE: 1-1814

7.01 **Reports**

Resource Management and Evaluation, October 21; Jane Strauss, Chair

Review of potential items requiring long-range funding, for follow-up on November 8.

Ian Hurdle, Student Representative

Organizational meeting of the Student Advisory Committee for election of officers.

8. **SUPERINTENDENT MATTERS**

TAPE REFERENCE: 1-1920

8.01 Dr. Draeger congratulated Lake Braddock Secondary School social studies teacher Joseph Hills on having been selected as one of eight regional winners in Virginia's Teacher of the Year competition, and the winner would be announced on October 29. Dr. Draeger congratulated Pine Spring Elementary School

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Principal Debra Tyler on having been named one of two Virginia winners of the Milken National Educator Award for \$25,000.

9. MEETING ADJOURNMENT
TAPE REFERENCE: 1-1980

9.01 The meeting was adjourned at 8:20 p.m.