

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 16

March 31, 2005

1. **CLOSED MEETING**

TAPE REFERENCE: 1-0001

Chairman Phillip Niedzielski-Eichner convened the Board in public session at 6:40 p.m. with a quorum of members present. Mrs. Belter moved, and Mrs. Strauss seconded, that the Board go into closed session: 1) to discuss the performance of specific public employees pursuant to Virginia Code Section 2.2-3711(A)(1); 2) to discuss and consider disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2); and 3) to consult with legal counsel regarding personnel issues pursuant to Virginia Code Section 2.2-3711(A)(7). The motion **passed 11-0**, with Mrs. Belter, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Center not present for the vote.

2. **MEETING OPENING**

TAPE REFERENCE: 1-0036

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

Chairman Niedzielski-Eichner convened the meeting at 7:19 p.m. with a quorum of Board members present:

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

Also present were student representative to the Board Ian Hurdle; Division Superintendent Jack D. Dale; Deputy Superintendent Brad Draeger; Executive Assistant and Clerk of the Board Pamela Goddard; Deputy Clerk of the Board Norma J. Bailey; and certain other members of staff.

2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mrs. Strauss moved, and Mrs. Oleszek seconded, that since the Fairfax County School Board convened a closed session meeting on March 31, 2005, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia

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Freedom of Information Act, and since Section 2.1-344(D) of the Code of Virginia required 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 unanimously.**

Chairman Niedzielski-Eichner announced that the Board had not concluded the closed meeting and would, therefore, go back into closed meeting at the end of the regular meeting.

2.03 Announcements (Exhibit B)

Mr. Moon announced that April 2005 was Childhood Immunization Month, and that the School Board promoted sound health practices for all children.

2.04 Recognition of National School Library Media Month (Exhibit C)

Mrs. Belter announced that April was National School Library Media Month; she recognized those librarians in attendance; and photographs were taken.

3. PRESENTATIONS TO SCHOOL BOARD

TAPE REFERENCE: 1-0258

3.01 Spotlight on Learning – Westbriar Elementary School's Authors' Tea (Exhibit D)

Dr. Dale introduced Westbriar Elementary School principal Jeanette Martino, sixth grade teacher Lauren Sobol, and special education teacher Deborah Alsado. Ms. Martino described the development of the Authors' Tea; a video was viewed; and a parent discussed how the program and Ms. Sobol and Ms. Alsado had impacted her daughter.

3.02 Citizen Participation (Exhibit E)

Ten speakers addressed the Board in the time reserved for public comment. Ajay Sharma, Rakesh Bahadur, Madhu Govil, Asheesh Misra, Susan Douglass, Vittal Ventataraman, Akhil Govil, Nar Koptula, and Sandy Kumar addressed Agenda Item No. 5.02, Textbook Adoption; and Sandy Canfield addressed Agenda Item No. 6.07, School Board Policy 2102, Automated External Defibrillator Program.

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4. **CONSENT AGENDA**

TAPE REFERENCE: 1-2141

- 4.01. **Minutes** – Approve minutes of March 10, 2005, regular School Board meeting (Exhibit F)
- 4.02. **Monthly Report of Separations** – Confirm separations for the period beginning February 1, 2005, and ending February 28, 2005 (HR; Exhibit G)
- 4.03. **Award of Contract** – Award the contract for the replacement of boilers at Edison House, Clearview, Fox Mill, and Newington Forest Elementary Schools to Boiler & Furnace Cleaners, Inc., Hurley Company Division, in the amount of \$457,528, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit H)
- 4.04. **Award of Contract** – Award the contract for the construction of the new elementary school at the site in western Fairfax to Whitener and Jackson, Inc., in the amount of \$12,298,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit I)
- 4.05. **Award of Contract** – Exercise its contractual right to extend for one additional year the asbestos removal contract with D&D Clean-Air-Environmental, Inc., and authorize the Division Superintendent, or his designee, to execute the contract documents on behalf of the School Board (FTS; Exhibit J)
- 4.06. **Award of Contract** – Exercise its contractual right to extend for one additional year the playground equipment installation contracts with All Recreation of Virginia, Inc., and Fair Oaks Construction, Inc., and authorize the Division Superintendent, or his designee, to execute the appropriate contract documents on behalf of the School Board (FTS; Exhibit K)
- 4.07. **Award of Contract** – Award the contract for a modular addition at Westlawn Elementary School to Dynasty Construction, Inc., in the amount of \$1,290,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit L)
- 4.08. **Award of Contract** – Award the contract for re-roofing projects phases 1-05 through 4-05 to Orndorff and Spaid, Inc., in the amounts of (1) \$813,878 at Herndon High School; (2) \$888,701 at Marshall High School; (3) \$473,707 at Haycock Elementary School; and (4) \$353,821 at Bren Mark Park Elementary School, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit M)
- 4.09. **School Board Policy** – Approve Policy 1204.4, Organization Chart (S; Exhibit)
- 4.10. **School Board Policy** – Approve Policy 4920.3, Workforce Diversity, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee (HR; Exhibit N)

Chairman Niedzielski-Eichner stated that, without objection, the ten items on the consent agenda would be adopted. Hearing no objection, the consent agenda passed unanimously.

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5. OTHER ACTION ITEMS

TAPE REFERENCE:

- 5.01 FY 2005 Third Quarter Budget Review** – Approve the adjustments reflected in the FY 2005 third quarter budget review, as detailed in the agenda item (FS; Exhibit O)

Mrs. Strauss moved, and Mr. Center seconded, that the School Board approve the adjustments reflected in the FY 2005 third quarter budget review, as detailed in the agenda item. The motion passed unanimously.

- 5.02 Textbook Adoption** – Adopt basal materials for World Cultures (grade 5) and World History (grades 9 and 10), as recommended by the Social Studies Textbook Review Committee and a committee of scholars (IS; Exhibit P)

Mrs. Belter moved, and Mr. Center seconded, that the School Board adopt basal materials for World Cultures (grade 5) and World History (grades 9 and 10), as recommended by the Social Studies Textbook Review Committee and a committee of scholars, and as detailed in the agenda item.

Assistant Superintendent of Instructional Services Ann Monday said that the textbooks would be used in survey courses that covered the period of approximately 5,000 years of global history; that the adoption process had begun during the summer of 2004, and review committee members had used established criteria to evaluate books that were aligned with the FCPS Program of Studies (POS) and the Virginia Standards of Learning (SOLs); that during the fall the recommended texts had been made available at public libraries for community review; that serious concerns of bias and stereotype in the textbooks had been voiced about the manner in which Hinduism and the history of India had been treated and consequently, the adoption of world history texts had been postponed; that a group of scholars from local universities who are experts on Hinduism and India had been invited to review the texts in question; that the scholars had unanimously agreed that, although the books were flawed, they should be recommended for adoption, with the stipulation that staff development, supplemental resources, and model lessons be provided to teachers of world history; and she introduced Georgetown University professor of Theology Ariel Glucklich for brief comments. *[Clerk's Note: Upon advice of staff from the Department of Instructional Services, and with the Chairman's approval, clarification of the minutes was made regarding the discussion involving the world history textbooks.]*

Dr. Glucklich said that he fully expected that there would be objections to the manner in which Hinduism was treated in any textbook for the next 75 years; that the Hindu tradition was a collection of many world views, and there would never be unanimity on many issues; that FCPS could not possibly be expected to wait that long to adopt new books; and he recommended that school staff and

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community members start a dialogue with publishers on the way Hindu history should accurately be portrayed.

Ms. Monday delineated the schedule developed to provide training and supplemental materials to teachers; that staff members had worked with the publishers, who had agreed to make some changes, but that they would not entirely revamp their coverage of Hinduism in India; that the Superintendent would direct staff members to delay purchasing the recommended texts until the proposed changes had been made; and that the books currently in use had been adopted in 1998, and the recommended texts were updated in many important ways.

Discussion included the following: the question whether modifications would be limited to teachers' editions (Hunt); a negative response; that there would also be some changes in students' texts (Monday); the question whether changes would be made before the books were purchased (Hunt); an affirmative response; that the Superintendent had decided that the texts would not be purchased until the changes that had been agreed to had been made (Monday); that the response of staff members to community concerns had been commendable; that they appreciated the interest and involvement of FCPS parents (Belter, Center, Dale, Gibson, Hunt, Kory, Strauss); that every textbook probably left room for intellectual disagreement (Center); the question how the material in texts developed for Advanced Placement courses differed from the ones being discussed (Hurdle); the response that the college level texts provided a greater scope in a more sophisticated manner (Monday); that survey texts treated most areas superficially; that India and Hinduism was not included in the fifth grade curriculum (Gibson); the question whether the motion should be amended to reflect that FCPS would not purchase the texts until the changes agreed upon had been made (Storck); and the response that the scholars had agreed that the texts should be recommended for adoption in their present form, but staff members were committed to delaying the actual purchase of the books until the changes that the publishers had agreed to had been made (Monday).

The motion that the School Board adopt basal materials for World Cultures (grade 5) and World History (grades 9 and 10), as recommended by the Social Studies Textbook Review Committee and a committee of scholars, and as detailed in the agenda item **passed unanimously**.

5.03 Additional Appointments – Appoint individuals to serve on committees as listed in the agenda item (SB; Exhibit Q)

Mr. Center moved, and Mrs. Smith seconded, that the School Board appoint individuals to serve on committees as listed in the agenda item. The motion **passed unanimously**.

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5.04 Confirmation of Action Taken in Closed Meeting

Mr. Storck moved, and Mr. Gibson seconded, to expel five students for violation of the conditions of a probationary placement. The motion **passed unanimously.**

Mrs. Strauss moved, and Mr. Center seconded, to expel a student for discharging a weapon on school property. The motion **passed unanimously.**

Mr. Gibson moved, and Mr. Hunt seconded, to approve an application for readmission to Fairfax County Public Schools by a student previously expelled on the terms recommended by the Division Superintendent. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Strauss, Mrs. Belter moved, and Mrs. Smith seconded, to expel a student for inappropriate touching of female students and charges in the community of two counts of sexual battery. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Strauss, Mrs. Oleszek moved, and Mrs. Smith seconded, to expel two students for possession and distribution of illegal drugs on school property. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Strauss, Mrs. Smith moved, and Mrs. Oleszek seconded, to expel a student for violation of the conditions of a probationary placement. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Belter, Mrs. Smith moved, and Mr. Storck seconded, to expel two students for violation of the conditions of a probationary placement. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Center, Mr. Hunt moved, and Mr. Moon seconded, to expel a student for violation of the conditions of a probationary placement. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Gibson, Mr. Niedzielski-Eichner moved, and Mrs. Oleszek seconded, to expel a student for violation of the conditions of a probationary placement. The motion **passed unanimously.**

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

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Having served on a three-member committee chaired by Mr. Gibson, Mrs. Oleszek moved, and Mr. Niedzielski-Eichner seconded, to expel a student for unauthorized use of school computers. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Gibson, Mrs. Oleszek moved, and Mr. Niedzielski-Eichner seconded, to expel a student for possession and distribution of a controlled substance on school property. The motion **passed unanimously.**

Mrs. Wilson moved, and Mr. Center seconded, to excuse from attendance at school certain students identified in closed meeting pursuant to Virginia Code Section 22.1-254(B)(1). The motion **passed unanimously.**

- 5.05 Pending Action Item -- Science Textbook Adoption Committee --** Recommendation that the School Board appoint individuals to serve on the Middle School Science Textbook Adoption Committee, as listed in the agenda item (IS; Exhibit R)

There was no discussion of this item.

6. NEW BUSINESS

TAPE REFERENCE: 2-0641

- 6.01 CTEMS Annual Plan and 2005-2006 Application for Career and Technical Education Funds –** Recommendation to approve the Career and Technical Education Management System (CTEMS) annual local education plan and the 2005-2006 Application for State and Federal Career Technical Education Funds (IS; Exhibit S)

There was no discussion of this item.

- 6.02 Award of Contract –** Recommendation to award the contract for a 14-classroom modular addition at Chantilly High School to the lowest responsible and responsive bidder, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit T)

There was no discussion of this item.

- 6.03 Award of Contract –** Recommendation to award the contract for a 10-classroom modular addition at Robinson Secondary School to the lowest responsible and responsive bidder, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit U)

There was no discussion of this item.

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- 6.04 Award of Contract** -- Recommendation to award the contract for a 10-classroom modular addition at Louise Archer Elementary School to the lowest responsible and responsive bidder, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit V)

There was no discussion of this item.

- 6.05 Consent to Right-of-Way** -- Recommendation that the School Board (i) consent to the vacation and abandonment of a portion of the Chichester Lane right-of-way adjacent to Fairhill Elementary School and accept title to a portion of the vacated area, (ii) authorize the granting of a sidewalk and utility easements on a portion of the vacated area, and (iii) authorize the Division Superintendent, or his designee, to execute, on behalf of the School Board, the deeds and any necessary related documents, all as approved by School Board counsel, to accomplish these items (FTS; Exhibit W)

There was no discussion of this item.

- 6.06 Lease of Facility** -- Recommendation to authorize the Division Superintendent, or his designee, to negotiate and enter into a lease with the Town of Herndon for a satellite maintenance and repair facility at 397 Herndon Parkway, Herndon, Virginia (FTS; Exhibit X)

There was no discussion of this item.

- 6.07 School Board Policy** -- Recommendation to adopt Policy 2102, Automated External Defibrillator Program, as reviewed and discussed by the Legislation, Policy, & Future Issues Committee (SB; Exhibit Y)

Mrs. Wilson expressed her thanks to Mrs. Canfield for her testimony that evening, and to staff members for having developed the proposed policy.

- 6.08 School Board Policy** -- Recommendation to adopt Policy 2245, Home Instruction by Parents and Part-Time Enrollment of High School Students, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee (SS; Exhibit Z)

There was no discussion of this item.

- 6.09 School Board Policy** -- Recommendation to adopt Policy 8335, Wireless Telecommunications Facilities, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee (FTS; Exhibit AA)

Assistant Superintendent of Facilities and Transportation Services Dean Tistadt presented the results of the radio-frequency (RF) energy emissions study that had been compiled recently by staff members; that there were currently more

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than 710 antennas that provided cellular phone service in Fairfax County; that the study had been developed by FCPS Environmental Health Specialist Douglass O'Neill to ensure that the antennas were compliant with the Federal Communication Commission's (FCC) standards for RF emissions; that a total of 14 sites had been surveyed and 349 sample points measured; that the average maximum density power levels in exterior spaces were approximately 121,000 times below FCC standards; and that, based on the results of the study, staff members concluded that the School Board should adopt Policy 8335.

Discussion included the following: expressions of thanks to staff members for their efforts (Niedzielski-Eichner, Strauss, Storck); the request that staff members compare the compiled FCPS data with the recommendations established by scientists in other countries (Storck); and the request that staff members provide data on RF exposure resulting from the use of cellular telephones (Gibson).

7. **SCHOOL BOARD COMMITTEE REPORTS**

TAPE REFERENCE: 2-1065

7.01 **Reports** (Exhibit BB)

Instruction, Special Services and Youth Development; March 14; Catherine Belter, Chairman

Discussion of development of five-year plan for alternative schools programs.

Legislation, Policy, and Future Issues; March 14; Stuart Gibson, Chairman

Review of draft policies regarding part-time enrollment of high school students, the automated external defibrillator program, and wireless telecommunications facilities.

Resource Management Evaluation; March 14; Jane Strauss, Chairman

Discussion of Third Quarter Budget Review, health care benefits, and an update on FY 2006 advertised budget; recent meeting with Board of Supervisors regarding budget issues.

Student Advisory Council; Ian Hurdle, Student Representative

SAC discussion of Student Responsibilities and Rights (SR&R), Honor Code, and sleep requirements of adolescents; election of Lake Braddock Secondary School student Samantha Kunkel as next student representative to the Board.

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Board Forum; March 10; Phil Niedzielski-Eichner, Chairman

Discussion of focus schools, budget and program accountability, and communication planning for major initiatives.

8. SUPERINTENDENT MATTERS

TAPE REFERENCE: 2-1421

8.01 Dr. Dale congratulated Denny Dearden on his appointment as Superintendent of Marana Unified School District in Arizona. Dr. Dale congratulated Kings Park Elementary School principal Mary Agnes Garman who had been named 2005 Outstanding Communicator by the National School Public Relations Association. Dr. Dale announced that the Regional Science and Engineering Fair would be held at Robinson Secondary School on April 3. Dr. Dale commended staff members for their role in organizing the Learning, Empowering, Assessing, and Developing Fairfax (LEAD) Conference sponsored by the Wallace Foundation that was addressing the question of developing and sustaining high quality leadership in school systems.

9. CLOSED MEETING

TAPE REFERENCE: 2-1505

9.01 Mrs. Oleszek moved, and Mrs. Strauss seconded, that the Board go into closed meeting to discuss the acquisition 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 unanimously.

9.02 Certification of Closed Meeting Compliance (Exhibit CC)

Mrs. Smith moved, and Mr. Moon seconded, that since the Fairfax County School Board convened a closed session meeting on March 31, 2005, 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 Virginia required 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 unanimously.

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10. ADJOURNMENT
TAPE REFERENCE:

10.01 The meeting was adjourned at 10:05 p.m.