

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 4

September 22, 2005

1. MEETING OPENING

TAPE REFERENCE: 1-0008

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

Chairman Phillip Niedzielski-Eichner convened the meeting at 8:07 p.m. with the following 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; arr. 8:50)
Kaye Kory (Mason)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Also present were student representative to the Board Samantha Kunkel; Division Superintendent Jack D. Dale; Deputy Superintendent Brad Draeger; Executive Assistant and Clerk of the Board Pamela Goddard; Deputy Clerks Linda Sabo and Pat Charbonneau; and certain other members of staff.

1.02 Announcements (Exhibit A)

Chairman Niedzielski-Eichner announced that Mr. Storck was attending a Back-to-School Night and would be arriving later, and he recognized Boy Scouts from Troop 872 from Vienna, who were in attendance. Vice Chairman Moon announced that the week of October 5-11, 2005, had been designated as Fire Prevention Week by the National Fire Protection Association; and that Head Start Awareness would be celebrated during the month of October.

2. PRESENTATIONS TO SCHOOL BOARD

TAPE REFERENCE: 1-0080

2.01 Citizen Participation (Exhibit B)

Nine speakers addressed the Board in the time reserved for public comment. Diana Barbera addressed telecommunications leases; Margaret Fisher, Ann Pimley, Lisa Costantini, Beka Martinez, Robb Rourke, Erin Benbennick, Dave Benbennick, and Debra Wilson addressed the Fairfax County Council of PTAs Resolution on Suspensions with a Recommendation for Expulsion.

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3. **ACTION ITEMS**

TAPE REFERENCE: 1-1100

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

Mrs. Smith moved, and Mr. Gibson seconded, that the Board appoint individuals to serve on committees as listed in the agenda item.

Mr. Hunt requested to include the appointment of Samantha Vanterpool to the Science Curriculum Advisory Committee.

The motion that the Board appoint individuals to serve on committees as listed in the agenda item, **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting “aye”; and with Mr. Storck not present for the vote.

4. **CONSENT AGENDA**

TAPE REFERENCE: 1-1160

4.01. Minutes – Approve minutes of September 8, 2005, regular School Board meeting (SB; Exhibit D)

4.02 Monthly Separation Report - Recommendation to confirm the separations as indicated in the agenda item for the period beginning July 1, 2005, and ending July 31, 2005, and for the period beginning August 1, 2005, and ending August 31, 2005 (HR; Exhibit E)

4.03 Telecommunications Lease - Authorize the Division Superintendent, or his designees, to negotiate and sign a telecommunications lease with Smartpole, Inc. (Milestone Communications) at Oakton High School (FTS; Exhibit F)

4.04 Telecommunications Lease - Authorize the Division Superintendent, or his designee, to negotiate and sign a telecommunications lease with Nextel at Centreville High School (FTS; Exhibit G)

4.05 Award of Contract - Authorize staff to negotiate professional services contracts with selected firms, for the architectural design of certain projects contained in the school bond referenda, and authorize the Division Superintendent, or his designee, to award the contracts on behalf of the School Board (FTS; Exhibit H)

4.06 Conveyance of Easements - Authorize (i) conveyance to the Commonwealth of Virginia, Department of Transportation (VDOT), of the easements described in the attached draft Deed, and (ii) payment of \$15,000 to VDOT in exchange for VDOT constructing and installing a sanitary sewer extension to the School Board's property on Lorton Road; and that the School Board authorize the Assistant Superintendent of Facilities and Transportation Services to execute, on

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behalf of the School Board, a deed and any necessary related documents, all as approved by School Board counsel, to accomplish the conveyance (FTS; Exhibit I)

Chairman Niedzielski-Eichner 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. Oleszek, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Storck not present for the vote.

5. NEW BUSINESS

TAPE REFERENCE: 1-1247

- 5.01 Annual Contract** - Recommendation to authorize the staff to negotiate professional services contracts for construction testing and inspection services with selected architectural and engineering (A&E) firms and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit J)

There was no discussion of this item.

- 5.02 Award of Contract** - Recommendation that the School Board award the contract for the tenant build out for the administrative center to the lowest responsive and responsible bidder and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit K)

There was no discussion of this item.

- 5.03 Award of Contract** – Recommendation to approve the award of contract for providing flexible spending account administration to Fringe Benefits Management Company (FBMC), effective January 1, 2006, as recommended by the Selection Advisory Committee (HR; Exhibit L)

There was no discussion of this item.

6. SUPERINTENDENT MATTERS

TAPE REFERENCE: 1-1293

- 6.01** Dr. Dale noted that at the October 17 work session the Positive Behavior Support program would be discussed; and that when special education students were expelled, they were generally placed in alternative settings. Dr. Dale announced that three members of the State Board of Education had visited Oakton High

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School the previous week to inform teacher Steve Scholla, who had previously been named FCPS Teacher of the Year, that he had been confirmed as the Region IV Teacher of the Year, and that Mr. Scholla would be competing for the title of Virginia Teacher of the Year; congratulated the 200 FCPS students who had been named National Merit Scholarship Semifinalists; announced that the FCPS College Fair would be held at Fair Oaks Mall on October 16, and that the College Night Program would be held at Hayfield Secondary School on October 17; and encouraged community members to participate to explore options in post-secondary education.

7. **SCHOOL BOARD REPORTS**

TAPE REFERENCE: 1-1404

7.01 **Committee Reports (Exhibit M)**

Resource Management Evaluation, September 12; Jane Strauss, Chairman

Reports on LEAD Fairfax and Medicare prescription plan.

Facilities and Operations, September 12; Brad Center, Chairman

Update on Bond Referendum and Central Administrative Building; discussion of development of Capital Improvement Plan (CIP).

Instruction, Special Services, and Youth Development, September 12; Kathy Smith, Chairman

Update on No Child Left Behind (NCLB); report on FCPS student achievement on SATs and SOLs.

Board Forum, September 12; Phillip Niedzielski-Eichner, Chairman

Discussions regarding School Age Child Care Program (SACC); recycling programs; taping Back-To-School Nights messages; and communicating via PTA/PTSA newsletters.

Policy Governance, September 19; Philip Niedzielski-Eichner, Chairman

Discussion with a panel of visiting board members on use of the policy governance model to conduct business.

7.02 **Board Member Announcements**

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Samantha Kunkel, Student Representative

Thanks to those who had attended the first Student Advisory Council (SAC) meeting.

Brad Center, Lee District

Thanks to school communities for participating in Back-to-School Night Programs. Request that a future forum topic focus on the cycle of School Board elections of chairman and vice chairman.

Tessie Wilson, Braddock District

Thoughts were with the residents of the Gulf Coast who were dealing with the aftermath of Hurricane Katrina and the expected arrival of Hurricane Rita.

Stephen Hunt, At Large

Commendations to FCPS transportation employees for getting 165,000 students to school on time. Recommendation to involve physical education teachers in the development of Individualized Education Plans (IEPs), since many parents had expressed concern about that part of their children's school day.

Catherine Belter, Springfield District

Thoughts were with the residents of the Gulf Coast who were dealing with the aftermath of Hurricane Katrina and the expected arrival of Hurricane Rita.

Kathy Smith, Sully District

Had hosted a meeting with Sully district PTA presidents and advisory committee appointees and found the meeting to be informative in sharing concerns and ideas.

Kaye Kory, Mason District

Thanks to the Mount Pleasant Baptist Church for having invited her to share in their 137th anniversary service. Thanks to Cox Communications for organizing the Fairfax County Board of the Boys and Girls Club of America.

Stuart Gibson, Hunter Mill District

Clarification that under Federal Special Education Law, the school division is required to continue to provide services to special education students who had been expelled from FCPS.

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Dan Storck, Mount Vernon District

Thanks to Mount Vernon District schools for inviting him to participate in opening activities. Thanks to Mrs. Evans for her generous contribution of \$5,000 to the Gunston Elementary School Library.

Jane Strauss, Dranesville District

Thanks to the County Council of PTAs and parents of special education students for presenting their concerns about behavioral intervention programs, and to Dr. Dale for having scheduled a presentation from staff members. Announcement that FCPS high school students would sponsor a talent show on September 24 to raise money for the victims of Hurricane Katrina; that FCPS had enrolled 175 students who had been displaced from the Gulf Coast and was hiring educators from that region.

Ilryong Moon, At Large

Congratulations to the Robinson Secondary School football team on having won their game against Good Counsel in Maryland. Request that Dr. Dale explore facility needs at Thomas Jefferson High School for Science and Technology.

Phillip Niedzielski-Eichner, Providence District

Thanks to Dr. Dale for his positive presentation to the SAC relative to high schools for the future.

8. CLOSED MEETING TAPE REFERENCE: 1-2344

8.01 Chairman Phillip Niedzielski-Eichner convened the Board in public session at 9:14 p.m. with a quorum of members present. Mr. Storck moved, and Mr. Gibson seconded, that the Board go into closed session: 1) to discuss and consider 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 discuss and consider the acquisition and 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()(3). The motion passed unanimously.

8.02 Certification of Closed Meeting Compliance (Exhibit N)

Mr. Gibson moved, and Mrs. Smith seconded, that since the Fairfax County School Board convened a closed session meeting on September 22, 2005, pursuant to an

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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.**

8.03 Confirmation of Action Taken in Closed Meeting

Having served on a three-member committee chaired by Mrs. Oleszek, Mr. Storck moved, and Mrs. Wilson seconded, to expel a student for compiling a list of people to kill that included students, staff, and administrators. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Wilson moved, and Mr. Storck seconded, to expel a student for possession of illegal substances and drug paraphernalia on school property. The motion **passed unanimously.**

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

Having served on a three-member committee chaired by Mr. Hunt, Mrs. Wilson moved, and Mr. Niedzielski-Eichner seconded, to expel a student for possession and distribution of illegal substances on a school-sponsored field trip. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Kory, Mrs. Strauss moved, and Mrs. Wilson seconded, to expel a student for defiance of school officials and endangering the well-being of others at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Kory, Mrs. Wilson moved, and Mrs. Strauss seconded, to expel two students for violating the conditions of probationary placements. The motion **passed unanimously.**

9. ADJOURNMENT

TAPE REFERENCE: 1-2586

9.01 The meeting was adjourned at 10:35 p.m.