

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 18

April 27, 2006

1. **CLOSED MEETING**

Chairman Ilryong Moon convened the Board in public session at 6:25 p.m. with a quorum of 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)

Mrs. Kory moved, and Mrs. Belter seconded, that the Board go into closed session: 1) to discuss and consider the appointment, employment and 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); 3) to protect the privacy of individuals in personal matters not related to public business pursuant to Virginia Code Section 2.2-3711(A)(4); and 4) to consult with legal counsel regarding probable litigation pursuant to Virginia Code Section 2.2-3711(A)(7). The motion **passed unanimously**.

2. **MEETING OPENING**

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

Chairman Moon convened the meeting at 7:12 p.m. with a quorum of Board members present. Also present were Division Superintendent Jack D. Dale; Executive Assistant and Clerk of the Board Pamela Goddard; Deputy Clerk Pat Charbonneau; and certain other members of staff. Student Representative to the School Board Samantha Kunkel was present (dep. 10:00).

2.02 **Certification of Closed Meeting Compliance (Exhibit A)**

Mr. Niedzielski-Eichner moved, and Mr. Gibson seconded, that since the Fairfax County School Board convened a closed session meeting on April 27, 2006, 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 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

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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.**

2.03 Announcements (Exhibit B)

Mrs. Strauss moved, and Mrs. Smith seconded, to appoint Terri L. Breeden as Assistant Superintendent for Professional Learning and Training, effective May 22, 2006, and authorize the Chairman to execute a contract reflecting these actions. The motion **passed unanimously.**

Dr. Dale introduced Dr. Breeden, and she thanked the School Board for their confidence and that she was looking forward to joining FCPS. Mr. Niedzielski-Eichner asked the superintendent to explain the new Leadership Team (LT) position; Dr. Dale noted that FCPS had many programs in different departments that dealt with staff development and this new position would incorporate all those programs under one department.

Vice Chairman Center announced that April 23-29 is National Volunteer Week; that May 2006 was Asian-and Pacific-American Heritage Month, and Pride in America Month; and that May 10 was School Nurse Day.

2.04 2006 Distinguished School Resource Officer Award (Exhibit C)

Chairman Moon recognized members of the Fairfax County Police Department: Colonel David Rohrer, Chief of Police; Lt. Col. Charles Peters, Deputy Chief of Patrol Operations; Captain Stephen Smylie, Commander, Youth Services Division; Sergeant Richard Jackson, SRO Coordinator; Captain Amy Lubas, Commander, Fair Oaks District Station; Captain Michael Kline, Commander, Mount Vernon District Station; Captain Lieutenant Ron Novak, Assistant Commander, McLean District Station; Captain Maggie DeBoard, Commander, Franconia District Station; Captain Susan Culin, Commander, Sully District Station; Lieutenant L. B. Gamble, School Liaison Commander; and Fred Ellis, Director of Safety and Security for Fairfax County Public Schools, for his effort in bringing forth this award.

Chairman Moon said that Fairfax County Public Schools and the Fairfax County Police Department had established a mutually beneficial relationship over the past decade with the School Resource Officer (SRO) program; that SROs helped ensure a safe and peaceful learning environment for students, and provide school administrators and staff with the law enforcement resources and expertise necessary to maintain order, prevent truancy, and enforce the rules and codes of student conduct; that committee had been created to establish and select the Distinguished School Resource Officer Award to annually recognize the efforts of outstanding SROs.

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Chairman Moon introduced this year's nominees: Officer Fred Chambers, Carson and Franklin Middle Schools; Officer Daryl Davis, West Potomac High School; Officer Lon Wolber, Hayfield Secondary School; and Officer Richard Wrobel, Centreville High School. Each nominee was presented with a certificate and photographs were taken with School Board Members and school staff.

Chairman Moon then announced this year's winner, Master Police Officer Thomas Harrington, and he presented him with the 2006 Distinguished School Resource Officer Award and read some highlights of MPO Harrington's contributions over the last ten years; and photographs were taken.

2.05 Recognition of Better Hearing and Speech Month (Exhibit D)

Mrs. Wilson said that since 1927, the American Speech-Language-Hearing Association has celebrated Better Hearing and Speech Month each May to raise public awareness of communication disorders that affect an estimated 42 million people. One in 10 families is affected by a communication disorder. Currently, Fairfax County Public Schools provides speech and language services to 11,000 students and deaf and hard of hearing services to 492 students. Fairfax County Public Schools annually observes and celebrates Better Hearing and Speech Month and encourages all citizens in our school community to recognize the efforts, dedication, and skills of speech-language clinicians, audiologists, and teachers of the deaf and hard of hearing. Mrs. Wilson invited the speech-language clinicians, audiologists, and teachers of the deaf and hard of hearing who were in the audience to join her and the Board for photographs.

2.06 Recognition of Teacher Appreciation Week (Exhibit E)

Mrs. Smith announced that every day over 13,000 teachers in FCPS demonstrated their personal and professional dedication to providing an excellent education for the children in our community, and she welcomed this opportunity to commend our teachers and recognize the energy, dedication, and vision that they contributed to our school system.

2.07 Recognition of Child Nutrition Employee Week (Exhibit F)

Student Representative Samantha Kunkel recognized the child nutrition employees in the audience and their commitment to imparting food and nutrition knowledge to students, and invited them to join her and the Board for photographs.

3. PRESENTATIONS TO SCHOOL BOARD

3.01 Citizen Participation (Exhibit G)

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One speaker addressed the Board in the time reserved for public comment. Debra Wilson addressed Agenda Item No. 4.02, Student Responsibilities and Rights.

3.02 2004-2005 FCPS Strategic Targets - Target 10, All schools will increase their ability to serve students with disabilities in general education classrooms. (SB; Exhibit H)

Superintendent Dale noted that tonight's presentation was Target 10, "All schools will increase their ability to serve students with disabilities in general education classrooms;" and that Alice Farling, Assistant Superintendent for Special Services, would begin with a brief presentation.

Dr. Farling introduced her colleagues who were present to discuss the target: Peggy Kelly, Liberty Middle School principal; Mary Zempolich, Liberty Middle School parent; Nancy Van Zant, Liberty Middle School department chair; Patricia Phillips, Fairhill Elementary School principal, William Oehrlein, Hayfield Secondary School principal, and Dale Rumberger, South County Secondary School principal; and staff from the Office of Special Education, Dr. Pat Addison, director; Joyce Suydam, elementary special education director, Christine Johnston, secondary special education director; and Mary Kealy, professional development and support services director.

Dr. Farling stated that Target 10 specifically focused on the school division's commitment to increasing the ability to serve students with disabilities in their base school and in general education classrooms; that the definition used for inclusive schools was: "A place where everyone belongs, where everyone is accepted, supports, and is supported by his or her peers and other members of the school community in the course of having his or her educational needs met;" that the specific target population was students with low incidence disabilities (LID)—autism, emotional disabilities, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, severe disability, traumatic brain injury, and visual impairment—because they were disabilities less frequently found within the student population; that high incidence disabilities (HID)—learning disabilities and speech and language impairments—made up about 57 percent of the population of students with disabilities who had historically attended their base schools in most school systems around the country; that the target measure was that 80 percent of the high schools would serve 50 percent or more of their base school LID at their base school; that the target was exceeded with 82.6 percent of high schools having achieved this target measure; that only four high schools had not met the target whose LID students between the ages of 19 and 22 appropriately attended career centers like Davis or Pulley; that another measure was that 95 percent of the middle schools would serve 50 percent or more of their students at the base school; that 100 percent of middle schools had met this target; that the measure was that 80 percent of elementary schools would meet the target; that 87.2 percent of elementary schools had met

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this target, which was an increase of 10.7 percent over the 2004-2005 school year; and that the target for elementaries was lower than for middle schools due to the small size of many elementary schools, the small population of LID at those schools, and the determination of IEP teams, which included parents, that a child's needs would be more efficiently met where there was a clustering or consolidation of the required resources, such as for hearing impaired students. Dr. Farling noted that factors that contributed to the success of these schools were committed principals and parents, the emphasis the School Board had placed on this target, the inclusive school resource teachers and the pyramid resource specialists, and the focus on professional development; that job-embedded school-based training and centrally-based training for programs, such as Stetson training, included general educators, special educators, administrators, and parents, and emphasized strategies that differentiated instruction to address diverse learning needs; that students with disabilities needed curricular accommodations and modifications, collaborative instructional models, and a team approach to meeting the needs of all students; that last year the Virginia Department of Education (VDOE) began requiring that data be collected differently for the annual report to record how much time a student with disabilities spent in the general education classroom; that a baseline of how much time students spent in general education classrooms with inclusionary environments had been developed, enabling FCPS to compare itself with other school districts around the nation in terms of least restrictive environment. Dr. Farling introduced a video that featured Liberty Middle School and its successful inclusionary approach.

Questions and comments included the following: that success in inclusion worked when principals embraced inclusion; the concern that training was voluntary; the question whether the numbers of LID students in general education classrooms in their base schools were available to correlate to the percentages given (Wilson); the response that those numbers would be provided (Farling); that parents expressed concerns that their students were not accessing the inclusion experience because they were still served in self-contained classrooms at their base school; the question how time spent in general education classrooms was defined by the state (Wilson); the response that the categories were 0-21 percent, 22-59 percent, and 60-100 percent of the school day (Addison); the request that baseline data for 2004-2005 be provided to the Board (Wilson); an affirmative response, that data was for the December 1, 2005, snapshot; that LID students who were educated at their base schools had increased from 24 percent when the target was developed to 66 percent for 2004-2005 (Farling); the question what the challenges were for high schools to educate LID students (Oleszek); the response that it was more difficult to get students to accept students who were different, although students were becoming more receptive; that programs emphasizing diversity and acceptance of others were important (Oehrlein); the response that standards for renovating and equipping facilities for LID students were a driving force; that an IEP was an education plan that was individualized; that training for the best solutions,

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including Stetson and Applied Behavior Analysis (ABA), for as many staff as possible was key (Rumberger); the question how the system was planning for increased referrals and identification of LID such as autism and ADD (Oleszek); the response that training and staffing were identified as critical to success (Farling); that training in renovations and standards of construction, incorporating specialized space, early knowledge of students scheduled to attend, and support for programs like the Virginia Alternate Assessment Program were key (Rumberger); that principals who showed that this could be done, partnered with parents, created models on inclusion; that the quality of time, not just quantity, was important; the question of, particularly for children with spectrum disorders, what opportunities were made for them to remove themselves to a less stimulating environment before return to the regular classroom (Strauss); the response that educators recognized that support might be needed for part of the day and that inclusion would not necessarily be 100 percent of the student's day; that the IEP was an individual plan (Farling); the question how data had been calculated prior to the 2004-2005 December 1 snapshot figure (Hunt); the response that data had been calculated for the time students received special education services, based on their primary disability (Addison); the question whether 2003-2004 data could be recalculated for the amount of time in general education classes, to provide two data points for comparison, and the request for such data (Hunt); an affirmative response (Farling); that members of the Advisory Committee for Students with Disabilities (ACSD) had expressed concerns that special education students should be pushed to their fullest potential; the question whether measures for the School Board's academic goals were being developed (Hunt); an affirmative response; that staff would develop those measures, pending adoption of the goals (Dale); suggestion that one teacher in the classroom with content knowledge and special education training would be preferable (Hunt); that dual certification was a school system goal (Farling); that had parents expressed concern that teachers lacked training, particularly for autism (Belter); that many parents with younger autistic children preferred a self-contained Applied Behavior Analysis, Verbal Behavior (ABAVB) program for which teachers and instructional assistants (IAs) had specific training; that there was no certification for autism, but there was a shortage of qualified teacher applicants and staff turnover was an issue (Farling); the question what significance inclusion played in anticipation of being able to meet annual yearly progress requirements (Niedzielski-Eichner); the response that the system had high expectations for all students; that LID students benefited from exposure to different teachers with expertise in content areas, as well as receiving extra support from special education teachers; that there was a major effort to ensure that special education teachers became highly qualified in several areas of core content (Farling); the question what measures beyond inclusion had been considered (Niedzielski-Eichner); the response that emphasis had been placed on collaboration between Instructional Services and Special Services to meet the needs of all students using data and formative assessment (Farling); that FCPS had been a leader in the use of follow-up surveys with special education graduates to track post-secondary experiences and the outcome data was very

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successful; that the federal government had developed a requirement for follow-up data (Addison); the question of how much class size affected the school's ability to provide inclusion (Smith); the response that the key was the use of all staff in the building to provide differentiated instruction with flexible grouping (Farling); that the key was planning by all staff—general education teachers, special education teachers, and IAs—toward a common goal and breaking large classes into smaller groups for instruction based on assessment data (Phillips); parents had expressed concerns that teachers were not accommodating and supporting a particular inclusion in accordance with the IEP or 504 plan (Storck); that schools should advise parents that their student had a case manager to follow the student, interact with the general education teacher, and problem solve as needed; that the online IEP ensured its availability to all teachers for that student; that communication with the Office of Testing and training for secondary teachers ensured that accommodations were in place (Johnston); the question how a parent could specifically facilitate their child's inclusion (Storck); the response that communication and meeting with the child's teachers was critical (Johnston); that respectful, trusting communication between parent and staff was vital; that a parent needed to be a valued part of the team; and meeting with every teacher associated with one's child was essential (Zempolich); the question whether FCPS communicated the need to be proactive and meet with teachers effectively to parents (Wilson); the response that parent workshops and the Special Education Parent Handbook communicated that information; that principals were relied upon to communicate this information; that there was a need to do a better job in sharing with all parents (Addison); that every teacher should offer to meet with the parent of each student with an IEP (Wilson); that not all parents were going to understand or have the opportunity to get information through the Handbook or meetings; that the school system needed to do a better job in communicating teachers' availability to meet with parents (Hunt); that special education PTA representatives and school programs provided assistance; that each teacher involved with a particular student should have knowledge about that student and that student's needs (Zempolich); that IEPs should be a collaborative venture, the result of teamwork (Center); and that teachers cared about all children, including children with disabilities, and they wanted to work with parents to ensure every parent had the necessary knowledge (Farling).

4. **ACTION ITEMS**

- 4.01 Transfer of Certain Properties** – That the School Board (i) declare as surplus to the needs of the school system and transfer to the Board of Supervisors of Fairfax County the real properties listed in Attachment A, in return for an annual increase of \$25 million in capital bond funding for each of the next six years beginning in FY 2007; and (ii) authorize the Division Superintendent, or his designee, to execute on behalf of the School Board such declarations, deeds and other documents (including the Lease Amendment for the Lawyers Road parcel),

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and to take such further actions, as may be deemed necessary or desirable in order to effectuate the foregoing in accordance with the explanation set forth below (FTS; Exhibit I)

Mr. Niedzielski-Eichner moved, and Mr. Center seconded, to declare as surplus to the needs of the school system and transfer to the Board of Supervisors of Fairfax County the real properties listed in Attachment A, in return for an annual increase of \$25 million in capital bond funding for each of the next six years beginning in FY 2007; and authorize the Division Superintendent, or his designee, to execute on behalf of the School Board such declarations, deeds and other documents (including the Lease Amendment for the Lawyers Road parcel), and to take such further actions, as may be deemed necessary or desirable in order to effectuate the foregoing in accordance with the explanation set forth below.

Mr. Niedzielski-Eichner congratulated the Board and staff for bringing resolution to a months' long process to take advantage of the school system's surplus properties for the benefit of increasing the school system's ability to build new schools and renovate older schools.

Discussion and comments included the following: that the transfer would be advantageous to the children, the schools, and the taxpayers of Fairfax County (Strauss); that the General Assembly granted school boards the power to declare property surplus and dispose of them in 1992 or 1993; that comments in the community had suggested that taxpayers should not have to buy the property twice; that the school system had acquired property for the purpose of educating students, that some of the properties being transferred were properties vacated because of the acquisition of consolidated administrative space at savings to taxpayers; that some properties were used by the Park Service under an interim use agreement, such as Baron Cameron Regional Park; that if the property was going to be used for something other than a school purpose, the school system should receive compensation for relinquishing its rights, as any property owner, to the value of that property; that preference would have been to have received a little more money from the Board of Supervisors and to have had them acknowledge increases in costs to build and renovate schools; that the properties could be put to better use if transferred to the Board of Supervisors, allowing them to make the land use decision to sell to a developer, to preserve as park land, to create some sort of mixed use, or to use it for county purposes other than parks (Gibson); that the Capital Improvement Plan for Fairfax County Public Schools needed \$180 million to keep the commitment made to the public to have a true 25-year renovation cycle; that it was a great disappointment that the second administration building, which would free up classrooms in neighborhood schools currently used for administrative offices, was not part of the negotiation (Kory); the question whether any cash from the Board of Supervisors' general operating fund would be paid to Fairfax County Public Schools for the transfer of the properties (Niedzielski-Eichner); a negative response, that the school system

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would receive increased bonding authority but no actual conveyance of cash (Dale); the question whether the Board of Supervisors thus allowed FCPS to sell more bonds for the capital program to have a faster cash flow than previously (Niedzielski-Eichner); and an affirmative response (Dale).

Mr. Niedzielski-Eichner moved, and Mr. Center seconded, to (i) declare as surplus to the needs of the school system and transfer to the Board of Supervisors of Fairfax County the real properties listed in Attachment A, in return for an annual increase of \$25 million in capital bond funding for each of the next six years beginning in FY 2007; and (ii) authorize the Division Superintendent, or his designee, to execute on behalf of the School Board such declarations, deeds and other documents (including the Lease Amendment for the Lawyers Road parcel), and to take such further actions, as may be deemed necessary or desirable in order to effectuate the foregoing in accordance with the explanation set forth below. The motion **passed unanimously**.

- 4.02 Student Responsibilities and Rights** - Approve proposed modifications to the student code of conduct and related procedures to be included in Regulation 2601.19P, Student Responsibilities and Rights, as reviewed and discussed by the Instruction, Special Services, and Youth Development Committee (SS; Exhibit J)

Mr. Gibson moved, and Mrs. Wilson seconded, to approve proposed modifications to the student code of conduct and related procedures to be included in Regulation 2601.19P, Student Responsibilities and Rights, as reviewed and discussed by the Instruction, Special Services, and Youth Development Committee.

Mr. Gibson noted that the *Student Responsibilities and Rights* (SR&R) was modified each year; and had been discussed at the April 3 work session; that the major changes included: clarification of the definition of a firearm per the Code of Virginia which included knives with blades greater than three inches; the inclusion of a parent signature sheet to acknowledge receipt of the SR&R, the acceptable use policy for student network access, and the standards of conduct for students who rode buses; elementary school students' ability to have cell phones at school; the list of non-prescription drugs not authorized as medication was expanded to include Coricidin, Nyquil, Dramamine, and the generic equivalents; the required notification to the police department of student offenses on school grounds that would constitute a crime under the Code of Virginia; the clarification of current practice to not allow verbatim recording of a hearing at the Superintendent's level; and that students with 504 plans were not legally entitled to receive educational services during the period of suspension or expulsion if the incident was not related to the student's disability.

Mr. Storck moved, and Mrs. Oleszek seconded, to amend Chapter 1, Section H, the Rights of Adult Students and Their Parents, by deleting the third paragraph.

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Mr. Storck explained that the amendment would reaffirm the responsibility of the School Board to make the final expulsion decision for any student; that this paragraph had been added last year, so eliminating it would restore the previous procedure used; and that he believed he was elected to fulfill the responsibility to make the final decision about which students could or could not attend FCPS.

Discussion and comments included the following: the question why this paragraph was added last year and the implications of removing it (Niedzielski-Eichner); the response that adult students older than children of school age as defined by the Code of Virginia attended school as a privilege, not a right; that principals felt that if adult students did not conduct themselves appropriately, those students should be dismissed without having the same due process rights as children of school age (Director, Office of Student Services Eleanor Barnes); the question regarding the number of potential cases (Niedzielski-Eichner); staff to provide the number (Barnes); that the genesis for the added paragraph was an incident involving adult students who were highly gang involved and who were not appropriate for FCPS school campuses (Dale); the clarifying question whether the amendment was to ensure that the Board made the final decision on these cases and to not do so would be to abrogate its responsibility (Niedzielski-Eichner); an affirmative response; that the current paragraph stopped the decision making process at the principal or cluster hearing officer level (Storck); the question whether there were different rules and regulations for adult students than for school age children (Wilson); a negative response; that the basic tenets would apply to both (Barnes); the question whether Mr. Storck's reference to "adult students" included those in alternative high schools, in the GED program, or in adult education enrichment classes (Wilson); the response that any student who signed SR&R and agreed to abide by the terms of SR&R would be permitted to remain a student as long as they followed those rules (Storck); the question whether adult education students signed the SR&R (Wilson); a negative response (Barnes); a question whether the amendment specified that it applied to students who signed SR&R (Center); the response that SR&R only applied to students who actually signed SR&R (Storck); the question whether the appeal process was demarcated by the signature on SR&R (Center); an affirmative response (Storck); the comment that alternative high schools offered opportunities for school age children as well as adults; that it was inappropriate to have different rules for students in the same classroom based on their age (Oleszek); that changing the last sentence in the third paragraph to include language to allow for appeal to the Board would accomplish the same objective without deleting other elements of the paragraph (Hunt); the question for whom the school system was obligated to provide a free education (Strauss); the response that the Code of Virginia defined students of school age as children between the age of five (before September 30 of the school year) and 20 (by August 1 of the school year approaching), with exceptions for students identified as special education who were entitled to services through age 22, as were students identified as English for speakers of other languages (ESOL), and

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limited English proficient (LEP) students (Barnes); the question whether those eligible as ESOL students were those who came to the United States after the age of 12 or to the school system after the age of 12 (Strauss); the response that eligibility was for those who came to the United States after the age of 12 (Barnes); the question whether the amendment was intended to impact those students eligible for a free public education (Strauss); the response that the intent was not limited to those students; that any student who signed SR&R was entitled to the appeals process (Storck); the question whether only those students defined by the Code of Virginia signed SR&R (Strauss); the response that information on adult students at alternative high schools was not known (Barnes); that her support would only be for extending the appeal rights to students for whom the school system was responsible to provide a free public education (Strauss); that staff could provide appropriate language regarding adult students' right to appeal to the School Board beyond the cluster hearing officer (Dale); and that the amendment would be withdrawn if assurances were provided that the issue would be addressed (Storck).

Mr. Gibson moved, and Mr. Hunt seconded, to postpone the amendment indefinitely until there could be a discussion at a work session about the issue.

After some discussion regarding *Robert's Rules of Order*, and the deadline for printing SR&R, it was the Chairman's opinion that the motion to postpone the amendment indefinitely would have the effect of postponing both the main motion and the amendment.

The motion to postpone the amendment indefinitely until there could be a discussion at a work session about the issue, **failed unanimously.**

Mr. Gibson moved, and Mr. Center seconded, to postpone the action on Student Responsibilities and Rights until the May 11, 2006, regular Board meeting. The motion **passed 9-3-0** with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, and Mrs. Wilson voting "aye", and with Mr. Moon, Mrs. Smith, and Mrs. Strauss voting "nay".

Mr. Moon noted that the Board action on May 11 would return to action on the amendment.

4.03 Additional Appointments - Appoint individuals to serve on committees as listed in the agenda item (SB; Exhibit K)

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

4.04 Pending - Award of Contract (Action Date TBD) - Award the contract for the replacement of windows and lintels in the courtyard at Thomas Jefferson High

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School for Science and Technology 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 L)

There was no discussion of this item.

4.04 Confirmation of Action Taken in Closed Meeting

Mr. Storck moved, and Mr. Hunt seconded, to expel a student for threatening another student at school. The motion **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Niedzielski-Eichner abstaining; and with Mrs. Oleszek not present for the vote.

Mrs. Strauss moved, and Mrs. Wilson seconded, to expel a student for violation of a probationary school assignment. 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 not present for the vote.

Mrs. Smith moved, and Mrs. Belter seconded, to expel a student for possession of illegal drugs, drug paraphernalia, and a weapon at school. 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 not present for the vote.

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

Having served on a three-member committee chaired by Mr. Gibson, Mr. Moon moved, and Mr. Niedzielski-Eichner seconded, to expel a student for threatening another student with a weapon at school. The motion **passed unanimously**.

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

Having served on a three-member committee chaired by Mr. Gibson, Mr. Moon moved, and Mr. Niedzielski-Eichner seconded, to expel a student for assaulting another student and engaging in gang activity. The motion **passed unanimously**.

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

Having served on a three-member committee chaired by Mr. Gibson, Mr. Niedzielski-Eichner moved, and Mr. Moon seconded, to expel a student for distribution and consumption of alcohol at school. The motion **passed unanimously.**

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

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

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Strauss moved, and Mrs. Belter seconded, to expel a student for possessing and brandishing a weapon on school property. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Strauss moved, and Mrs. Belter seconded, to expel a student for possession of a weapon at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Strauss moved, and Mrs. Belter seconded, to expel a student for distribution of illegal drugs at school. The motion **passed unanimously.**

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

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Strauss moved, and Mrs. Belter seconded, to expel two students for assaulting other students on school property. The motion **passed unanimously.**

Mr. Hunt moved, and Mrs. Wilson 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.**

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5. CONSENT AGENDA - 10 P.M.

- 5.01 **Minutes** - Approve minutes of April 6, 2006, regular School Board meeting (SB; Exhibit M)
- 5.02 **Monthly Separation Report** - Confirm the separations for the period beginning March 1, 2006, and ending March 31, 2006 (HR; Exhibit N)
- 5.03 **Quarterly Separation Report** - Confirm the appointments and separations as indicated below for the period beginning January 1, 2006, and ending March 31, 2006 (HR; Exhibit O)
- 5.04 **Award of Contract** - Award the contract for the replacement of rooftop units at Chantilly High School to AMS Contractors, Inc., in the amount of \$214,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit P)
- 5.05 **Award of Contract** - Award the contract for the replacement of the automatic temperature control systems at Silverbrook and Sangster Elementary Schools to Boland Trane Services, Inc., in the amount of \$579,615, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit Q)
- 5.06 **Award of Contract** - Award the contract for the replacement of the automatic temperature control system at Haycock Elementary School to Invensys Pritchett, Inc., in the amount of \$243,850; and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit R)
- 5.07 **Award of Contract** - Award the contracts for the replacement of rooftop units to Edw. Kocharian & Co., Inc., in the amount of \$177,900 at Mountain View Center and in the amount of \$69,900 at Rolling Valley Elementary School; and to Adrian L. Merton, Inc., in the amount of \$143,333 at Franconia Elementary School; and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit S)
- 5.08 **Award of Contract(s)** - Award contracts for re-roofing projects (phases 1-06 through 4-06) to Interstate Corporation at Marshall High School in the amount of \$460,000; to Onrdorff & Spaid, Inc., at Clearview Elementary School in the amount of \$514,132 and at Greenbriar West Elementary School in the amount of \$553,896; and to Colbert Roofing Corporation at Louise Archer Elementary School in the amount of \$357,410; and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board (FTS; Exhibit T)

Chairman Moon stated that, without objection, the eight items on the consent agenda would be adopted. Hearing no objection, the consent agenda **was adopted.**

6. NEW BUSINESS

The following items were introduced for new business with no discussion:

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- 6.01 Family Life Education Recommendations** - Recommendation that the School Board approve the videotapes A Boy's Guide to Growing Up and A Girl's Guide to Growing Up for use in the 5th and 6th grade Modified Human Growth and Development Unit as recommended by the Family Life Education Curriculum Advisory Committee (IS; Exhibit U)
- 6.02 2006-2007 Annual Special Education Plan and Application of Federal Funds** - Recommendation to approve the 2006-2007 annual special education plan, Part B funding application, and Section 619 Preschool Grant Application, as detailed in the agenda item (SS; Exhibit V)
- 6.03 School Board Policy** - Recommendation to adopt School Board Policy 7211, Student Health and Wellness, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee (SS; Exhibit W)
- 6.04 School Board Policy** - Recommendation to adopt School Board Policy 1421, Retaining Consultants, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee (S; Exhibit X)
- 6.05 School Board Policy** - Recommendation to adopt School Board Policy 2202, Eligibility for Enrollment, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee (SS; Exhibit Y)
- 6.06 Award of Contract** - Recommendation to award the contract for replacement of the main gymnasium floor at Chantilly High School to the lowest responsive and responsible bidder and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the Board (FTS; Exhibit Z)

7. SUPERINTENDENT MATTERS

7.01 Superintendent Matters

Dr. Dale reported that the Department of Information Technology (IT) had won five Telly awards: "Building a Community of Learners," Tracey Jewell, producer; "I Heard That Listening to Classical Music," Tina Utz, designer; "Snapshot on Silverbrook Elementary School," Amy Boynton, producer; "Space Day 2005, Return to the Moon," Donnie Haller, producer; and "Space Station 411," produced jointly by Fairfax Network and NASA; and that IT has won a total of 43 Telly awards. He also announced that half of the Department of Special Services had moved into the new central office, completing another smooth move.

8. SCHOOL BOARD REPORTS

8.01 Committee Reports

There were no committee reports.

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8.02 Board Member Announcements

Daniel Storck, Mount Vernon District

Had attended the Fort Belvoir Advisory Committee meeting on April 20, 2006; the committee supported the BRAC process and consisted of Board of Supervisors members as well as some community representatives and representatives from the various military branches that were going to be relocating 21,000 employees at Fort Belvoir; that there would be a preliminary decision on the location for the three major groups of employees by June 30; that meeting in late June would provide possible demographic information including where the employees would be coming from and what impact that might have on housing, transportation, and students that might enter Fairfax County Public Schools.

Phillip Niedzielski-Eichner, Providence District

Congratulated Ulysses Cox, Cluster II director and Ken Gaudreault, Stone Middle School principal, and all the middle school principals for a successful middle school boys' conference last Saturday.

Brad Center, Lee District

Thanked the participants in the Lee District dialogue on April 3 and the Office Personnel Advisory Council for the opportunity to be their guest speaker last week.

Tessie Wilson, Braddock District

Reminded viewers that the second annual Special Education Conference would be held Saturday, April 29, 2006, at Marshall HS from 8:30 a.m. to 1:15 p.m. and was open to all parents and students, and encouraged all to attend.

Kaye Kory, Mason District

Congratulated Chris Heggeman, Volunteer of the Year in Education in Fairfax County for her contribution to Bailey's Elementary School and the after school program; acknowledged her hard work and ability to obtain grants to enrich that program; to the Bailey's community for having three Volunteers of the Year in a four-year period; and Susan Solomon, Stuart High School transcript secretary, Stuart's coordinator of the annual Princess for a Night project that collected prom dresses and accessories for those unable to afford expensive formal wear.

Mrs. Belter, Mr. Gibson, Mr. Hunt, Mr. Moon, Mrs. Oleszek, Mrs. Smith, and Mrs. Strauss had no comments.

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9. **CLOSED MEETING**

9.01 **Closed Meeting**

Mr. Gibson moved, and Mrs. Kory seconded, that the Board go into closed session to discuss and consider the employment and appointment of a specific public employee pursuant to Virginia Code Section 2.2-3711(A)(1). The motion passed unanimously.

9.02 **Certification of Closed Meeting Compliance (Exhibit AA)**

Mr. Gibson moved, and Mrs. Wilson seconded, that since the Fairfax County School Board convened a closed session meeting on April 27, 2006, 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 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 unanimously.

10. **ADJOURNMENT.**

9.01 **Adjournment**

The meeting was adjourned at 11:38 p.m.