

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 19

May 11, 2006

1. **CLOSED MEETING**

Chairman Ilryong Moon convened the Board in public session at 5:30 p.m. with a quorum of members present:

Catherine A. Belter (Springfield)	Phillip A. Niedzielski-Eichner (Providence)
Brad Center (Lee; dep. 11:30)	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)

Mr. Gibson moved, and Mr. Niedzielski-Eichner seconded, that the Board go into closed session: 1) to discuss, consider, and interview a prospective candidate for employment pursuant to Virginia Code Section 2.2-3711(A)(1); and 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 actual and 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/National Anthem – Hunters Woods Elementary School Chorus**

Chairman Moon convened the meeting at 7:05 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. 9:40).

Chairman Moon thanked the members of the Hunters Woods Elementary School Chorus, under the direction of Patrick Ware, for their performance of the National Anthem.

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 May 11, 2006, pursuant to an affirmative recorded vote and in accordance with the provisions of

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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.**

2.03 Announcements

Vice Chairman Center welcomed one member of Boy Scout Troop 1533, who was working on his Citizenship in the Community badge.

Chairman Moon announced that the Board would make a personnel appointment.

Mrs. Strauss moved, and Mrs. Belter seconded, to appoint Richard A. Moniuszko as Deputy Superintendent, effective May 25, 2006, and authorize the Chairman to execute a contract reflecting these actions. The motion **passed unanimously.**

Dr. Dale welcomed Dr. Moniuszko, who had a strong focus on instruction; experience in Charlotte-Mecklenburg, North Carolina and Columbia, South Carolina school districts; and successful experiences in strategic planning and working with diverse communities.

Dr. Moniuszko said he was pleased to join Fairfax County Public Schools, which was nationally known for innovations; and he thanked the Board for their support, and he introduced his family, who were in the audience.

2.04 Recognition of National Board Certified Teachers (Exhibit B)

Chairman Moon said that the success of FCPS was based on the commitment of teachers; and he recognized the teachers who had recently received National Board Certification; teachers who had their National Board Certification renewed; and the Apple Federal Credit Union and Impact II grant recipient teachers; and photographs were taken.

2.05 Recognition of National Adult and Continuing Education Week (Exhibit C)

Mr. Gibson recognized the adult and continuing education professionals in the audience and invited them to join the Board for photographs.

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3. PRESENTATIONS TO SCHOOL BOARD

3.01 Citizen Participation (Exhibit D)

No speakers signed up to address the Board in the time reserved for public comment.

3.02 **2004-2005 FCPS Strategic Targets** - Target 5, The achievement of all students taking the SAT in their senior year will increase. Target 6, The participation of black, Hispanic, and economically disadvantaged students in gifted and talented programs will increase (SB; Exhibit E)

Target 5, The achievement of all students taking the SAT in their senior year will increase.

Superintendent Dale introduced Peter Noonan, Assistant Superintendent of Cluster VII, who was the Target 5 sponsor. Mr. Noonan introduced the staff who would join in the presentation and discussion: Carol Keene, Director of Student Services, Fairfax High School; Janice Leslie, director, Office of High School Instruction; Rich Crowley, coordinator, Office of School Counseling Services; and Laura Robinson, coordinator, Office of Decision Support. He also recognized the hard work of Dr. Lillian Lowery, former assistant superintendent of Cluster VII and previous chair of the Target 5 team. Mr. Noonan introduced a video that highlighted the efforts undertaken by Lee High School toward the achievement of Target 5 and explained the overall data by way of a PowerPoint presentation. Mr. Noonan noted that the target had been to increase the number of students taking the Student Achievement Test (SAT); that the number of FCPS students taking the SAT had increased dramatically since 1999, while subgroups scores had declined slightly, and that while there were some very positive indications, the target was not achieved.

Discussion proceeded with the following: the rhetorical question, why the school system was spending \$100,000 a year to increase achievement on the SAT when it did not measure what the schools were teaching; that *The Washington Post* columnist Jay Matthews, had said College Board officials expected as much as a 5 point average decline in math and verbal scores on the new SAT; the question whether comparing the scores of students taking the SAT last year to this year would be useful since this year's test had added an essay writing component, was longer, and had changes in subject matter (Gibson); a negative response (Noonan); that the applicant scores for Georgetown had dropped by seven points this year, George Washington University's were down by 10 points, Howard University down 15 to 20 points, and the University of California, the largest user of the SAT, down 15 points; that he believed this was not the result of a drop in the quality of the applicant pool, but because highly selective universities were accepting fewer students with high SAT scores and more students taking Advanced Placement (AP) and International Baccalaureate (IB)

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tests and doing college articulation work; the question if a school saw an increase in the student achievement level in the applicant pool but a decrease in the SAT scores, which would be a more accurate reflection of the pool (Gibson); that there was no continuity between the student's grade point average (GPA) and the SAT score (Leslie); that this was because the program and GPA reflected a student's four-year record, and the SAT was a student's performance on a Saturday morning; the question whether average FCPS scores from the 2005-06 SAT administration could be expected to decrease (Gibson); an affirmative response (Leslie); the question whether that would be a reflection of the quality of the class of 2006 (Gibson); a negative response (Leslie); that 52 percent of the students from the South Lakes High School class of 2006 who applied for admission to the College of William and Mary were accepted, and 38 percent who applied to the University of Virginia were offered admission; that he was concerned that the SAT had very little to do with how well our students performed in high school (Gibson); that one of the positive points of using SAT scores was because it was the only national measure to compare ourselves against from year to year; that the dean of admissions at George Mason University (GMU) had contacted him to say that GMU would not require SATs next year because they found almost no predictability between grades and SAT scores (Crowley); that since the test only measured those students who chose to take the test, the question whether a more accurate measure would be if FCPS required all students to take the test (Gibson); an affirmative response (Crowley); the request for numbers of students who scored above the national average in all categories (Wilson); an affirmative response (Noonan); the request for information on how many students had participated in SAT prep classes, SAT tutoring students, and SAT prep summer camp and the associated costs for each year (Wilson); that perhaps the Board should reconsider this as one of its targets; that as long as students used the SAT as part of their effort to get into colleges and colleges wanted to see the scores, it was something the school system should track; the question how to make sense of the SAT scores over a trending period of five or six years, because not only had the test changed recently, it would continue to change (Center); that as the system moved through a major shift in the test, staff would have to reconsider how the data was to be used (Noonan); that this would have to be a baseline year for future tracking (Leslie); the College Board's current intent was to make future years statistically equivalent to this year's, so some comparisons could be made using the same group of students (Dale); the request for staff's opinion about not using SAT scores as a metric (Niedzielski-Eichner); that because the SAT had been changed substantively and there was some focus on making the out years usable for deriving significance of test scores, tracking the data would have some important use for national comparison, even if not as a specific target (Noonan); that he was comfortable moving in that direction; that at this point, he was comfortable using the SAT as a monitoring metric, expecting adjustments when necessary (Niedzielski-Eichner);

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Further questions and answers included the following: that at her children's high school, all ninth, tenth, and eleventh grade students took the PSAT, with the school system paying the fee for tenth grade students; the question what happened at other high schools (Smith); that all students took the PSAT, but other than tenth grade, only the students whose parents paid for the score report received the results; that the experience of taking the test was helpful (Leslie); the request for clarification whether all schools administered the PSAT to all students ninth through eleventh grades (Smith); that it was a school decision (Leslie); that some schools had chosen to use local funds to pay for ninth graders to take the test, and the county paid for tenth graders, so only eleventh grade was not paid for (Crowley); that one of the target team's recommendations would be that all ninth, tenth, and eleventh graders took the test and that the schools got the scores back (Noonan); that there was value in students taking the PSAT three years in a row; that the report noted SAT scores for seniors, but some students only took the test in the eleventh grade; that this target encouraged all students to take the SAT and to consider college; that while she understood Mr. Gibson's perspective, this target gave students the opportunity to prepare that was cost effective (Smith); that she was pleased that the overall trend line—with AP, IB, and SOL scores—was improving; the question for any insight into what needed to be done to assist the Hispanic and black students improve their scores (Strauss); the response that time spent on supporting SAT skills, encouraging ninth graders to take the PSAT and encouraging students who were underrepresented to take AP and IB courses (Noonan); that this target was a classic example of mixing up the target and the measure, because the SAT scores were measures; that students must be able to read, do basic math, and have critical thinking skills; that through the strategic planning process there would be a clear distinction between the goals, how to achieve the goals, and how to measure the achievement; that there was still a need for programs to prepare students to be competitive for college admissions; that the SAT scores should still be considered as a measure, but perhaps a minor measure (Hunt); that she thought the system should track SAT scores in order to compare current performance to past performance and to national averages, that this discussion did focus on the importance of guidance counselors, the question how studying the writing component of the SAT would change current practice (Kory); that it would emphasize to students the kind of writing they would be required to do on the SAT (Leslie); that he and Mr. Gibson always disagreed on this discussion; that as a parent of a student who had just gone through the college application process, he knew how important the role of the SAT played in the process, and the school system could not afford to neglect it, and expressed appreciation for staff's efforts (Moon).

Target 6: The participation of black, Hispanic, and economically disadvantaged students in gifted and talented (GT) programs will increase.

Dr. Dale introduced Audra Sydnor, assistant superintendent of Cluster I and chair of the Target 6 team. Ms. Sydnor introduced the cadre of educators on the target

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team: Marty Smith, principal, Franklin Sherman Elementary School; Ann Yuman, middle school gifted and talented specialist; Carol Horn, Gifted and Talented (GT) program coordinator; Michelle Serrafin, evaluation specialist, Office of Program Evaluation; and Lavinia Dickerson, coordinator, Office of Minority Student Achievement; and she also recognized the efforts of former assistant superintendents Denny Dearden and Joan Wilcox who had previously led the target team. Ms. Sydnor noted that the school system and community were serious about increasing the participation of students in the target subgroups in gifted and talented programs; that according to the State definition of gifted and talented programs and for the purposes of this target, the following programs were included: elementary and middle school center-based programs; middle school honor students; school-based GT services; high school International Baccalaureate (IB), Advanced Placement (AP), and Honors courses; as well as differentiated services such as the K-12 Young Scholars (YS) program. A video highlighting efforts toward the achievement of the target was shown and the target data was presented.

Board discussion included the following: the request for data about what part of the increase in gifted and talented programs participation was attributable to elementary and middle school GT center participation versus the increase in number of students taking AP and IB courses in high school (Gibson); an affirmative response (Serrafin); the question whether Target 3, "The participation and performance of juniors and seniors in Advanced Placement and International Baccalaureate courses will increase" and Target 6 were measuring the same things (Gibson); an affirmative response (Sydnor); the request for further breakdown of increases in participation by level, and honors versus AP and IB (Hunt); the question whether there was a national norm for participation in GT programs (Niedzielski-Eichner); the response that the national norm for GT participation was between 6 and 10 percent, but GT education was experiencing some changes, that the effort was to label services instead of students which gave access to more children; that the numbers actually reflected services, since at the high school level the numbers were for AP, IB, and honors courses—as opposed to just labeling certain children as GT, which would equal about 6 percent nationally (Horn); that the last bullet under planned actions recommended changing the measure to address closing the achievement gap; the question whether staff members thought that GT services should not be tracked (Niedzielski-Eichner); that since closing the gap had been a major focus for a number of years, staff thought the measure should include more than just participation (Sydnor); that the strength of this measure was encouraging the early identification of children; that the measures related to closing the gap needed to be improved, but he would be concerned about losing the focus on identifying students for GT services (Niedzielski-Eichner); the question what the term 'advanced courses' meant (Wilson); the response that the definition included all students in GT center or school-based programs and differentiated services; that the state definition included IB, AP, and honors at the high school level (Serrafin); that she agreed that participation was one measure, but she was

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concerned with how successful students were; that the only available measure for success at the elementary level was third, fourth, fifth, and sixth grade Standards of Learning (SOL) tests; the question whether there would be a measure of these students' success in GT programs (Wilson); the response that the basic measures were the SOL and DRA; that the Young Scholars (YS) students in GT centers performed very well on the SOLs; that third graders who had been in the YS program for three years performed higher on SOLs than third graders who had been in YS for one or two years; that the early preparation was making a difference on SOLs (Horn); the question whether the DRA was used in the early elementary years (Wilson); an affirmative response (Horn); the question how long the YS program had been in existence (Wilson); the response that the program had begun in 2000 at Mount Eagle Elementary (Horn); and the request for any available data showing the success of YS students with SOLS (Wilson); an affirmative response (Horn).

Board comments and questions continued as follows: that he was pleased to see that the system's efforts were being rewarded and how far they had come, the question whether students or parents were involved in the identification of students with potential for the YS program (Storck); the response that the identification came primarily from school-based administrators or teachers, with a combination that included parents; that the schools usually initiated the identification process (Sydnor); the question whether increasing the number of students participating in more academically enriched programs was an important part of the continued development of the GT program (Storck); that there was an increase in the number of school-based GT programs as opposed to center-based programs, which showed a trend of parents wanting to remain in their neighborhood school and the differentiated instruction provided at the local school (Dale); the question whether there was any correlation between school-based and YS programs versus center-based and YS programs (Storck); the response that it was a question of whether they were getting an appropriate level of challenge in the curriculum; that YS students in school-based GT programs were receiving the same level of challenge and were highly successful and would be well-prepared over time for high school honors, AP, and IB courses (Horn); the question whether there was specific criteria for the Quest program (Storck); that the one non-negotiable requirement for participation in the program was that the student must score 450 or above on both the English and math fifth grade SOLs; then they also had to meet three out of the other criteria: B average or above in all grade 5 core content areas, B average or above in all grade 6 core content areas, non-center based GT students, first in family to attend college, member of underrepresented subgroup, or low income student (Dickerson); the question how much weight was given to the school's referral (Storck); the response that it was an important part, as well as teacher recommendations; that students also wrote essays and there was a screening committee, made up of principals, counselors, and educational specialists, that reviewed nominations and applications (Dickerson); the question how many students were currently in the program (Storck); that there were currently 250 students in the program; that

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this year there had been over 600 applications, with room to admit only 120 students and there was a long waiting list (Dickerson).

Further discussion included the following: the question what percentage of the entire student body were receiving services according to the state's definition of GT programs (Strauss); the response that last year there were 52,000 students K-12 identified for services (Serrafin); the question what the Board could do to enable the system's continued success (Oleszek); that staff wanted to continue working with teachers to make sure that they were addressing academic diversity and being culturally responsive in teaching; that it was important to keep high expectations at the forefront, as well as monitoring students and getting parents to continue partnering with the school (Sydnor); the question whether there was some scheduled expansion of the YS program (Oleszek); the response that there were two additional teaching positions for YS in the proposed FY 2007 budget (Dale); the question what could be done to remedy the Quest waiting list situation (Oleszek); that the students on the waiting list could have been admitted to the program; but that there was insufficient funding to enroll more than 250 students per year; that staffing would have to be increased to accommodate all of the students on the waiting list (Dickerson); the question how many were on the waiting list (Oleszek); that out of 600 students in the Quest applicant pool, approximately 130 students were on the waiting list (Dickerson); the question how much the program cost per student (Oleszek); the response that it cost approximately \$485 per student per year (Dickerson); that based on Board member comments about the importance of minority student achievement, they may want to reconsider how to measure, and consider moving those measures back together; that he saw future movement toward serving more GT students in their home schools (Center); that she also supported site-based GT programs at the elementary level; that it was important to understand the effect of changing demographics on the enrollment numbers (Kory); the question whether the system had gone past the threshold of focusing on elementary GT centers in favor of elementary school-based GT (Niedzielski-Eichner); a negative response; that there was no proposal to end GT centers, but there was an increasing number of students and parents who wanted access to GT/enrichment programs, and staff was responding by creating other opportunities (Dale); the question whether programming was being expanded as opposed to transitioned (Niedzielski-Eichner); an affirmative response (Dale); that he would appreciate a more explicit discussion in the future regarding what type of transition was being made in GT services at the elementary level; that he was not sure there had been policy guidance from the Board for the direction in which GT elementary programs were moving (Niedzielski-Eichner); that as more elementary schools moved to school-based GT programs, she thought there needed to be a diversity of programs offered—some students needed the critical mass of a center program, while others some were fine with school-based centers; and she was concerned that the trend was taking off without Board members being aware of it (Smith).

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4. ACTION ITEMS

- 4.01 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 F)

Mr. Moon noted that at the April 27 meeting, Mr. Gibson had made the main motion; that Mr. Storck had proposed an amendment and subsequently, Mr. Gibson had moved to postpone the amendment indefinitely, which did not pass; that Mr. Gibson had then moved to postpone the amendment until May 11 to give the Board an opportunity to discuss the issue in a work session, and as a result, the Board was returning to the discussion of the proposed amendment.

Mr. Storck moved, and Mrs. Oleszek seconded, to amend the amendment to Chapter 1, Section H, the Rights of Adult Students and Their Parents, by modifying only the last two sentences of the third paragraph to read "... The cluster hearing officer's decision shall be in writing. If an appeal is made by the adult student to the School Board, the School Board may decide the appeal by reviewing the written record or may elect to hold an additional hearing."

Mr. Storck said there had been a great deal of discussion on the issue over the last two weeks; that he wanted to have a standard appeal process for all students who signed the Student Responsibilities and Rights (SR&R).

Discussion proceeded as follows: the question that if an appeal went to a three-member School Board hearing committee what would the three-member committee do, that he thought staff and the appealing student needed to know if it was going to be a hearing on the written record or a full hearing (Gibson); the response that it should be up to the committee to decide whether to have a full hearing or base a decision on the written record; that his intent was to keep it simple and consistent with the current process (Storck); that currently committees heard cases, either based on a full hearing or based on a decision whether to accept a letter of agreement; that there was no process for a hearing committee to decide whether to have a hearing; that, for example, appeals of denial of placement requests were decided on the written record, which did not allow the Board to discuss the case to determine whether there should be a full hearing and then notify the appellant; that the amendment would create an incredible amount of uncertainty; that he thought it should either be on the written record or by hearing, otherwise an extra step was being created in the process (Gibson); that one committee had recently reviewed a letter of agreement and had decided to hold a hearing instead of approving the written agreement; the question whether that would be comparable (Niedzielski-Eichner); a negative response; that a written agreement, by its terms, was contingent on approval by

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committee, and was an agreement by the student to accept an expulsion with certain terms and conditions contingent on approval by the School Board hearing committee; that a hearing on the written record was when the school system and student were in disagreement, but rather than presenting the case at a full hearing, the positions were presented in writing and the Board made a decision on the basis of the written record (Gibson).

The amendment to the amendment [in the form of a substitute] to amend Chapter 1, Section H, the Rights of Adult Students and Their Parents, by modifying only the last two sentences of the third paragraph to read "... The cluster hearing officer's decision shall be in writing. If an appeal is made by the adult student to the School Board, the School Board may decide the appeal by reviewing the written record or may elect to hold an additional hearing", passed 7-5, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Moon, Mrs. Oleszek, and Mr. Storck voting "aye"; and with Mr. Gibson, Mr. Niedzielski-Eichner, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "nay".

Mr. Niedzielski-Eichner moved, and Mr. Gibson seconded, to amend the amendment by striking "or may elect to hold an additional hearing," limiting the Board's appeal to the written record. The amendment failed 5-7, with Mr. Gibson, Mr. Niedzielski-Eichner, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Moon, Mrs. Oleszek, and Mr. Storck voting "nay".

Further discussion on the amendment as amended: Mr. Gibson stated that he appreciated the opportunity to have addressed this subject at a work session on May 8; that this part of SR&R related to students who were not legally entitled to have an education in FCPS—not special education students or English for Speakers of Other Languages (ESOL) students age 20 or younger; and students who committed an offense where an expulsion was required under state law, such as bringing drugs or a firearm to school, or participating in a mob assault; that this year there had been no such students expelled, but that over the past two years, six such students had been expelled for these reasons; and that no one could remember any case in the history of the system where the School Board had not expelled because it decided the student had not committed the offense, or that the student had been discriminated against; that expulsion was mandatory under state law for a student who brought drugs to school, unless the School Board found that there were special circumstances that would counsel against expulsion; that a student who was not required to be in school and was not entitled as a matter of law to a public education in the Commonwealth would have a difficult time showing special circumstances why it was permissible to continue in school even if they had brought drugs or a gun to school; that the Board needed to protect the health and safety of everyone who came to school—the people who worked in our schools, parents who volunteered in schools, business partners, and most of all our students; that when a 20-year-old student brought a gun to school, he did not think that due process required that the

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School Board personally expel a student who would have displayed, by his or her conduct, that he or she forfeited the right to an education which they did not have a right to in the first place; that due process was satisfied by one appeal to the cluster hearing officer, and he trusted the cluster hearing officers and assistant superintendents to make decisions to keep students safe. Mr. Storck noted his disagreement with Mr. Gibson's remarks.

The motion to amend Chapter 1, Section H, the Rights of Adult Students and Their Parents, by modifying only the last two sentences of the third paragraph to read "... The cluster hearing officer's decision shall be in writing. If an appeal is made by the adult student to the School Board, the School Board may decide the appeal by reviewing the written record or may elect to hold an additional hearing" passed 8-4, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, and Mr. Storck voting "aye"; and with Mr. Gibson, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "nay".

The motion that the School Board approve proposed modifications to the student code of conduct and related procedures included in Regulation 2601.19P, Student Responsibilities and Rights, as reviewed and discussed by the Instruction, Special Services, and Youth Development Committee, as amended, passed unanimously.

4.02 School Board Policy – Adopt Policy 2202, Enrollment for Eligibility, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee (SS; Exhibit G)

Mr. Gibson moved, and Mrs. Wilson seconded, that the School Board adopt Policy 2202, Eligibility for Enrollment, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee.

Mrs. Wilson stated that she wanted to ensure that everyone was clear about what they were voting on; that the policy stated that an employee of FCPS who did not live in Fairfax County may apply to have his or her child attend a Fairfax County school as a tuition-paying student; that this option did not apply to everyone who lived outside of Fairfax County. Questions and comments included the following: the question within what timeframe a policy could not be revisited after adoption (Oleszek); that there was no restriction on when a policy could be revisited (Gibson); that the Board had indicated that about a year's time should elapse, to gather a year's worth of experience, before the policy was revisited; that future discussion could address the potential for granting this privilege to other county employees (Niedzielski-Eichner).

The motion to adopt Policy 2202, Eligibility for Enrollment, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee, passed 11-1 with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr.

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Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek voting "nay".

- 4.03 Additional Appointments** – Appoint individuals to serve on various committees as detailed in the agenda item (Exhibit H)

There were no additional appointments.

- 4.04 Authorization of Signatures in Absence of Division Superintendent** – Authorize Richard A. Moniuszko, Deputy Superintendent, and Deirdra McLaughlin, Chief Financial Officer, to execute official documents relating to state, federal, and impact aid requiring the Division Superintendent's signature beginning July 1, 2006, through June 30, 2007 (SB; Exhibit I)

Mr. Center moved, and Mr. Niedzielski-Eichner seconded, to authorize Richard A. Moniuszko, Deputy Superintendent, and Deirdra McLaughlin, Chief Financial Officer, to execute official documents relating to state, federal, and impact aid requiring the Division Superintendent's signature beginning July 1, 2006, through June 30, 2007. The motion **passed unanimously.**

- 4.05 Confirmation of Action Taken in Closed Meeting**

Mr. Niedzielski-Eichner moved, and Mrs. Strauss seconded, to expel a student for gang activity and possession of weapons and illegal drugs at school. The motion **passed unanimously.**

Mr. Gibson moved, and Mrs. Wilson seconded, to expel a student for possession and distribution of illegal drugs at school. The motion **passed 11-0-1**; with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Strauss abstaining.

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Belter moved, and Mrs. Strauss seconded, to expel a student for participation in a mob assault on another student on school property. The motion **passed unanimously.**

Having served on a three member committee chaired by Mr. Storck, Mr. Center moved, and Mr. Hunt seconded, to expel a student for possession and distribution of illegal drugs at school. The motion **passed unanimously.**

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

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Having served on a three-member committee chaired by Mr. Storck, Mr. Center moved, and Mr. Hunt seconded, to expel a student for assaulting another student at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Storck, Mr. Hunt moved, and Mr. Center seconded, to expel a student for sexually harassing other students at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Storck, Mr. Hunt moved, and Mr. Center seconded, to expel a student for possession with intent to distribute illegal drugs at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Storck, Mr. Hunt moved, and Mr. Center seconded, to expel two students for possession of a weapon and vandalism of school staff property at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Wilson, Mrs. Smith moved, and Mrs. Kory seconded, to expel a student for possession of illegal drugs at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Wilson, Mrs. Smith moved, and Mrs. Kory seconded, to expel a student for sexually harassing a student at school. The motion **passed unanimously.**

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

Having served on a three-member committee chaired by Mrs. Wilson, Mrs. Kory moved, and Mrs. Smith seconded, to expel a student for theft of student property and ongoing gang-like behaviors at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Wilson, Mrs. Kory moved, and Mrs. Smith seconded, to expel a student for possessing and discharging a weapon at school. The motion **passed unanimously.**

5. **CONSENT AGENDA**

- 5.01 **Minutes** – Adopt the minutes of the April 27, 2006, regular School Board meeting (SB; Exhibit K)
- 5.02 **2006-2007 Annual Special Education Plan and Application of Federal Funds** - 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 L)

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- 5.03 **School Board Policy** - Adopt Policy 1421, Retaining Consultants, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee (S; Exhibit M)
- 5.04 **School Board Policy** - Adopt Policy 7211, Student Health and Wellness, as reviewed and discussed by the Legislation, Policy, and Future Issues Committee (SS; Exhibit N)
- 5.05 **Award of Contract** - Award the contract for the replacement of the main gymnasium floor at Chantilly High School to Warthan Associates, Inc., in the amount of \$275,541, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit O)
- 5.06 **Family Life Education Recommendations** - 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 P)

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

6. **NEW BUSINESS**

- 6.01 **FY 2007 Approved Budget** - Recommendation to adopt the FY 2007 Approved Budget, as detailed in the agenda item (FS; Exhibit Q)

Deirdra McLaughlin, Chief Financial Officer, reviewed the agenda item and noted that staff had made changes to the school system budget based on the actions of the Board of Supervisors (BOS) when they had adopted the County budget on May 1; that the County transfer request had been reduced by \$32 million; that \$5 million from FY 2006 year-end would be added to the beginning balance for FY 2007, and a revenue reduction would be made to IDEIA based on current estimates; that savings had been recognized in several areas, including membership growth \$2.6 million and utilities \$3 million; that when the County had adopted their budget, the BOS had agreed to give FCPS \$8 million and the agenda item reflected reductions to the budget equal to \$8 million for one-time costs, with the funds to be received from the County at the end of the year; that there were budget reductions to tiers three and four which would fund beginning teacher salary enhancements and the Teacher Leadership Program, in addition to the planned three percent cost of living adjustment for all employees.

Comments and questions included the following: that the Board had recently learned that the pipeline of students who would be passing through the expulsion process was increasing, but that he was concerned about the operational cost of this increase and whether the system was sufficiently funded to handle the increase; that he anticipated wanting to make a proposal to increase funding for alternative high schools (Niedzielski-Eichner); that temporary staffing increases

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had been made to accommodate the situation; that it was a challenge to predict whether this was an anomaly or whether it would be a trend over time (Dale); the question whether alternative high schools were staffed using the same formula as regular high schools (Niedzielski-Eichner); a negative response; that the alternative high schools formula was based on the student population being served (Dale); the question whether that was true of equipment requirements; (Niedzielski-Eichner); that staff had developed a comprehensive model for the alternative sites and the discussions would continue (Dale) the request for clarification on whether expansion was planned for the Young Scholars program (Oleszek); an affirmative response; that two teachers were included in this budget (McLaughlin).

Mr. Moon noted that the School Board had scheduled a public hearing on the budget on May 17 at 7 p.m. at Jackson Middle School.

- 6.02 Legislative Recommendations for 2007** - Recommendation to approve the legislative recommendations for 2007 for presentation to the Virginia School Boards Association (VSBA) Legislative, Policies, and Resolutions Committee, as reviewed and discussed by the Legislation Committee (S; Exhibit R)

There was no discussion of this item.

- 6.03 Award of Annual Contracts** - Recommendation to award annual contracts for time and materials rates for facilities modifications to the lowest responsive and responsible bidders and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the Board (FTS; Exhibit S)

Discussion proceeded as follows: the request for an explanation of the issue (Kory); the response that periodically the school system had requirements for small construction jobs that required the ability to move with some speed; that when the dollar value of the job did not warrant a separate bid, this contract allowed staff to go to contractors who had a set labor price and a set parts mark-up cost in order to get jobs done quickly at competitive rates (Dean Tistadt, Chief Operating Officer); the question whether this was the first time such a contract had been approved by the Board (Kory); the response that a similar contract had been awarded last year for the first time; that historically the dollar value of individual jobs awarded to individual contractors did not exceed the \$250,000 limit approved by the School Board, however, the sum total of the jobs performed under these conditions might exceed the limit (Tistadt); the question what the sum total had been last year (Kory); the response approximately \$230,000 (Tistadt); and that she would e-mail any additional questions to Mr. Tistadt (Kory).

- 6.04 2006-2011 Local Plan for the Gifted** - Recommendation to approve the 2006-2011 Local Plan for the Education of the Gifted (IS; Exhibit T)

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There was no discussion of this item.

7. **SUPERINTENDENT MATTERS**

7.01 **Superintendent Matters**

There were no Superintendent Matters presented.

8. **SCHOOL BOARD REPORTS**

8.01 **Committee Reports (Exhibit U)**

Instruction, Special Services, and Youth Development, May 8; Kathy Smith, Chairman

Instructional and Assessment Coaching; Comprehensive Five-Year Plan for Alternative Schools; Student Responsibilities and Rights (review of proposed amendment).

Legislation, Policy, and Future Issues, May 8; Stuart Gibson, Chairman

2006 VSBA Legislative Recommendations; Policy 8130, Local School Boundaries.

Facilities and Operations, May 8; Phillip Niedzielski-Eichner, Chairman

Scope of Boundary Study for South County Secondary School.

8.02 **Board Member Announcements**

Chairman Moon stated that because of the lateness of the hour, he would like to postpone Board announcements until the next meeting if there was no objection from any Board member. Mr. Gibson objected, noting that he was disappointed to not be able to talk about the great things happening at South Lakes High School, about Kyle Brightwell who was featured in a recent newspaper article as possibly one of the most talented percussionists in the country, or about the recent sixth grade choral festival.

9. **ADJOURNMENT**

9.01 The meeting was adjourned at 11:45 p.m.