

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 4

September 19, 2006

1. **MEETING OPENING**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

<http://www.boarddocs.com/vsba/Fairfax/Board.nsf/Public?OpenFrameSet>

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

Chairman Moon convened the meeting at 8:10 p.m. with the following Board members present.

Catherine A. Belter (Springfield)	Phillip A. Niedzielski-Eichner (Providence)
Brad Center (Lee)	Janet S. Oleszek (At Large)
Stuart D. Gibson (Hunter Mill; dep. 10:45)	Kathy L. Smith (Sully; arr. 8:53)
Stephen M. Hunt (At Large)	Daniel G. Storck (Mt. Vernon)
Kaye Kory (Mason; arr. 8:17)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Also present were Division Superintendent Jack D. Dale; Deputy Superintendent Richard Moniuszko; Executive Assistant and Clerk of the Board Pamela Goddard; Deputy Clerk Linda Sabo; and certain other members of staff. Student Representative to the School Board Jessica Miller was absent.

1.02 **Announcements (Exhibit A)**

Vice Chairman Brad Center announced that Mrs. Smith was at her child's Back – to-School night and would arrive later; that Student Representative Jessica Miller was playing in a field hockey game this evening, and Mrs. Kory had been detained. He also recognized the week of October 8 through 14 as Fire Prevention Week and October as Head Start Awareness Month.

1.03 **Resolution Naming the Fine Arts Library at the Instructional Support Center (Exhibit B)**

Mrs. Wilson read a resolution naming the Fine Arts Library at the Instructional Support Center "The Farris Fine Arts Library."

Mrs. Wilson moved, and Mrs. Oleszek seconded, that the Board adopt the resolution naming the Fine Arts Library at the Instructional Support Center. The motion passed unanimously.

Mrs. Wilson invited Mr. and Mrs. Farris and their family and friends to join the Board for photographs.

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2. **PRESENTATIONS TO SCHOOL BOARD**

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2.01 Spotlight on Learning – Child Care Readiness Initiative – Office of Early Childhood and Family Services (Exhibit C)

2.02 Citizen Participation (Exhibit D)

One speaker addressed the Board in the time reserved for public comment.

2.03 Standards of Learning and Annual Yearly Progress Update (Exhibit E)

Assistant Superintendent for Accountability Patrick Murphy presented the Annual Yearly Progress (AYP) update and Assistant Superintendent for Cluster V Betsy Fenske presented the Standards of Learning (SOL) update. Dr. Murphy commented that Fairfax County Public Schools (FCPS) had performed very well on average on the SOL tests; that a majority of elementary and high schools had met AYP and the school system would focus on reading and math in certain subgroups at the middle school level.

Comments by Board members included: request for number of students who did not graduate last year due to a lack of verified credits; pleased to see the reduction of the minority student achievement gap at so many levels and request for data analysis to include the impact of modified calendar schools and results achieved due to the new instructional coach program; the Federal government had denied FCPS' request to participate in the state's pilot that would permit Title I schools in the first year of sanction to provide tutoring services instead of choice, although FCPS would reapply for the waiver; the school system should not be categorized as failing when non-English speaking students who recently came to this country did not pass an English test, but instead should be assessed on how well Limited English Proficient (LEP) students become proficient in English.

3. **ACTION ITEMS**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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3.01 Award of Contract – Award contracts for the Woodson High School renovation/addition to the following firms in the indicated amounts and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board (FTS; Exhibit F)

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Mrs. Wilson moved, and Mr. Niedzielski-Eichner seconded, to award contracts for the Woodson High School renovation/addition to the following firms in the indicated amounts and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board: Site Work, GDC Contractors, Inc., \$1,496,593; Paving/C&G/Tennis Court, Finley Asphalt & Sealing, \$1,332,279; Chain Link Fence & Gates, Long Fence, Inc., \$113,000; Steel, Champion Ironworks, Inc., \$2,747,500; Masonry, Masonry, Incorporated, \$4,876,300; Demolition, Selective Demolition & Hauling, \$1,385,000; Roofing, Orndorff & Spaid, Inc., \$1,201,416; Electrical, Heller Electric Company, Inc., \$9,990,000; Mechanical, Shapiro & Duncan, Inc., \$19,565,000; Sprinkler, Reliance Fire Protection, Inc., \$1,398,000; Windows & Doors, Engineered Construction Products, \$1,857,700; and Casework, Paragon Casework, \$1,190,000.

Chief Operating Officer Dean Tistadt commented that this was a unique situation for FCPS; that the initial bid had been \$40 million over budget and the decision had been made that the school system would act as the general contractor.

Mr. Gibson noted that the agenda item explanation indicated that Facilities and Transportation Services might need to hire up to five additional positions to be funded by this project and that this information should be included in the motion.

Mr. Gibson moved, and Mr. Center seconded, to amend the motion with additional language: to authorize the Superintendent, through Facilities and Transportation Services, to hire up to five additional positions to be funded by this project should it be determined that hiring such positions would be in the best interest of the School Board. The amendment **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Smith, and Mrs. Wilson voting "aye"; and with Mrs. Strauss not present for the vote.

Mr. Moon then called for the vote on the main motion, as amended:

Mrs. Wilson moved, and Mr. Niedzielski-Eichner seconded, to award contracts for the Woodson High School renovation/addition to the following firms in the indicated amounts and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board: Site Work, GDC Contractors, Inc., \$1,496,593; Paving/C&G/Tennis Court, Finley Asphalt & Sealing, \$1,332,279; Chain Link Fence & Gates, Long Fence, Inc., \$113,000; Steel, Champion Ironworks, Inc., \$2,747,500; Masonry, Masonry, Incorporated, \$4,876,300; Demolition, Selective Demolition & Hauling, \$1,385,000; Roofing, Orndorff & Spaid, Inc., \$1,201,416; Electrical, Heller Electric Company, Inc., \$9,990,000; Mechanical, Shapiro & Duncan, Inc., \$19,565,000; Sprinkler, Reliance Fire Protection, Inc., \$1,398,000; Window 7 Doors, Engineered Construction Products, \$1,857,700; and Casework, Paragon Casework, \$1,190,000; and to authorize the Superintendent, through Facilities and

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Transportation Services, to hire up to five additional positions to be funded by this project should it be determined that hiring such positions would be in the best interest of the School Board passed 11-0, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Smith, and Mrs. Wilson voting "aye"; and with Mrs. Strauss not present for the vote.

- 3.02 Woodson High School Renovation Project** - Authorize the Division Superintendent, or his designee, to procure and contract in accordance with the Virginia Public Procurement Act (including the issuance and execution of all necessary and appropriate documents including, without limitation, contracts and contract change orders) on behalf of the School Board for the purchase of construction, goods and services specifically related to the W.T. Woodson High School renovation project, provided each such individual purchase transaction does not exceed \$1,000,000.00 and does not, when aggregated with all prior purchase transactions, exceed the total funds budgeted by the School Board for this Project (FTS; Exhibit G)

Mrs. Wilson moved, and Mr. Niedzielski-Eichner seconded, to authorize the Division Superintendent, or his designee, to procure and contract in accordance with the Virginia Public Procurement Act (including the issuance and execution of all necessary and appropriate documents including, without limitation, contracts and contract change orders) on behalf of the School Board for the purchase of construction, goods and services specifically related to the W.T. Woodson High School renovation project, provided each such individual purchase transaction does not exceed \$1,000,000.00 and does not, when aggregated with all prior purchase transactions, exceed the total funds budgeted by the School Board for this Project to authorize the Division Superintendent, or his designee, to procure and contract in accordance with the Virginia Public Procurement Act, as listed in the agenda item.

Mr. Tistadt commented that this agenda item was the first 12 packages of 30 packages and comprised 80 percent of the total Woodson renovation budget; that the increase in authority would only apply to the Woodson renovation project and FTS would report to the Board and provide documentation as awards were made.

The motion to authorize the Division Superintendent, or his designee, to procure and contract in accordance with the Virginia Public Procurement Act (including the issuance and execution of all necessary and appropriate documents including, without limitation, contracts and contract change orders) on behalf of the School Board for the purchase of construction, goods and services specifically related to the W.T. Woodson High School renovation project, provided each such individual purchase transaction does not exceed \$1,000,000.00 and does not, when aggregated with all prior purchase transactions, exceed the total funds budgeted by the School Board for this

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Project to authorize the Division Superintendent, or his designee, to procure and contract in accordance with the Virginia Public Procurement Act, as listed in the agenda item, **passed unanimously.**

- 3.03 Citizen Task Force for Enrollment Projection Analysis** - Appoint individuals to serve on the Citizen Task Force for Enrollment Projection Analysis, as listed in the agenda item (SB; Exhibit H)

Mrs. Kory moved, and Mr. Gibson seconded, to appoint individuals to serve on the Citizen Task Force for Enrollment Projection Analysis, as listed in the agenda item.

Comments included: the point of the analysis was to improve the accuracy of enrollment projections; the Task Force would work with the consultant, assess the report, and provide feedback to the Board for consideration; the consultant's final report was scheduled to be presented to the Board in October.

The motion to appoint individuals to serve on the Citizen Task Force for Enrollment Projection Analysis, as listed in the agenda item, **passed unanimously.**

- 3.04 Challenged Materials Interdepartmental Review Committee** - Six School Board Members appoint individuals to serve on the Challenged Materials Interdepartmental Review Committee, as listed in the agenda item (IS; Exhibit I)

Mrs. Oleszek moved, and Mrs. Kory seconded, to appoint individuals to serve on the Challenged Materials Interdepartmental Review Committee as listed in the agenda item. The motion **passed unanimously.**

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

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

Mrs. Oleszek requested to include the appointment of Ernestine Heastie to the Minority Student Achievement Oversight Committee.

The motion as amended, to appoint individuals to serve on committees as listed in the agenda item, **passed unanimously.**

4. **CONSENT AGENDA**

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- 4.01 **Minutes** - Approve the minutes of September 7, 2006, regular School Board meeting (SB; Exhibit K)
- 4.02 **Monthly Separation Report** - Confirm the separations as indicated below for the period beginning July 1, 2006, and ending July 31, 2006, and for the period beginning August 1, 2006, and ending August 31, 2006 (HR; Exhibit L)
- 4.03 **Award of Contract** - Award the contract for the replacement of chillers at Cameron and Garfield Elementary Schools to the lowest bidder, AMS Contractors, Inc., in the amount of \$228,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit M)
- 4.04 **Award of Annual Contract** - Award annual contracts for time and materials rates for facilities modifications and construction services to responsive and responsible bidders and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board (FTS; Exhibit N)

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

5. **NEW BUSINESS**

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- 5.01 **Award of Contracts** - Recommendation that the School Board award multi-prime/owner-paid material contracts for the renovation/addition at Woodson High School to the lowest responsive and responsible bidders and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board (FTS; Exhibit O)

There was no discussion of this item.

6. **SUPERINTENDENT MATTERS**

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7. **REPORTS AND BOARD MATTERS (Exhibit P)**

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Facilities and Operations; September 11; Kaye Kory, Chairman

Preliminary consultant's reports on transportation consultant and enrollment projection.

Legislation, Policy, and Future Issues; September 11; Dan Storck, Chairman

Draft 2007 legislation program; legislative update.

Strategic Governance; September 11; Brad Center, Chairman

Update from the subcommittee.

Forum on Board Matters; September 11; Ilryong Moon, Chairman

Charges for three School Board advisory committees; and how to respond to reports from advisory committees.

8. CLOSED MEETING

8.01 Closed Meeting

Mr. Center moved, and Mr. Niedzielski-Eichner seconded, that the Board go into closed session to: 1) discuss disciplinary matters concerning students pursuant to Virginia Code Section 2.2 3711(A)(2); and 2) to consult with legal counsel regarding actual and probable litigation pursuant to Virginia code Section 2.2-3711(A)(7). The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Gibson not present for the vote.

8.02 Certification of Closed Meeting Compliance (Exhibit Q)

Mr. Niedzielski-Eichner moved, and Mrs. Smith seconded, that since the Fairfax County School Board convened a closed session meeting on September 19, 2006, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act, and since Section 2.2.3712(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 11-0**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs.

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

8.03 Confirmation of Action Taken in Closed Meeting

Mr. Center moved, and Mr. Storck seconded, to expel a student for conviction of a crime in the community. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Gibson not present for the vote.

Having served on a three-member committee chaired by Mr. Gibson, Mrs. Kory moved, and Mr. Hunt seconded, to expel a student for numerous acts of misconduct at school. The motion **passed unanimously**. [Clerk's Note: Although Mr. Gibson was absent for the public vote, he voted affirmatively when the three-member committee rendered its decision.]

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

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

9 ADJOURNMENT

The meeting was adjourned at 11:27 p.m.