

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 6

October 19, 2006

1. **CLOSED MEETING**

Vice Chairman Brad Center convened the Board in public session at 6:30 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; ABSENT)	Kathy L. Smith (Sully)
Stephen M. Hunt (At Large)	Daniel G. Storck (Mt. Vernon; arr. 6:30)
Kaye Kory (Mason)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large; arr. 7:30)	Tessie Wilson (Braddock)

Mrs. Smith moved, and Mrs. Kory seconded, that the Board go into closed session to discuss disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2); and 2) to consult with legal counsel regarding legal advice related to Agenda Item 4.01 (Telecommunications Facility) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia. The motion **passed 9-0** with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Moon and Mr. Storck not present for the vote; and with Mr. Gibson absent.

2. **MEETING OPENING**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT
<http://www.boarddocs.com/vsba/Fairfax/Board.nsf/Public?OpenFrameSet>]

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

Vice Chairman Center convened the meeting at 7:05 p.m. with a quorum of Board members present. Also present were Division Superintendent Jack D. Dale; Deputy Superintendent Richard Moniuszko; 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 Jessica Miller was absent.

2.02 Certification of Meeting Compliance (Exhibit A)

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 6

2

October 19, 2006

Mr. Niedzielski-Eichner moved, and Mrs. Oleszek seconded, that since the Fairfax County School Board convened a closed meeting on October 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 that 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 10-0**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Moon not present for the vote, and with Mr. Gibson absent.

2.03 Announcements (Exhibit B)

Mrs. Wilson announced that November 2006 was Native American Heritage Month; that Mr. Gibson was out of town on business; that Mr. Moon was attending the Governor's Urban Policy Task Force in Richmond, and would be arriving at the meeting later; and that Student Representative Jessica Miller was participating in a field hockey game and would not be in attendance.

2.04 Recognition of National Career Development Month (Exhibit C)

Mr. Niedzielski-Eichner recognized November 2006 as National Career Development Month.

2.05 Recognition of National School Psychologist Month (Exhibit D)

Mrs. Smith recognized November 2006 as National School Psychologist Month, and invited those school psychologists present to join the Board for photographs.

2.06 Resolution Naming the Amphitheater at Armstrong Elementary School (Exhibit E)

Mrs. Strauss read a resolution naming the amphitheater at Armstrong Elementary School "The Wendy J. Bowman Memorial Amphitheater".

Mrs. Strauss moved, and Mrs. Kory seconded, to adopt the Resolution Naming the Amphitheater at Neil A. Armstrong Elementary School "The Wendy J. Bowman Memorial Amphitheater." The motion **passed 10-0**; with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Moon not present for the vote; and with Mr. Gibson absent.

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 6

3

October 19, 2006

Mrs. Strauss invited Mrs. Bowman's family and friends to join the Board for photographs.

2.07 Resolution Naming the Café at Crestwood Elementary School (Exhibit F)

Mr. Center read a resolution naming the cafeteria at Crestwood Elementary School "The Eleanor Williams Cafeteria".

Mr. Center moved, and Mr. Niedzielski-Eichner seconded, to adopt the Resolution Naming the Café at Crestwood Elementary School "The Eleanor Williams Cafeteria". The motion **passed 10-0**; with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Moon not present for the vote; and with Mr. Gibson absent.

Mr. Center invited Mrs. Williams, and her family and friends to join the Board for photographs.

2.08 Recognition of Lewis Rauch (Exhibit G)

Mrs. Wilson said that the Board expressed the Board's deepest appreciation for all of Mr. Rauch's contributions to FCPS as Director of Design and Construction of Facilities and Transportation, and invited Mr. Rauch to join the Board for photographs and presentation of a plaque. Mr. Rauch expressed his thanks.

3. PRESENTATIONS TO SCHOOL BOARD

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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

3.01 Spotlight – Literary Circles at Franklin Middle School (Exhibit H)

3.02 Citizen Participation (Exhibit I)

Ten speakers addressed the Board in the time reserved for public comment.

3.03 Update on English for Speakers of Other Languages (ESOL) Testing in Virginia (Exhibit J)

Dr. Dale introduced Ann Monday, Assistant Superintendent for Instructional Services, who reviewed a powerpoint presentation related to the recent changes in the Virginia testing requirements for Limited English Proficient (LEP) students at Levels 1 and 2 in reading; Mrs. Monday was joined by Teddi Predaris, Director of ESOL, who confirmed that in June 2006 the U.S. Department of Education (USDOE) had notified the Virginia Department of Education (VDOE) that by May 2007, the Stanford English Language Proficiency (SELP) test would no longer be

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 6

4

October 19, 2006

allowed as an alternate assessment tool for LEP students because it was not comparable to the grade level reading Standards of Learning (SOL) tests for LEP Level 1 and 2 students; that comparable testing meant that the same objectives were tested; that the SELP test did not test state standards but only tested reading; that VDOE had proposed the use of the Virginia Grade Level Alternative (VGLA) assessment as a comparable option for school districts to use and was scheduled to make a final decision on the testing option on October 25, 2006; that FCPS staff had raised serious concerns about the use of the VGLA because of assessment appropriateness, the impact on instructional resources, and the cost of training, scoring, and materials; that staff was also concerned that LEP students who had previously passed state reading assessments using the SELP test would not pass the SOL tests and ultimately schools would not make Adequate Yearly Progress (AYP) under *No Child Left Behind* (NCLB); that it was important to advocate at both the state and federal level for other assessment options, as there were many states that were affected similarly; that it would be necessary to change NCLB to reflect levels of progress, which currently was not allowed.

Discussion included the following comments and questions: that the Northwest assessment might be an appropriate reading test to use for both special education and LEP students, as it measured growth toward a grade level standard; that the superintendent's recommendation would be to advocate with VDOE to request from USDOE an extension this year to continue to use the SELP test and give staff an opportunity to develop an appropriate high-quality assessment tool to align measures to standards that were appropriate for LEP students; question whether it was best for the students to take the standard grade level SOL reading test or pursue using the VGLA; response that staff was struggling with that answer; request for a staff recommendation using their best professional judgment about which options to support, so that at the next Board meeting a motion could be offered that would direct staff regarding LEP student assessment policy; concerns expressed about the level of staff effort involved with VGLA and the public perception of why a particular school did not make AYP; concern that once the VDOE made a decision to propose using a test such as the VGLA and submitted that request to the USDOE, the proposal may or may not be approved; that the Superintendent was preparing a letter to Dr. Billy K. Cannaday, Jr., Virginia Superintendent of Public Instruction, to ask for consideration of continued use of the SELP test, and possibly using the VGLA test on a case-by-case basis, and would provide Board members with a copy of that letter.

4. **ACTION ITEMS**

**[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT
<http://www.boarddocs.com/vsba/Fairfax/Board.nsf/Public?OpenFrameSet>]**

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 6

5

October 19, 2006

- 4.01 Telecommunications Facility** - Authorize the Division Superintendent, or his designee, to negotiate and execute a telecommunications lease with Smartpole, Inc., (Milestone Communications), at Mount Vernon High School (FTS; Exhibit K)

Mrs. Kory moved, and Mrs. Wilson seconded, to authorize the Division Superintendent, or his designee, to negotiate and execute a telecommunications lease with Smartpole, Inc., (Milestone Communications), at Mount Vernon High School.

Mr. Storck moved, and Mrs. Oleszek seconded, to postpone indefinitely the motion to authorize the Division Superintendent or his designee to negotiate and execute a telecommunications lease with Smartpole, Inc. (Milestone Communications) at Mt Vernon High School.

Comments included the following: that the School Board's policy on telecommunication leases specified that leases would be considered and Board members could then decide to support or oppose any lease; that if a proposed site was not in an appropriate location, then other options should be considered; that it would be more appropriate to vote yes or no on the main motion than on a procedural motion.

The motion to postpone indefinitely the motion to authorize the Division Superintendent or his designee to negotiate and execute a telecommunications lease with Smartpole, Inc. (Milestone Communications) at Mt Vernon High School **passed 6-5**; with Mrs. Belter, Mr. Center, Mrs. Kory, Mr. Moon, Mrs. Oleszek, and Mr. Storck voting "aye"; with Mr. Hunt, Mr. Niedzielski-Eichner, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "nay"; and with Mr. Gibson absent.

Mrs. Wilson moved that the School Board consider at its next regularly scheduled work session Policy 8335, Telecommunications Facilities, and related regulations that dealt with monopolies.

Mr. Moon indicated that Mrs. Wilson's motion was not germane since the action item had been postponed indefinitely, and ruled the motion out of order.

Mrs. Wilson appealed the ruling of the chair. The motion to appeal the ruling of the chair **was upheld 7-4**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mr. Niedzielski-Eichner, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mrs. Kory, Mr. Moon, Mrs. Oleszek, and Mr. Storck voting "nay" and with Mr. Gibson absent.

Mrs. Wilson moved, and Mrs. Smith seconded, that the School Board consider at its next regularly scheduled work session Policy 8335, Telecommunications Facilities, and related regulations that dealt with monopolies

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 6

6

October 19, 2006

Comments included the following: that by postponing indefinitely the previous motion, the Board had voted against its own policy on monopolies, and it was appropriate for the Board to review the policy and supporting regulations based on this recent action; that staff had spent a fair amount of time on this issue and needed better guidance from the Board on how to proceed with these leases.

The motion that the School Board consider at its next regularly scheduled work session Policy 8335, Telecommunications Facilities, and related regulations that dealt with monopolies, 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 absent.

- 4.02 Naming of Building** - Name the new central administration center at 8115 Gatehouse Road, Falls Church, Virginia, "The Gatehouse I Administration Center" (SB; Exhibit L)

Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to name the new central administration center at 8115 Gatehouse Road, Falls Church, Virginia, "Gatehouse Administration Center I". The motion passed 8-3, with Mrs. Belter, Mr. Center, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, and Mrs. Strauss, voting "aye"; with Mr. Hunt, Mr. Storck, and Mrs. Wilson voting "nay"; and with Mr. Gibson absent. [Clerk's Note: Mr. Niedzielski-Eichner intentionally moved the "I" to the end of the name, although the agenda item had said "Gatehouse I Administration Center".]

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

Mrs. Oleszek moved, and Mrs. Kory seconded, to appoint individuals to serve on committees as listed in the agenda item. 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 absent.

- 4.04 Confirmation of Action Taken in Closed Meeting**

Mrs. Strauss moved, and Mrs. Wilson seconded, to expel a student for assault of another student at school. The motion passed 10-0-1, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Moon abstaining; and with Mr. Gibson absent.

Mr. Storck moved, and Mr. Niedzielski-Eichner seconded, to expel a student for making a bomb threat at school. The motion passed 10-0-1, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs.

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 6

7

October 19, 2006

Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Moon abstaining; and with Mr. Gibson absent.

Mrs. Wilson moved, and Mr. Hunt seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Moon abstaining; and with Mr. Gibson absent.

Mrs. Smith moved, and Mr. Niedzielski-Eichner seconded, to deny the parents' request for a student's placement in a regular program, but permit attendance in an alternative program, on the terms recommended by the Division Superintendent. The motion **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Moon abstaining; and with Mr. Gibson absent.

Mrs. Belter moved, and Mrs. Strauss seconded, to deny the parents' request for a student's placement in a regular program, but permit attendance in an alternative program, on the terms recommended by the Division Superintendent. The motion **passed 9-1-1**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "aye"; Mr. Storck voting "nay"; Mr. Moon abstaining; and with Mr. Gibson being absent.

Having served on a three-member committee chaired by Mr. Storck, Mr. Hunt moved, and Mr. Center 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 Mr. Center, Mrs. Wilson moved, and Mr. Niedzielski-Eichner 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. Oleszek, Mrs. Strauss moved, and Mrs. Wilson 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. Wilson moved, and Mrs. Strauss 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. Wilson seconded, to expel a student for assault of a staff member at school. The motion **passed unanimously**.

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 6

8

October 19, 2006

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

Having served on a three-member committee chaired by Mrs. Strauss, Mrs. Wilson moved, and Mrs. Oleszek 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. Strauss, Mrs. Oleszek moved, and Mrs. Wilson seconded, to expel a student for numerous acts of misconduct and being under the influence of illegal drugs at school. The motion **passed unanimously.**

5. **CONSENT AGENDA**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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

- 5.01 Minutes** - Approve the minutes of October 5, 2006, regular School Board meeting (SB; Exhibit N)
- 5.02 Monthly Separation Report** - Confirm the separations as indicated below for the period beginning September 1, 2006, and ending September 30, 2006 (HR; Exhibit O)
- 5.03 Quarterly Separation Report** - Confirm the appointments and separations as indicated below for the period beginning July 1, 2006, and ending September 30, 2006 (HR; Exhibit P)
- 5.04 Award of Contract** - Award the contract for the replacement of the visitor side exterior bleacher at West Springfield High School to Grandstand Design Enterprises, Inc., in the amount of \$415,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit Q)
- 5.05 Award of Contract** - Approve the award of contract for providing center-based model HMO benefits for Fairfax County Public Schools employees to Kaiser Permanente, effective January 1, 2007, as recommended by the Office of Benefit Services (HR; Exhibit R)

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

6. **NEW BUSINESS**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 6

9

October 19, 2006

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

- 6.01 Award of Contract** - Recommendation to award the contract for the replacement of the lintels and windows at Thomas Jefferson High 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 S)

Mrs. Strauss asked for additional information on how many windows would be replaced; staff to provide a response.

- 6.02 Award of Contract** - Award of Contract - Recommendation to award the contract for the auxiliary multi-sport structure at South County Secondary School 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 T)

Mrs. Strauss asked what an auxiliary multi-sport structure was; Chief Operating Officer Dean Tistadt explained that in order to provide additional gym space and still be cost effective, a lightweight structure (otherwise known as a bubble) would be placed over the outside tennis areas to provide additional teaching stations in a gym environment.

7. SUPERINTENDENT MATTERS

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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

8. REPORTS AND BOARD MATTERS (Exhibit U)

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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

Strategic Governance Subcommittee; October 13 and 16; Brad Center, Chairman

October 13 further review of Strategic Governance manual; Oct. 16 opportunity to discuss concept of Strategic Governance with entire Leadership Team, review draft operational expectations for technology, and draft reasonable interpretation and indicators for Goal 1. Academics.

Linkage Ad Hoc Committee; October 13, Kaye Kory, Chairman

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 6

10

October 19, 2006

First meeting of the committee; discussion about thank you emails to be sent to all participants of focus groups and district dialogues and how to effectively use electronic means of communication with community

Instruction, Special Services, and Youth Development; October 16; Janet Oleszek, Chairman

School-based GT Centers.

Facilities and Operations; October 17; Kaye Kory, Chairman

Final report on enrollment projection analysis study.

Forum on Board Topics; October 19; Brad Center, Vice Chairman

Community engagement budget; annual enrollment projection per school for staffing purposes; prohibition of the community use of FCPS facilities by for-profit companies.

Audit, October 19; Stephen Hunt, Chairman

Reviewed procedure for how audit reports would be distributed.

ADJOURNMENT

The meeting was adjourned at 10:28 p.m.