

## MINUTES

### Fairfax County School Board

### Luther Jackson Middle School

Regular Meeting No. 9

December 7, 2006

#### 1. CLOSED MEETING

Chairman Ilryong Moon convened the Board in public session at 6:45 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; arr. 7:10) | 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. Center moved, and Mrs. Oleszek seconded, that the Board go into closed session to discuss disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2). 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.

#### 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/National Anthem – Oakton High School Steel Drum Band**

Chairman Moon convened the meeting at 7:10 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 Linda Sabo; and certain other members of staff. Student Representative to the School Board Jessica Miller was present.

Chairman Moon thanked the members of the Oakton High School Steel Drum Band, under the direction of Michelle Taylor, for their performance of the National Anthem.

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

Mr. Center moved, and Mrs. Wilson seconded, that since the Fairfax County School Board convened a closed session meeting on December 7, 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 11-0-1**, 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 abstaining.

### **2.03 Announcements (Exhibit B)**

Mr. Center announced that December 7 was Pearl Harbor Remembrance Day; that the agenda item from the November 14, 2006, regular business meeting to for the renovation/addition at Woodson High School had been removed from the agenda because the bid came in lower than is required for School Board action; and that the Principal of the Year recognition ceremony will begin at 7 p.m. on Thursday, December 21 in the board room at Jackson Middle School, and the regular business meeting will begin immediately following the Principal of the Year ceremony at approximately 8 p.m.

## **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 on Learning – Instruments for All (IFA) Program (Exhibit C)**

### **3.02 Citizen Participation (Exhibit D)**

Two speakers addressed the Board in the time reserved for public comment. Hope Warshaw and Sandy Evans addressed Agenda Item No. 4.06, Strategic Governance Manual.

### **3.03 Target I Report – Developmental Reading Assessment (DRA) (Exhibit E)**

Dr. Dale introduced Ann Monday, Assistant Superintendent for Instructional Services, who reviewed a PowerPoint presentation on the Development Reading Assessment (DRA) report as it related to the Board's Strategic Target 1, which

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required that all students would be reading at or above grade level by the end of second grade; the report indicated that most second grade students were achieving in reading, with 94 percent of the second graders [excluding limited English proficient (LEP) students and students with disabilities (SWD)] reading at or above grade level, while LEP students were at 57 percent and SWD were at 49 percent; there was a relationship between LEP students' English proficiency and their ability to read on grade level; the impact of poverty was clearly shown in a 12 to 14 percentage point difference as measured by the DRA; research indicated that to close the gap it was important to start with very young children and with strong programs; summer school currently provided reading intervention programs, and staff recommended the continued use of the DRA to measure and report growth as well as achievement.

Requests and questions included the following: request for further information on whether or not poverty was a factor in the performance of level B3 LEP students, of which 96.5 percent were reading at or above grade level at the end of second grade; staff noted that factors that could help LEP students and students in poverty reach grade level reading included time, sound instruction, full day kindergarten, and expansion of the four-year-old program before first grade; request for additional information on economic factors for SWD and LEP students who were also SWD; comment that there were accountability measures in place to help staff identify problems so that every child succeeded; appreciation expressed for staff's efforts in ensuring that all students had the opportunity to succeed.

#### 4. ACTION ITEMS

**[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT**

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

- 4.01 FY 2007 Midyear Budget Review** - Approve expenditure changes reflected in the FY 2007 Midyear Budget Review as detailed in the agenda item (FS; Exhibit F)

Mrs. Strauss moved, and Mr. Niedzielski-Eichner seconded, to approve expenditure changes reflected in the FY 2007 Midyear Budget Review as detailed in the agenda item. The motion **passed unanimously.**

- 4.02 Strategic Governance Manual** - Adopt the Strategic Governance Manual, as reviewed and discussed by the Strategic Governance Committee, effective January 1, 2007 (SB; Exhibit G)

Mr. Niedzielski-Eichner moved, and Mr. Center seconded, to adopt the Strategic Governance Manual, as reviewed and discussed by the Strategic Governance Committee, effective January 1, 2007.

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Mrs. Oleszek moved, and Mrs. Kory seconded, to postpone the adoption of the Strategic Governance Manual until the School Board meeting scheduled for January 25, 2007.

Discussion included the following comments: over the past few weeks, the Board had received a number of e-mails from PTA presidents and members of Fairfax County Council of PTAs (FCCPTA) and Fairfax Education Association (FEA) who were concerned about the lack of opportunity for public comment and input on the finalized manual and about how the current Board advisory committee structure would be affected; comment that in addition to the hundreds of hours that Board members had spent in public meetings discussing and developing the implementation of the new governing process, there had also been over 30 public meetings last spring that had invited citizens to provide feedback on the student achievement goals; a number of Board members had also met with members of FCCPTA and FEA to present information on the entire process in an effort to respond to concerns; the Board was committed to continuing that dialogue with the community as the Linkage Ad Hoc Committee developed a communication plan to include all stakeholders; the manual clarified the mechanism by which the Board would evaluate the Superintendent through departmental operational expectations and moved the Board toward greater accountability and improved student achievement; as individual departmental operational expectations reports were presented to the Board for approval, or if there was an area of concern discovered in the new governing process, there would be an opportunity to address any issues that might need to be modified.

The motion to postpone the adoption of the Strategic Governance Manual until the School Board meeting scheduled for January 25, 2007, **failed 2-10**, with Mr. Moon and Mrs. Oleszek voting "aye"; and with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "nay."

Mr. Niedzielski-Eichner moved, and Mrs. Strauss seconded, to amend the Strategic Governance Manual by adding the word "retention" to the heading in Section A of the operational expectations for Human Resources (page 13), and by adding the following statement under Section A: "Retain a highly qualified and diverse workforce with a reasonable annual turnover rate."

Mr. Niedzielski-Eichner noted that the Superintendent and staff were supportive of this change in response to concerns raised by both teacher associations.

The motion to amend the Strategic Governance Manual by adding the word "retention" to the heading in Section A of the operational expectations for Human Resources (page 13), and by adding the following statement under Section A: "Retain a highly qualified and diverse workforce with a reasonable annual turnover rate," **passed unanimously.**

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Mrs. Oleszek moved, and Mrs. Strauss seconded, to amend the Strategic Governance Manual related to the operational expectations for the Instructional Program and Treatment of Students (page 18) to modify paragraph 1. by adding "healthful" after the word "safe" and to modify paragraph 7. by adding "and healthful" after the word "safe."

Mrs. Kory thanked members of the Student Health Advisory Committee for the suggested changes.

The motion to amend the Strategic Governance Manual related to the operational expectations for the Instructional Program and Treatment of Students (page 18) to modify paragraph 1. by adding "healthful" after the word "safe" and to modify paragraph 7. by adding "and healthful" after the word "safe" **passed 11-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Smith abstaining.

Mr. Hunt moved, and Mr. Niedzielski-Eichner seconded, to amend the Strategic Governance Manual by adding the words "be encouraged to" after the word "shall" in paragraph II.E., Consultation with School Board Attorney (page 46).

Mr. Hunt noted that it was important to reflect the language from the current Board policy, and his amendment would accomplish that.

The motion to amend the strategic Governance Manual by adding the words "be encouraged to" after the word "shall" in paragraph II.E., Consultation with School Board Attorney (page 46), **passed unanimously**.

Comments included the following: the Superintendent's performance would be evaluated regularly when each operational expectation monitoring report was presented to indicate compliance; if concerns were discovered during the process the governing system would be adjusted; previously the Board had developed targets to measure student achievement, but now had a mechanism to evaluate operational expectations of each department in addition to measuring increased student achievement; a process for increased accountability and visibility was now in place, and the Board was making a commitment to each other and to the public to be held accountable and to assess their performance; the strategic governance process was well-matched with the Superintendent's leadership methodology of establishing goals and expectations and then allowing staff to achieve those.

The motion to adopt the Strategic Governance Manual, as reviewed and discussed by the Strategic Governance Committee, effective January 1, 2007, as amended by adding the word "retention" to the heading in Section A of the operational expectations for Human Resources (page 13), and by adding the following statement under Section A: "Retain a highly qualified and diverse

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workforce with a reasonable annual turnover rate”; and related to the operational expectations for the Instructional Program and Treatment of Students (page 18) to modify paragraph 1. by adding “healthful” after the word “safe” and to modify paragraph 7. by adding “and healthful” after the word “safe”; and by adding the words “be encouraged to” after the word “shall” in paragraph II.E., Consultation with School Board Attorney (page 46), **passed unanimously.**

- 4.03 Goal 1. Academics** - Accept the reasonable interpretation and indicators for Goal 1. Academics, as recommended by the Superintendent (S; Exhibit H)

Mr. Center moved, and Mrs. Strauss seconded, that the School Board accept the reasonable interpretations and indicators for Goal 1. Academics, as recommended by the Superintendent. The motion **passed unanimously.**

- 4.04 Operational Expectations** - Accept the Superintendent’s reasonable interpretation and indicators for the Technology operational expectations (S; Exhibit I)

Mrs. Oleszek moved, and Mr. Center seconded, that the School Board accept the Superintendent’s reasonable interpretations and indicators for the Technology operational expectations. The motion **passed unanimously.**

- 4.05 Operational Expectations** - Accept the Superintendent’s reasonable interpretation and indicators for the Accountability/Audit operational expectations. (S; Exhibit J)

Mr. Hunt moved, and Mrs. Oleszek seconded, that the School Board accept the Superintendent’s reasonable interpretations and indicators for the Accountability/Audit operational expectations.

Mr. Hunt noted that as new programs were developed it was important that accountability was involved to ensure the program was performing adequately; Mr. Niedzielski-Eichner complimented Dr. Dale and Dr. Patrick Murphy (Assistant Superintendent for Accountability) for their efforts.

The motion that the School Board accept the Superintendent’s reasonable interpretations and indicators for the Accountability/Audit operational expectations **passed unanimously.**

- 4.06 Operational Expectations** - Accept the Superintendent’s reasonable interpretation and indicators for the Facilities & Transportation Services operational expectations (S; Exhibit K)

Mrs. Kory moved, and Mr. Niedzielski-Eichner seconded, that the School Board accept the Superintendent’s reasonable interpretations and indicators for the

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Facilities & Transportation Services operational expectations. The motion **passed unanimously.**

**4.07 Additional Appointments** - Appoint individuals to serve on committees as detailed in the agenda item (SB; Exhibit L)

Mrs. Wilson moved, and Mrs. Smith seconded, to appoint individuals to serve on committees as detailed in the agenda item. The motion **passed unanimously.**

**4.08 Confirmation of Action Taken in Closed Meeting**

Mrs. Strauss moved, and Mrs. Wilson seconded, to expel a student for involvement in gang activity, including an armed assault upon another student on school property. The motion **passed 11-0-1**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Stork, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Gibson abstaining.

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

Mrs. Smith moved, and Mr. Niedzielski-Eichner seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 11-0-1**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Stork, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Gibson abstaining.

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

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

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

Mrs. Oleszek moved, and Mrs. Strauss seconded, to convene a closed meeting at 5:30 p.m., on Monday, December 18, 2006, at Gatehouse Administration Center, prior to a scheduled School Board work session at 7 p.m. in order to discuss and consider the performance of specific public employees pursuant to Virginia Code Section 2.2-3711(A)(1). 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 November 14, 2006, regular School Board meeting (SB; Exhibit M)

**5.02 Award of Contract** - Award the contracts for the ten-classroom modular building at Herndon Elementary School and the ten-classroom (6-classroom new construction and 4 classrooms relocated) modular building at Mountain View Alternative High School to Valley Modular Offices Inc., in the amount of \$1,265,536, 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 two 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**

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

**6.01 Superintendent's Contract** - Recommendation to renew the employment contract for Jack D. Dale, Division Superintendent, effective January 1, 2007, and as detailed in the agenda item (SB; Exhibit O)

There was no discussion of this item.

**6.02 2007-2008 School Calendars** - Recommendation to approve the 2007-2008 school calendars as detailed in the agenda item (HR; Exhibit P)

There was no discussion of this item.

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- 6.03 Award of Contract** - Recommendation to award the contract for replacement of the windows at Clermont Elementary 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 Q)

There was no discussion of this item.

- 6.04 Sale of School Bonds** - Recommendation to approve the resolution, in the form attached, requesting the Board of Supervisors to issue and sell \$129,490,000 in school bonds approved by the voters in the November 6, 2001, and November 4, 2003, School Bond Referenda, and authorize the Chairman or Vice Chairman, with the advice of the School Board attorney, to negotiate and to execute, on behalf of the School Board, the Certificate of the School Board (substantially in the form attached) in connection with the issuance by the County of Series 2007 A public improvement bonds (FTS; Exhibit R)

There was no discussion of this item.

- 6.05 Award of Contract** - Recommendation to authorize the Educational Employees' Supplementary Retirement System of Fairfax County (ERFC) Board of Trustees, or its designee, to execute a contract with Levi, Ray & Shoup, Inc. (LRS) for the provision of an integrated Retirement Benefit Administration and Payroll computer system in the amount of \$2,272,472; to execute a contract with L. R. Wechsler, Ltd. ("LRWL") for the provision of associated consulting services in an amount not to exceed \$420,000; to procure required system hardware/software in an amount not to exceed \$241,895; and to obtain necessary maintenance and support agreements for a five-year period following system implementation. Funding will be provided from the ERFC Trust Fund (ERFC; Exhibit S)

There was no discussion of this item.

- 6.06 School Board Policies** – Recommendation to rescind 15 policies superseded by the Strategic Governance Manual effective December 31, 2006 (SB; Exhibit T)

There was no discussion of this item.

### 7. SUPERINTENDENT MATTERS

**[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT**

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### 8. REPORTS AND BOARD MATTERS (Exhibit U)

**[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT**

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### **Strategic Governance Subcommittee; December 4; Brad Center, Chairman**

Boundaries process and joint meeting with the Linkage ad hoc committee.

### **Linkage Ad Hoc Committee; December 4, 2006; Kaye Kory, Chairman**

Expectations of Linkage ad hoc committee.

### **Strategic Governance Committee; December 7; Brad Center, Chairman**

Effort to improve Board communication at work sessions.

### **Forum on Board Topics; December 7; Ilryong Moon, Chairman**

Discussion whether a policy was necessary to regulate Thomas Jefferson High School for Science and Technology courses (add and drop).

### **Dan Storck, Legislative Liaison**

Legislative breakfast held on December 6, 2006.

## **9. CLOSED MEETING**

### **9.00 Closed Meeting**

Mrs. Wilson moved, and Mr. Gibson seconded, that the Board go into closed session to consult with legal counsel regarding the Virginia Freedom of Information Act pursuant to Virginia Code Section 2.2-3711(A)(7). The motion **passed unanimously.**

### **9.01 Certification of Closed Meeting Compliance (Exhibit V)**

Mr. Center moved, and Mr. Gibson seconded, that since the Fairfax County School Board convened a closed session meeting on December 7, 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 unanimously.**

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**ADJOURNMENT**

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