

# MINUTES

## Fairfax County School Board

### Luther Jackson Middle School

Regular Meeting No. 10

December 21, 2006

#### 1. **CLOSED MEETING**

Chairman Ilryong Moon convened the Board in public session at 6:30 p.m. with a quorum of members present:

Catherine A. Belter (Springfield; arr. 6:36)	Phillip A. Niedzielski-Eichner (Providence)
Brad Center (Lee)	Janet S. Oleszek (At Large)
Stuart D. Gibson (Hunter Mill)	Kathy L. Smith (Sully)
Stephen M. Hunt (At Large)	Daniel G. Storck (Mt. Vernon)
Kaye Kory (Mason; arr. 7:13)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Mr. Storck moved, and Mrs. Smith 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); 2) to discuss and consider the disposition of publicly held real property in the City of Fairfax, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the School Board pursuant to Virginia Code Section 2.2-3711(A)(3); and 3) to consult with legal counsel regarding specific intellectual property law issues involving copyright pursuant to Virginia Code Section 2.2-3711(A)(7). The motion **passed 10-0**, with Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Belter and Mrs. Kory not present for the vote.

#### 2. **MEETING OPENING**

**[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT**  
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##### **2.01 Call to Order/Pledge of Allegiance/Moment of Silence**

Chairman Moon convened the meeting at 7:14 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 present.

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

Mr. Gibson moved, and Mr. Niedzielski-Eichner seconded, that since the Fairfax County School Board convened a closed session meeting on December 21, 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. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory abstaining.

Chairman Moon stated that the Board would make a motion prior to proceeding with the agenda.

Mr. Center moved, and Mr. Storck seconded, that the Fairfax County School Board: 1) withdraw its offer to provide the City of Fairfax certain public street and related easements at the school system's Eleven Oaks site, in return for specified consideration, which offer was originally approved by the School Board at its meeting on February 9, 2006; and 2) authorize the Chief Operating Officer and the School Board attorney to communicate the Board's withdrawal decision to City officials. The motion **passed 11-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory abstaining.

### **2.03 Principal of the Year Recognition (Exhibit B)**

Dr. Dale thanked the Fairfax County Education Foundation for its support. Representing the Foundation, Patrick Dexter, Exxon Corporation, made brief remarks. Assistant Superintendent for Human Resources Kevin North presented the Nancy F. Sprague Leadership Award recognizing the Outstanding First Year Principal to South Lakes High School principal Bruce Butler. Members of the Leadership Team recognized the nominees and finalists for Principal of the Year. Mr. North introduced Fairfax County Public Schools 2007 Principal of the Year Dale Rumberger.

Mr. Storck read a resolution of commendation for Dale Rumberger.

Mr. Storck moved, and Mr. Center seconded, to adopt the Resolution of Commendation for Dale Rumberger.

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The motion to adopt the Resolution of Commendation for Dale Rumberger passed unanimously.

After photographs were taken with family and friends, Mr. Rumberger accepted the commendation and expressed his appreciation and made brief remarks.

- 2.04 Superintendent's Contract** – Renew the employment contract for Jack D. Dale, Division Superintendent, effective January 1, 2007, and as detailed in the agenda item (SB; Exhibit C)

*[Clerk's Note: The Chairman requested that Action Item No. 4.01 be moved to this portion of the meeting for action.]*

Mr. Niedzielski-Eichner moved, and Mr. Center seconded, to renew the employment contract for Jack D. Dale, Division Superintendent, effective January 1, 2007, and as detailed in the agenda item.

Comments included the following: there was a correlation between the success of a school system and the stability of its leadership; Dr. Dale was a consensus builder whose collaborative style empowered the talent within the school system; the School Board had confidence in Dr. Dale's professional skills to address increased student diversity, increased accountability, and closing the achievement gap while preparing students for the 21<sup>st</sup> century.

The motion to renew the employment contract for Jack D. Dale, Division Superintendent, effective January 1, 2007, and as detailed in the agenda item, passed unanimously.

Mr. Moon called for a ten-minute recess. The Board reconvened at 8:42 p.m.

- 2.05 Announcements** (Exhibit D)

There were no announcements.

- 2.06 Resolution Recognizing Virginia School Bullying Awareness Month** (Exhibit E)

Mr. Gibson moved, and Mrs. Strauss seconded, to adopt the Resolution Recognizing Virginia School Bullying Awareness Month. The motion passed unanimously.

- 2.07 Recognition of National Mentoring Month** (Exhibit F)

Mrs. Oleszek moved, and Mrs. Kory seconded, to name January 2007 as National Mentoring Month. The motion passed unanimously.

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### 3. PRESENTATIONS TO SCHOOL BOARD

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

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**3.01 Spotlight on Learning** – Technology Integration into Science Lessons Featuring Glasgow Middle School (Exhibit G)

**3.02 Citizen Participation** (Exhibit H)

No speakers addressed the Board in the time reserved for public comment.

### 4. ACTION ITEMS

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**4.01 Additional Appointments** – Appoint individuals to serve on committees as listed in the agenda item (SB; Exhibit I)

Mrs. Wilson moved, and Mr. Niedzielski-Eichner seconded, to appoint individuals to serve on committees as listed in the agenda item. The motion **passed unanimously.**

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

Mrs. Strauss moved, and Mr. Niedzielski-Eichner seconded, to expel a student for bullying and intimidating other students at school. The motion **passed 11-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting “aye”; and with Mrs. Kory abstaining.

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

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

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

Having served on a three-member committee chaired by Mr. Center, Mr. Storck moved, and Mr. Moon seconded, to expel a student for involvement in gang activities at school, including bullying and extortion of other students. The motion **passed unanimously.**

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

Having served on a three-member committee chaired by Mr. Center, Mr. Storck moved, and Mr. Moon seconded, to expel a student for possession of a weapon at school and use of that weapon in a fight with a student on the way home. The motion **passed unanimously.**

### 5. **CONSENT AGENDA**

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

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- 5.01 Minutes** - Approve minutes of December 4, 2006, regular School Board meeting (SB; Exhibit J)
- 5.02 Monthly Separation Report** – Confirm the separations as indicated below for the period beginning November 1, 2006, and ending November 30, 2006 (HR; Exhibit K)
- 5.03 Award of Contract** - Award the contract for the replacement of the windows at Clermont Elementary School to Golden Construction, Inc., in the amount of \$597,255 and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit L)
- 5.04 Award of Contract** - 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 M)
- 5.05 Sale of School Bonds** - 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

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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 (FS; Exhibit N)

**5.06 2007-2008 School Calendars** - Approve the 2007-2008 student school calendars as detailed in the agenda item (HR; Exhibit O)

**5.07 School Board Policies** - Rescind 15 policies superseded by the Strategic Governance Manual, effective December 31, 2006 (SB; Exhibit P)

Chairman Moon stated that, without objection, the seven 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**

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**6.01 FY 2008-2012 Capital Improvement Program** - Recommendation to approve the FY 2008-2012 Capital Improvement Program as described in the narrative and in the Superintendent's Proposed FY 2008-2012 Capital Improvement Program Summary (FTS; Exhibit Q)

During a PowerPoint presentation, Director of Facilities Planning Gary Chevalier provided new construction, renovation, special program, and infrastructure plan updates by cluster, stated that FCPS K-12 enrollment was projected to decline slightly through 2011; and provided five-year Capital Improvement Program (CIP) budget requirements and bond status.

Discussion included the following: the bond amount projected for November had not been determined; the request for information whether increased enrollment observed at schools with full-day kindergarten (FDK) resulted from decreased enrollment at schools without FDK or from non-FCPS students entering the system; the question whether the enrollment numbers were available yet for Base Realignment and Closure Commission (BRAC); a negative response; request for information to be provided at the January work session on whether alternative means were available to buy down unfunded projects; the question whether FCPS would act as its own contractor in the future, as it had on the recent Woodson High School renovation; and the response that assessment of the successful completion of the Woodson project would be needed before incorporating this method into other projects.

**6.02 Proposed FY2007-08 Program/Attendance Area Adjustments** - Recommendation that the School Board: 1) approve adjustments to school attendance areas involving South County Secondary School and Hayfield

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Secondary School, effective for the 2007-08 school year; 2) approve service area adjustments involving Haycock and Churchill Road Elementary School's Gifted and Talented Centers, effective for the 2007-08 school year; and 3) approve service area adjustments involving Kilmer, Frost and Glasgow Middle School's Gifted and Talented Centers as related to the opening of a new Gifted and Talented Center at Jackson Middle School, effective for the 2007-08 school year (FTS; Exhibit R)

Director of Facilities Planning Gary Chevalier highlighted boundary recommendations in a PowerPoint presentation, to include realignment of Kent Gardens Elementary School students from the Haycock Elementary School Gifted and Talented (GT) Center to the Churchill Road Elementary School GT Center; opening a new middle school GT center at Jackson Middle School to relieve overcrowding at the Kilmer and Frost Middle School GT centers; and moving students from Lorton Station and Lorton Valley subdivisions from South County Secondary School (SCSS) to Hayfield Secondary School, providing relief from overcrowding at SCSS, allowing staff time to obtain information about enrollment increases resulting from BRAC, and to confirm enrollment projections for Lake Braddock Secondary School (LBSS) following renovation completion, and possibly investigate securing a "no cost" middle school near SCSS.

Discussion included the following: the question of whether utilization of existing space could be balanced without including LBSS; a negative response; the question of whether the Board could consider a boundary decision that would include sending some students to LBSS in two years if LBSS had the projected excess capacity and if there was not a "no cost" middle school involved in SCSS; an affirmative answer with the recommendation that a two-year delay of the decision would allow for receipt of more accurate enrollment information; the question whether staff had considered the Louise Archer GT parents' alternative proposal; response that further details would be provided at the January work session; concerns that plans for the Jackson GT Center were not progressing fast enough for parents to be confident that the center would be ready for the 2007-2008 school year in providing the quality of education available at other GT centers, and whether a parent commitment in May to send their children to Jackson GT Center would be binding; the response that although it was not binding, staff at Jackson and Thoreau would need sufficient time to prepare the appropriate programs, and that staffing information would be provided at the January work session; concern that, even with the recommended boundary adjustments, SCSS still remained over capacity and Hayfield Secondary School under capacity.

- 6.03 EHS/FECEP/HS Policy Committee** - Recommendation to confirm the elected members of the Fairfax County Public Schools Early Head Start/Family and Early Childhood Education Program/Head Start Policy Committee, as listed in the agenda item (IS; Exhibit S)

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There was no discussion of this item.

- 6.04 Title I District Advisory Council Committee Appointments** - Recommendation to approve the proposed membership to the Title I District Advisory Council, as detailed in the agenda item (IS; Exhibit T)

There was no discussion of this item.

- 6.05 Memorandum of Understanding** - Recommendation to approve and authorize the Division Superintendent, or his designee, to execute a Memorandum of Understanding between the School Board and the Town of Vienna to confirm the longstanding understandings between the parties regarding the use, maintenance, supervision, and management of Waters and Caffi Fields located adjacent to Vienna Elementary School (FTS; Exhibit U)

Staff confirmed that the Memorandum of Understanding reflected current practice regarding maintenance and use of these fields.

- 6.06 School Board Policy** - Recommendation to rescind Policy 4001.2, Student Teachers and Interns (HR; Exhibit V)

There was no discussion of this item.

- 6.07 School Board Policy** - Recommendation to rescind Policy 4131, Local School Board Teaching License (HR; Exhibit W)

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 X)

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#### **Audit Committee; December 21; Stephen Hunt, Chairman**

Determination of format and followup for periodic audit reports; implementation of recommendations on fuel usage resulted in minimal cost increases; a report will be provided to the Board.

#### **Legislative Update; Stuart Gibson**

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Mr. Gibson reported that Congressman Tom Davis' office had convened a meeting including representatives from offices of Governor Kaine, Senator Warner, Congressman Moran, and Congressman Wolf; School Board members from Fairfax, Fairfax City, Arlington, Loudoun County, Shenandoah County, and Hopewell City; Isis Castro, Virginia Board of Education; and English Speakers of Other Language (ESOL) coordinators from Fairfax, Prince William, and Alexandria; that discussion centered on the U.S. Department of Education's denial of the request from 26 states, including Virginia, for relief from the requirement of testing Limited English Proficiency (LEP) students with SOL or its equivalent testing; that the alternative could be failure of the *No Child Left Behind* Act-mandated Annual Yearly Progress. Mr. Niedzielski-Eichner requested that a resolution addressing the LEP issue be added as a new business item to the January 11, 2007, School Board meeting, with action scheduled for January 25.

### **Instruction, Special Services, and Youth Development; December 18; Janet Oleszek, Chairman**

Presentation of Foundation for Applied Technical Education (FATE), Career and Technical Education Advisory Committee (CTEAC), and Adult and Community Education (ACE) annual reports.

### **Linkage Ad Hoc Committee; December 15; Kaye Kory, Chairman**

Continued discussion of community engagement plans.

### **Strategic Governance; December 11; Brad Center, Chairman**

Review of Strategic Governance Implementation Training Manual, and Operational Expectations for Human Resources.

### **Resource Management and Evaluation; December 11; Jane Strauss, Chairman**

2007-2008 School Calendars.

## **ADJOURNMENT**

The meeting was adjourned at 11:10 p.m.