

# MINUTES

## Fairfax County School Board

### Luther Jackson Middle School

Regular Meeting No. 11

January 11, 2007

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

Chairman Ilryong Moon convened the Board in public session at 6:15 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)
Kaye Kory (Mason)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large; arr. 7:00)	Tessie Wilson (Braddock)

Mrs. Strauss moved, and Mr. Storck seconded, that the Board go into closed session: to discuss and consider disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2). 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. **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 - Marshall High School Chamber Singers**

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; 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 Marshall High School Chamber Singers, under the direction of Mary Ann East, for their performance of the National Anthem.

##### **2.02 Annual School Board Organization - Elect chairman and vice chairman; designate meeting dates; approve School Board salaries and mileage reimbursements; appoint the clerk, deputy clerks, agents, and deputy agents (SB; Exhibit A)**

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Chairman Moon said that Section 22.1-76 of the *Code of Virginia* specified that, at the annual organizational meeting, a school board shall elect one of its members as chairman and one as vice chairman, and shall approve other appointments and designations of responsibility necessary for Board operations during the year; and he turned the gavel over to Dr. Dale for the purpose of presiding over the election of the chairman.

Dr. Dale opened the floor to nominations for Chairman of the School Board.

Mr. Moon moved, and Mrs. Oleszek seconded, that Daniel Storck be nominated as Chairman of the School Board of Fairfax County, Virginia.

Comments included the following: that Mr. Storck had keen analytical skills and had earned the respect of everyone who knew him; that Mr. Storck learned from listening to others and that the School Board would be strengthened by direct communication, healthy conflict, and effective teaming.

Hearing no other nominations, the motion that Daniel Storck be elected Chairman of the School Board of Fairfax County, Virginia **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.

Dr. Dale turned the gavel over to Mr. Storck, who thanked the Board Members for their trust in him to lead the Board for the next year, recognized his wife Deb for her support, and thanked Dr. Dale for his help this past year with the strategic governance process.

Mr. Center moved, and Mrs. Strauss seconded, that Kathy Smith be nominated for the position of Vice Chairman of the School Board of Fairfax County, Virginia.

Comments included the following: that it was important for the chairman and the vice chairman to compliment each other; that Mr. Storck and Mrs. Smith would provide strong leadership to the Board with strategic governance; and that Mrs. Smith was a dedicated and passionate Board member.

Hearing no other nominations, the motion that Kathy Smith be elected Vice Chairman of the School Board of Fairfax County, Virginia **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.

Mrs. Smith thanked her colleagues for their support and said that she looked forward to working with Mr. Storck.

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Board Members thanked Mr. Moon (as chairman) and Mr. Center (as vice chairman) for their hard work and dedication this past year, and presented them both with a certificate of appreciation.

Mr. Niedzielski-Eichner moved, and Mrs. Strauss seconded, that the School Board authorize organizational arrangements and appointments as follows:

1. Designate the following as regular business meeting dates: January 11 and 25, February 8 and 22, March 8 and 22, April 12 and 26, May 10 and 24, June 7 and 21, July 12 and 26, September 6 and 20, October 4 and 18, November 1 and 13 (Tuesday), December 6 and 20, 2007; and January 10 and 24, 2008. Regular business meetings are typically held on Thursdays. Special meetings, Board committee work sessions, and other special functions will also be scheduled. Committees of three Board members hear student disciplinary cases in closed meetings, typically on Tuesdays. The Board does not meet in August. The Board's calendar of meeting dates will be based on the school year and will be initially set and published in August.
2. Set the salary of Board members at \$12,000 per year and that of the Board Chairman at \$13,000, and reimburse for local mileage at the Federal mileage reimbursement rate for official School Board business travel.
3. Compensate the student representative for attendance at public meetings not to exceed \$50 per day and reimburse for local mileage at the Federal mileage reimbursement rate for official School Board business travel.
4. Approve Richard Moniuszko, Deputy Superintendent, to serve as the Superintendent's designee to attend any meeting of the School Board that the Superintendent cannot attend.
5. Appoint Pamela Goddard as Executive Assistant and Clerk of the School Board.
6. Appoint Patricia Charbonneau and Linda Sabo as Deputy Clerks of the School Board.
7. Appoint John Quast and Brian Waymire as Deputy Clerks of the School Board for the limited purpose of signing titles to School Board vehicles; and appoint Gretchen Bear, Bok Nam Degregorio, Arnold Dunbar, Sherri Stern, Mary J. Thomas, and Roger A. Pearson as Deputy Clerks of the School Board for the limited purpose of countersigning payment warrants.
8. Appoint Robert John, Anita Kapper, Bob Lausier, Doris Manyfield, and Mahmood Sheikh as Agents of the School Board to examine, approve, and order payment of financial obligations of the Board; and appoint Natalie Nankovitch-Andersen, Kristen Fang, Kathleen Finnerty, Mary Keninitz, Dalila Khalafi, John Lako, Michael Lunter, Kevin McCarty, Joy Russom, Helen Shiflett, and Valerie Wolfe as Deputy Agents of the School Board to perform those functions in the absence of the Agents.
9. Appoint Constance A. Downing as Agent of the School Board to approve disbursements made from all petty cash funds.
10. Authorize the Chairman and Clerk to sign all legal documents for the Board, other than those requiring the signature of some other officer; and authorize

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the Vice Chairman to sign in the absence of the Chairman, and the Deputy Clerks in the absence of the Clerk.

11. Authorize Richard Moniuszko, Deputy Superintendent, and Deirdra McLaughlin, Chief Financial Officer, to execute official documents relating to state, federal, and impact aid requiring the Superintendent's signature.
12. Retain Thomas J. Cawley, Esquire, and the firm of Hunton & Williams to provide general legal services to the School Board and the school division.
13. Retain John Cafferky, Esquire, and the firm of Blankingship & Keith to provide special education legal services. Retain John F. Ring, Esquire, and the firm of Morgan Lewis & Bockius to provide employment and benefits law services. Retain Michael Brustein, Esquire and the firm of Brustein & Manasevit to provide legal services relating to grants.
14. Organize liaisons and committees to support the Board's work, to include Audit, Legislative, Budget, Governance, and Linkage.

The motion to authorize organizational arrangements and appointments **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.

Chairman Storck recommended the following liaison and committee appointments that would be effective through July 2007: Audit Committee, Stephen Hunt (chairman) and Catherine Belter; Legislative Liaison, Kaye Kory and Janet Oleszek; Budget Liaison, Jane Strauss and Stuart Gibson; Governance Committee, Kathy Smith (chairman), Brad Center, Daniel Storck, and Ilryong Moon; Linkage Committee, Phillip Niedzielski-Eichner (chairman), Jane Strauss, Tessie Wilson, and Stephen Hunt. Liaisons to School Board Advisory Committees would remain as follows: Adult & Community Education, Phillip Niedzielski-Eichner; Gifted & Talented, Janet Oleszek and Catherine Belter; Career & Technical Education, Daniel Storck; Human Relations, Jane Strauss; Minority Student Achievement Oversight, Kathy Smith; School Health; Stephen Hunt; Students With Disabilities, Tessie Wilson; Title I/FECEP, Kaye Kory. In support of our continuing partnership with the Fairfax City School Board and the Planning Commission, Janet Oleszek will continue as liaison to the Fairfax City School Board and Ilryong Moon will serve as liaison to the Fairfax County Planning Commission.

Chairman Storck stated that hearing no objection, the liaison and committee appointments were adopted.

### 2.03 Announcements

Chairman Storck announced that Mr. Gibson was out of town.

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### **2.04 Certification of Closed Meeting Compliance (Exhibit B)**

Mrs. Oleszek moved, and Mrs. Strauss seconded, that since the Fairfax County School Board convened a closed session meeting on January 11, 2007, 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 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.

### **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** - DeBono's Thinking Hats - Belvedere Elementary School GT Classroom (Exhibit C)

**3.02 Citizen Participation** (Exhibit D)

Two speakers addressed the Board in the time reserved for public comment. Rick Baumgartner addressed Agenda Item No. 6.01, LEP Resolution, and Mark Glaser addressed Agenda Item No. 5.03, Memorandum of Understanding.

**3.03 Presentation of the FY 2008 Proposed Budget – Jack Dale, Division Superintendent** (Exhibit E)

Dr. Dale presented his FY 2008 advertised budget with a Power Point presentation. Dr. Dale stated that the advertised budget represented a 4.3 percent increase over the FY 2007 approved budget; that it encompassed the School Board's newly adopted beliefs but did not include any new programs; that it included a 2 percent cost-of-living increase for all employees; and would expand full-day kindergarten to 21 additional elementary schools beginning in the 2007-2008 school year.

Discussion included the following: request that a breakout of technology needs be provided at the February 5 Budget work session; request for list of recommended full-day kindergarten schools and their poverty and free- and

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reduced-price lunch ranking; the average percentage of a step increase was 2.6 percent; and request that Board members e-mail their budget questions prior to the February 5 work session.

### 4. **ACTION ITEMS**

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

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

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

There were no additional appointments.

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

Mrs. Wilson moved, and Mrs. Smith seconded, to expel a student for engaging in gang-related activities at school. 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.

Mr. Niedzielski-Eichner moved, and Mrs. Strauss seconded, to expel a student for sexual battery of another student at school. 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.

Mrs. Strauss moved, and Mr. Niedzielski-Eichner seconded, to expel a student for possession of a weapon on school property. 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.

Mrs. Wilson moved, and Mrs. Smith seconded, to expel ten students for violation of the conditions of probationary school assignments. 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.

Having served on a three-member committee chaired by Mrs. Smith, Mrs. Kory moved, and Mrs. Belter seconded, to expel a student for assaulting another student. The motion **passed unanimously**.

Having served on a three-member committee chaired by Mrs. Smith, Mrs. Kory moved, and Mrs. Belter seconded, to expel a student for engaging in gang-

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related activities at school as well as bullying and assault of another student. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Smith, Mrs. Kory moved, and Mrs. Belter 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 Mr. Gibson, Mr. Niedzielski-Eichner moved, and Mr. Hunt seconded, to expel a student for distribution of illegal drugs 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 their decision.]

Having served on a three-member committee chaired by Mr. Gibson, Mr. Niedzielski-Eichner moved, and Mr. Hunt seconded, to expel a student for possession of a weapon on school property. 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 their decision.]

Having served on a three-member committee chaired by Mr. Gibson, Mr. Niedzielski-Eichner moved, and Mr. Hunt seconded, to expel a student for assaulting, bullying, and intimidating students 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 their decision.]

Having served on a three-member committee chaired by Mr. Gibson, Mr. Niedzielski-Eichner moved, and Mr. Hunt seconded, to expel a student for possession and intended distribution of illegal drugs 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 their decision.]

Having served on a three-member committee chaired by Mr. Gibson, Mr. Niedzielski-Eichner moved, and Mr. Hunt seconded, to expel a student for assault on another student at school and defiance of school officials. 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 their decision.]

Having served on a three-member committee chaired by Mr. Gibson, Mr. Niedzielski-Eichner moved, and Mr. Hunt seconded, to expel a student for engaging in 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 their decision.]

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Having served on a three-member committee chaired by M. Gibson, Mr. Niedzielski-Eichner moved, and Mr. Hunt seconded, to expel two students for violation of the conditions of probationary school assignments. 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 their decision.]

### 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 December 21, 2006, regular School Board meeting (SB; Exhibit G)
- 5.02 **EHS/FECEP/HS Policy Committee** - 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 H)
- 5.03 **Title I District Advisory Council Committee Appointments** - Approve the proposed membership to the Title I District Advisory Council, as detailed in the agenda item (IS; Exhibit I)
- 5.04 **Memorandum of Understanding** - 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 J)
- 5.05 **School Board Policy** - Rescind Policy 4001, Student Teachers and Interns (HR; Exhibit K)
- 5.06 **School Board Policy** - Rescind Policy 4131, Local School Board Teaching License (HR; Exhibit L)

Chairman Storck 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

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

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

- 6.01 **LEP Resolution** – Recommendation to adopt a resolution regarding appropriate reading assessment for Limited English Proficient students (SB; Exhibit M)

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Mr. Niedzielski-Eichner stated that the resolution would not avoid accountability but would take a more rigorous approach to testing Limited English Proficient students on their reading proficiency; that 4,000 FCPS students in grades 3-8 were affected by this issue and that Dr. Dale, along with other school districts throughout Virginia, had been working with the Virginia Board of Education and with the United States Department of Education on a potential resolution; that the Board would need further discussion prior to the vote on January 25, 2007. *[Clerk's Note: Subsequent to the meeting the LEP Resolution was scheduled for discussion at the January 22, 2007, work session.]*

- 6.02 Award of Contract** - Recommendation to authorize the Division Superintendent, or his designee, to execute a contract in the amount of \$1.1 million over a five-year term for the provision of an Identity Management Software Enterprise Environment system for FCPS with 1.) TriVir LLC for implementation, training and consulting services; 2.) Advanced Logic Industries, Inc., (ALI) for the provision of associated software licenses and related services; and 3.) Novell, Inc., for the provision of associated software licenses and services, as recommended by the Selection Advisory Committee (IT; Exhibit N)

Mrs. Smith requested further clarification of the agenda item; Maribeth Luftglass, Chief Information Officer, responded that she would provide all Board members with additional information.

- 6.03 Award of Contract** - Recommendation to award a contract to The Aspen Group International, Inc., to provide continuing consultation and support for the School Board and the staff on the implementation of strategic governance; that the contract, in the amount of \$60,000, be effective February 1, 2007, and be authorized for 12 months through January 31, 2008 (SB; Exhibit O)

### 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

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#### Linkage Committee; January 5; Kaye Kory, Chairman

Discussed and planned for a future meeting with the Minority Student Achievement Oversight Committee's executive board.

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**Forum on Board Topics; January 11; Daniel Storck, Chairman**

HB 1442, Standard diploma, requirements to include one concentration in career and technical education; possibility of a policy that directed FCPS to observe National Days of Mourning; possibility of an additional boundary public hearing for those communities who were not informed until after the speakers' list sign-up closed.

**ADJOURNMENT**

The meeting was adjourned at 9:45 p.m.