

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 13

February 7, 2007

1. **CLOSED MEETING**

Chairman Daniel Storck convened the Board in public session at 6:10 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)	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. Kory seconded, that the Board go into closed session to 1) discuss and consider disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2); and 2) to consult with legal counsel regarding Freedom of Information Act pursuant to Virginia Code Section 2.2-3711(A)(7). The motion **passed unanimously.**

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 – Daniels Run Elementary School Singers

Chairman Storck convened the meeting at 7 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 (dep. 9:45 p.m.).

Chairman Storck thanked the Daniels Run Elementary School singers, under the direction of Lucinda Sexton, for their performance of the National Anthem.

2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mr. Moon moved, and Mr. Gibson seconded, that since the Fairfax County School Board convened a closed session meeting on February 7, 2007, pursuant to an

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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.**

2.03. Announcements (Exhibit B)

Dr. Dale thanked all Board members for their dedicated service in recognition of School Board Appreciation Month in February. The singers from Daniels Run Elementary School presented each Board member a certificate that had been provided by the Virginia School Boards Association.

Mrs. Smith announced that Agenda Item No. 6.06, Policy 8240, Construction, Bids, Contracts, Bonds, Conflict of Interest, and Guarantees, would be removed from the agenda under New Business and would be re-scheduled for a future Board meeting.

Mrs. Kory announced a marrow donor drive would be held on Tuesday, February 20 from 8 a.m. to 6 p.m. at the Gatehouse Administration Center I.

2.04 Resolution Honoring Visiting Japanese Teacher (Exhibit C)

Mrs. Strauss read a resolution Honoring Visiting Japanese Teacher.

Mrs. Strauss moved, and Mr. Gibson seconded, to adopt the resolution Honoring Visiting Japanese Teacher. The motion **passed unanimously.**

Mrs. Strauss invited Mr. Minoru Noma, REX teacher, and his family, friends, and co-workers to come forward for a photograph with the Board.

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 – Partner Games – Groveton Elementary School (Exhibit D)

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3.02 Citizen Participation (Exhibit E)

Four speakers addressed the Board in the time reserved for public comment. Mike Grasso addressed FCPS weight rooms; Leonard Bumbaca addressed an FEA-sponsored petition; Sandra Evans addressed transportation needs, and Phyllis Payne addressed transportation and stakeholders.

4. ACTION ITEMS

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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4.01 **FY 2008 Proposed Budget** – Adopt the FY 2008 Proposed Budget as detailed in the agenda item (FS; Exhibit F)

Mrs. Strauss moved, and Mr. Gibson seconded, to adopt the FY 2008 Proposed Budget, as detailed in the agenda item. The Division Superintendent is granted authority to make necessary minor changes to comply with the intent of the School Board and is further directed to prepare fund statements reflecting all School Board approved changes, together with the estimate of funds required by Fairfax County Public Schools during FY 2008 in the format prescribed in Section 22.1-92 of the Code of Virginia, for submission to the County Board of Supervisors. Submission of these approved documents to the County Board of Supervisors fulfills the responsibilities of the School Board under Title 22, Chapter 8 (Section 22.1-92) of the Code of Virginia.

Comment that this budget was a reasonable request to the Board of Supervisors (BOS) and that there would be another opportunity to address the budget in May.

Mr. Hunt moved, and Mrs. Wilson seconded, to amend the FY 2008 Proposed Budget by directing that for the FY 2008 Approved Budget, any quarterly reallocation of unused funds will be allocated to the FY 2009 budget or to nonrecurring costs.

Comments included the following: the Board was very fiscally conscious when they allocated funds at the quarterly reviews throughout the year.

The motion to amend the FY 2008 Proposed Budget by directing that for the FY 2008 Approved Budget, any quarterly reallocation of unused funds will be allocated to the FY 2009 budget or to nonrecurring costs **failed 1-11**, with Mr. Hunt voting “aye”; and with Mrs. Belter, Mr. Center, Mr. Gibson, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting “nay”.

Mr. Hunt moved, and Mr. Moon seconded, that the Superintendent investigate modifications to the instructional assistant pay scales to include but not limited to

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the creation of a BA pay scale and additional compensation for high demand positions (such as autism instructional assistant); and direct the Superintendent to report back to the School Board in such time as to allow for modification to the FY 2008 Approved Budget.

Comments included the following: instructional assistants who held college degrees should be compensated at a higher level, and there should be closer pay equity between teachers and instructional assistants.

As a substitute amendment, Mr. Niedzielski-Eichner moved, and Mr. Moon seconded, that the School Board direct the Superintendent to include as a component of his Human Resources Operational Expectations monitoring report a statement of condition that addresses specifically the instructional assistant position; 1) the statement of condition for the instructional assistant position shall include the following components: a) an analysis of both external and internal equity relative to work performance requirements; b) market competitiveness of salary and benefits; and c) environmental factors that may impact positively or negatively on staff morale and loyalty to the FCPS mission and goals; and 2) furthermore, the Superintendent will report his findings and recommendations to the Board within 90 days of approval of this motion; such report shall include, but not be limited to policy or compensation changes that may be needed to align instructional assistants with the School Board's human resources operational expectations.

Discussion continued as follows: the Superintendent was responsible for developing compensation plans that were fair and equitable for all employees; the Board must exercise some flexibility when making decisions on the budget; the substitute motion used the monitoring report methodology under strategic governance and provided the Superintendent an opportunity to identify issues, while the original amendment requested additional information.

Mrs. Strauss moved, and Mrs. Smith seconded, to set aside discussion of this matter to remove from the current agenda item and to take up the matter under Agenda Item No. 6.08, Operational Expectations for Human Resources.

Mr. Storck called for a five-minute recess to clarify the intent of Mrs. Strauss' motion and the appropriate placement on the agenda. Mrs. Strauss then restated her motion as follows:

Mrs. Strauss moved, and Mrs. Smith seconded, to postpone consideration of Mr. Hunt's amendment and Mr. Niedzielski-Eichner's substitute amendment until later in the meeting, where it will become Agenda Item No. 4.04 for discussion. The motion **passed unanimously.**

Mr. Hunt moved, and Mr. Center seconded, to amend the FY 2008 Proposed Budget by directing that the full-day kindergarten expansion be limited to those

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schools with the demographic risk factors that FCPS study and analysis has demonstrated that full-day kindergarten will result in measurable academic benefit in the third grade.

Comments that the consensus of the Board had been to support the full-day kindergarten implementation schedule as proposed by the Superintendent.

The motion to amend the FY 2008 Proposed Budget by directing that the full-day kindergarten expansion be limited to those schools with the demographic risk factors that FCPS study and analysis has demonstrated that full-day kindergarten will result in measurable academic benefit in the third grade failed 1-11, with Mr. Hunt voting "aye"; and with Mrs. Belter, Mr. Center, Mr. Gibson, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "nay". The Chairman recognized the Student Representative who registered her opposition to the motion.

Mrs. Kory moved, and Mr. Hunt seconded, to amend the FY 2008 Proposed Budget by adding a placeholder in the amount of \$300,000 for the purpose of addressing the recommendations made by Management Partnership Services for improving the FCPS transportation program

Comment that this amendment addressed the delivery of transportation services to students in Fairfax County as described in the Management Partnership Services, Inc. (MPS) report.

Mrs. Strauss moved, and Mr. Gibson seconded, to postpone definitely [consideration of Mrs. Kory's amendment] until the Board meeting on March 22, which will be the meeting at which the Board will be disposing the third quarter budget review.

Discussion included the following: the Board had not yet had an in-depth discussion of the MPS recommendations and it would be premature to act on the amendment at this point; the transportation system was stretched to the limits and the placeholder would acknowledge the need for action on this problem.

Mrs. Oleszek moved to call the question. The motion failed 3-9, with Mr. Moon, Mrs. Oleszek, and Mrs. Strauss voting "aye"; and with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "nay".

Discussion continued: the definition of reengineering included all the aspects of the transportation services provided; this motion would not preclude further discussion on this issue between now and the end of May when the final budget was adopted; that there would be further discussion on the MPS report at the March 12 and April 23 work sessions.

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The motion to postpone definitely [consideration of Mrs. Kory's amendment] until the Board meeting on March 22, which will be the meeting at which the Board will be disposing the third quarter budget review **failed 6-6**, with Mr. Center, Mr. Gibson, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Belter, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, and Mrs. Oleszek, voting "nay".

The motion to amend the FY 2008 Proposed Budget by adding a placeholder in the amount of \$300,000 for the purpose of addressing the recommendations made by Management Partnership Services for improving the FCPS transportation program **passed 7-5**, with Mrs. Belter, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, and Mrs. Strauss voting "aye"; and with Mr. Center, Mr. Gibson, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "nay".

Discussion continued as follows: the MPS report recommended a minimum of two school years for preparation before rolling out a pilot on later start times; the Board would be discussing the issue of transportation services and possible changes to bell schedules over the next few months and may or may not allocate funds to open high schools later and change bell schedules; that the Linkage Committee would be instrumental in a community outreach effort if the Board decided to move forward in the process; if additional budget funds were found, those funds would need to be dedicated to our employees; this budget accurately reflected the needs of the schools, but within significant constraints, and was already \$17 million over the Board of Supervisors guidelines; appreciation expressed to the Superintendent and staff for presenting a responsible budget.

The motion to adopt the FY 2008 Proposed Budget, as detailed in the agenda item. The Division Superintendent is granted authority to make necessary minor changes to comply with the intent of the School Board and is further directed to prepare fund statements reflecting all School Board approved changes, together with the estimate of funds required by Fairfax County Public Schools during FY 2008 in the format prescribed in Section 22.1-92 of the Code of Virginia, for submission to the County Board of Supervisors, as amended. Submission of these approved documents to the County Board of Supervisors fulfills the responsibilities of the School Board under Title 22, Chapter 8 (Section 22.1-92) of the Code of Virginia, and as amended, by adding a placeholder in the amount of \$300,000 for the purpose of addressing the recommendations made by Management Partnership Services for improving the FCPS transportation program **passed 11-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Hunt abstaining.

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

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Mr. Moon moved, and Mr. Center seconded, to appoint individuals to serve on committees as listed in the agenda item.

Mrs. Oleszek appointed Jane Hoffman to the School Health Advisory Committee, and Luke Chang to Superintendent's Community Advisory Council.

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

4.03 Confirmation of Action Taken in Closed Meeting

Mr. Gibson moved, and Mrs. Smith seconded, to expel a student for possession of illegal drugs, drug paraphernalia, and a weapon at school. The motion **passed 11-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Storck abstaining. [Clerk's note: Although the wording of the original motion stated "expel a student for illegal drugs, drug paraphernalia, and a weapon at school", the motion should have included the words...**possession of illegal drugs, drug paraphernalia, and a weapon at school.**"]

Having served on a three-member committee chaired by Mr. Moon, Mrs. Strauss moved, and Mrs. Belter seconded, to expel a student for assaulting a student at school. The motion **passed unanimously.**

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

Having served on a three-member committee chaired by Mr. Gibson, Mr. Center moved, and Mrs. Kory seconded, to expel a student for assaulting a teacher at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Gibson, Mr. Center moved, and Mrs. Kory seconded, to expel a student for possession of illegal drugs, a controlled substance, and drug paraphernalia at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Gibson, Mrs. Kory moved, and Mr. Center seconded, to expel a student for sexually assaulting students at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Gibson, Mrs. Kory moved, and Mr. Center seconded, to expel a student for assaultive actions toward other students 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. Storck seconded, to expel a student for possession and being under the influence of a controlled substance at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Hunt, Mr. Niedzielski-Eichner moved, and Mr. Storck seconded, to expel a student for possession and being under the influence of controlled substances at school, and use of school equipment to create and print fraudulent prescriptions at school. The motion **passed unanimously.**

4.04 Motions Related to Operational Expectations for Human Resources

[Clerk's note: During discussion of Agenda Item No. 4.01, there was a motion approved unanimously to postpone discussion of Mr. Hunt's amendment and Mr. Niedzielski-Eichner's substitute amendment until Agenda Item No. 4.04.]

Mr. Niedzielski-Eichner moved, and Mr. Moon seconded, that the School Board direct the Superintendent to include as a component of his Human Resources Operational Expectations monitoring report a statement of condition that addresses specifically the instructional assistant position; 1) the statement of condition for the instructional assistant position shall include the following components: a) an analysis of both external and internal equity relative to work performance requirements; b) market competitiveness of salary and benefits; and c) environmental factors that may impact positively or negatively on staff morale and loyalty to the FCPS mission and goals; and 2) furthermore, the Superintendent will report his findings and recommendations to the Board within 90 days of approval of this motion; such report shall include, but not be limited to policy or compensation changes that may be needed to align instructional assistants with the School Board's human resources operational expectations.

Discussion included the following: concern that some requested data would be difficult to gather; strategic governance did not preclude the Board from requesting information from the Superintendent, and the Superintendent would address internal pay equity issues with job analysis and a review of the competitive marketplace; the Human Resources Operational Expectations had not been approved yet and some of the concerns could be addressed before those measures were adopted.

Mr. Gibson moved, and Mr. Moon seconded, to amend the substitute amendment by adding the following language after "instructional assistant and before (1) add "school psychologist; and speech language clinician." The motion **failed 3-9**, with Mr. Gibson, Mr. Moon, and Mrs. Strauss voting "aye"; and with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "nay".

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The motion that the School Board direct the Superintendent to include as a component of his Human Resources Operational Expectations monitoring report a statement of condition that addresses specifically the instructional assistant position; 1) the statement of condition for the instructional assistant position shall include the following components: a) an analysis of both external and internal equity relative to work performance requirements; b) market competitiveness of salary and benefits; and c) environmental factors that may impact positively or negatively on staff morale and loyalty to the FCPS mission and goals; and 2) Furthermore, the Superintendent will report his findings and recommendations to the Board within 90 days of approval of this motion; such report shall include, but not be limited to policy or compensation changes that may be needed to align instructional assistants with the School Board's human resources operational expectations **failed 6-6**, with Mrs. Belter, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, and Mrs. Strauss voting "aye"; and with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "nay".

Mr. Hunt moved to call the question. The motion to call the question **failed** for lack of a two-thirds majority, with Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "aye". [Clerk's note: The Chairman did not call the nay votes.]

Mr. Hunt moved, and Mr. Moon seconded, that the Superintendent investigate modifications to the instructional assistant pay scales to include but not limited to the creation of a BA pay scale and additional compensation for high demand positions (such as autism instructional assistant); direct the Superintendent to report back to the School Board in such time as to allow for modification to the FY 2008 Approved Budget. The motion that the Superintendent investigate modifications to the instructional assistant pay scales to include but not limited to the creation of a BA pay scale and additional compensation for high demand positions (such as autism instructional assistant); direct the Superintendent to report back to the School Board in such time as to allow for modification to the FY 2008 Approved Budget. The motion **failed 6-6**, with Mrs. Belter, Mr. Hunt, Mrs. Kory, Mr. Moon, Mrs. Oleszek, and Mrs. Wilson voting "aye"; and with Mr. Center, Mr. Gibson, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "nay".

5. CONSENT AGENDA

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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5.01 Minutes - Approve the minutes of January 25, 2007, regular School Board meeting (SB; Exhibit H)

5.02 Award of Contract - Award the contract for the replacement of a chiller at Chantilly High School to Boiler and Furnace Cleaners Inc., Hurley Company Division, in the amount of \$324,000, and authorize the Division Superintendent,

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or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit I)

- 5.03 Easement** - Grant a sanitary sewer easement at Hayfield Secondary School to Kendrick Associates, LLC, with compensation in the amount of \$2,000 (FTS; Exhibit J)

Chairman Storck stated that, without objection, the three 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 Modified School Calendar Waiver** - Recommendation to authorize Annandale Terrace, Dogwood, Franconia, Glen Forest, Graham Road, Parklawn, and Timber Lane Elementary Schools, Glasgow Middle School, and Falls Church and Stuart High Schools to continue a modified school calendar for the 2007-2008 school year, contingent upon approval from the state Board of Education of a waiver to allow a pre-Labor Day opening (IS; Exhibit K)

There was no discussion of this item.

- 6.02 School Board Policy** - Recommendation to adopt Policy 2301.1, Psychological Services for Students, as reviewed and discussed at the Policy work session (SS; Exhibit L)

There was no discussion of this item.

- 6.03 School Board Policy** - Recommendation to adopt Policy 2418.3, Reporting Student Progress to Parents and Guardians, as reviewed and discussed at the Policy work session (SS; Exhibit M)

There was no discussion of this item.

- 6.04 School Board Policy** - Recommendation to adopt Policy 7201.1, School Food Service Program, as reviewed and discussed at the Policy work session (FS; Exhibit N)

There was no discussion of this item.

- 6.05 School Board Policy** - Recommendation to adopt Policy 8230, School Design Guidelines, as reviewed and discussed at the Policy work session (FTS; Exhibit O)

There was no discussion of this item.

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- 6.06 School Board Policy** - Recommendation to adopt Policy 8240, Construction, Bids, Contracts, Bonds, Conflict of Interest, and Guarantees, as reviewed and discussed at the Policy work session (FTS; Exhibit P)

This policy was withdrawn from the agenda (as stated under announcements) and would be re-scheduled for a future Board meeting.

- 6.07 Operational Expectations** - Recommendation to accept the Superintendent's reasonable interpretation and indicators for the Budget and Financial Management operational expectations (FS; Exhibit Q)

There was no discussion of this item.

- 6.08 Operational Expectations** - Recommendation to accept the Superintendent's reasonable interpretation and indicators for the Human Resources operational expectations (HR; Exhibit R)

There was no discussion of this item.

- 6.09 Award of Contract** - Recommendation to award the contract for boiler replacement at Centreville High 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 S)

There was no discussion of this item.

7. **SUPERINTENDENT MATTERS**

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8. **REPORTS AND BOARD MATTERS**

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February 2, 2007, Linkage Work Session – Phillip Niedzielski-Eichner, Chairman

Linkage: Transition meeting.

February 5, 2007, Work Sessions – Jane Strauss and Stuart Gibson, Meeting Managers

Budget: FY 2008 Advertised Budget

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Facilities: 2007-2008 Program/Attendance Area Adjustments–South County
Secondary School

Legislative Report – Kaye Kory, Legislative Liaison

Update on recent actions by General Assembly.

February 7, 2007, Forum; Daniel G. Storck, Chairman

Audio and video recording of Board meetings

9. DEBRIEF

The Board debriefed tonight's meeting.

10. ADJOURNMENT

The meeting was adjourned at 11:30 p.m.