

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 16

March 22, 2007

1. **CLOSED MEETING**

Board member Ilryong Moon convened the Board in public session at 6:03 p.m. with a quorum of members present:

Catherine A. Belter (Springfield)	Phillip A. Niedzielski-Eichner (Providence; dep. 8:40 p.m.)
Brad Center (Lee; ABSENT)	Janet S. Oleszek (At Large)
Stuart D. Gibson (Hunter Mill)	Kathy L. Smith (Sully; ABSENT)
Stephen M. Hunt (At Large)	Daniel G. Storck (Mt. Vernon; ABSENT)
Kaye Kory (Mason; arr. 6:30 p.m.)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Mr. Gibson moved, and Mrs. Wilson seconded, that the Board go into closed session to 1) discuss and consider the employment and performance of specific public employees pursuant to Virginia Code Section 2.2-3711(A)(1); 2) discuss and consider disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2); and 3) consult with legal counsel regarding actual and probable litigation pursuant to Virginia Code Section 2.2-3711(A)(7) pursuant to Virginia Code Section 2.2- 3711(A)(2). The motion **passed 8-0**, with Mrs. Belter, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; Mrs. Kory not present for the vote; and Mr. Center, Mrs. Smith, and Mr. Storck 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

Mr. Moon convened the meeting at 7:07 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 Executive Assistant Pat Charbonneau; and certain other members of staff. Student Representative to the School Board Jessica Miller was present.

2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mr. Gibson moved, and Mrs. Wilson seconded, that since the Fairfax County School Board convened a closed session meeting on March 22, 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

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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 foregoing also shall be deemed to include the certification of each member of this School Board who served on a student disciplinary committee, since the last certification, that the closed meetings of the student disciplinary committees on which the member served during that time period are lawfully exempted from open meeting requirements by Section 2.2-3711(A)(2) of the Code of Virginia, as stated in the annual organizational meeting of the School Board held in January, and that only student disciplinary matters were heard, discussed or considered in the closed committee meeting or meetings attended by the member for that purpose. The motion **passed 9-0**, with Mrs. Belter, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

2.04 Announcements (Exhibit B)

Mrs. Wilson announced that Mr. Center, Mrs. Smith, and Mr. Storck would not be at tonight's meeting.

Mrs. Wilson announced that April 2007 was Childhood Immunization Month and Autism Awareness Month.

2.03 Confirmation of Action Taken in Closed Meeting

Mr. Niedzielski-Eichner moved, and Mrs. Belter seconded, to expel a student for inappropriately touching a student at school. The motion **passed 8-0-1**, with Mrs. Belter, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mrs. Kory abstaining; and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

Mrs. Strauss moved, and Mrs. Oleszek seconded, to expel a student for possession of drug paraphernalia and illegal drugs with intent to distribute at school. The motion **passed 8-0-1**, with Mrs. Belter, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mrs. Kory abstaining; and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

Mr. Gibson moved, and Mr. Hunt seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 8-0-1**, with Mrs. Belter, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mrs. Kory abstaining; and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

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Mrs. Wilson moved, and Mrs. Strauss seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 8-0-1**, with Mrs. Belter, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mrs. Kory abstaining; and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

Having served on a three-member committee chaired by Mr. Hunt, Mr. Niedzielski-Eichner moved, and Mr. Hunt seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed unanimously**. [Clerk's Note: Although Mr. Storck 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 Mrs. Oleszek, Mrs. Wilson moved, and Mrs. Strauss seconded, to expel a student for possession of a weapon at school. The motion **passed unanimously**.

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

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Wilson moved, and Mrs. Strauss seconded, to expel a student for participation in a mob assault at school. The motion **passed unanimously**.

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Strauss moved, and Mrs. Wilson seconded, to expel a student for possessing and facilitating distribution of a controlled substance at school. The motion **passed unanimously**.

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

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Strauss moved, and Mrs. Wilson seconded, to expel five students for unauthorized entry of a Fairfax County public school during non-school hours, vandalizing school property, and theft of school property. The motion **passed unanimously**.

Having served on a three-member committee chaired by Mrs. Wilson, Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to expel a student for threatening another student with a weapon on school property. The motion

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passed unanimously. [Clerk's Note: Although Mr. Storck 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 Mrs. Wilson, Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to expel a student for theft of school property. The motion **passed unanimously.** [Clerk's Note: Although Mr. Storck 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 Mrs. Wilson, Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to expel a student for possession and distribution of a controlled substance on school grounds. The motion **passed unanimously.** [Clerk's Note: Although Mr. Storck 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 Mrs. Wilson, Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to expel a student for possession of drug paraphernalia and illegal drugs with intent to distribute at school. The motion **passed unanimously.** [Clerk's Note: Although Mr. Storck 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 Mrs. Wilson, Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to expel a student for possession of illegal drugs at school. The motion **passed unanimously.** [Clerk's Note: Although Mr. Storck 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 Mrs. Wilson, Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to expel a student for possession and distribution of illegal drugs at school. The motion **passed unanimously.** [Clerk's Note: Although Mr. Storck 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 Mrs. Wilson, Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to expel a student for assaulting other students on their way home from school. The motion **passed unanimously.** [Clerk's Note: Although Mr. Storck was absent for the public vote, he voted affirmatively when the three-member committee rendered their decision.]

Mrs. Strauss moved, and Mrs. Wilson seconded, that prior to April 15, 2007, the instructional personnel identified in closed session be notified that their contracts

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will not be renewed: (1) those who hold a provisional or conditional license expiring 2007; (2) those who hold a provisional or conditional license expiring 2008 and 2009; (3) those with incomplete license data; (4) those missing or failing Praxis II; (5) those with license pending with VDOE and missing or failing Praxis II; (6) those who hold a professional license that expired prior to 2007; (7) those on a one-year hiring agreement; and (8) those due to low student enrollment. The motion **passed 7-0-2**, with Mrs. Belter, Mr. Gibson, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Hunt and Mrs. Kory abstaining, and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

2.05 Recognition of National School Library Media Month (Exhibit C)

Mrs. Belter recognized National School Library Media Month and invited the librarians in the audience to join the Board for photographs.

2.06 Recognition of Mathematics Awareness Month (Exhibit D)

Mrs. Wilson recognized Mathematics Awareness Month and invited the math teachers and specialists in the audience to join the Board for photographs.

3. PRESENTATIONS TO SCHOOL BOARD

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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3.01 Spotlight on Learning – MentorWorks (Exhibit E)

3.02 Citizen Participation (Exhibit F)

Two speakers addressed the Board in the time reserved for public comment. John Blakeley addressed Agenda Item No. 6.04, Memorandum of Agreement and Hope Warshaw addressed Agenda Item No. 4.01, Goal 2. Essential Life Skills.

3.03 Target 9, Suspension (Exhibit G)

Dr. Dale introduced Assistant Superintendent for Cluster VI Leslie Butz who reviewed a PowerPoint presentation on Target 9 that showed that goals had not been met to reduce suspension rates for Black and Hispanic students, to decrease by two percent the behaviors that lead to possible expulsion recommendations, and to achieve a divisionwide secondary suspension rate of no more than 8.5 percent; the data demonstrated that suspension rates for Black and Hispanic students continued a slow but steady increase; that suspension rates for possible expulsion recommendations had decreased slightly, but not in proportion to the decrease in student population; and that the divisionwide

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secondary suspension rate had remained flat at approximately 10 percent; the installation of external video cameras at ten high schools had resulted in a reduction in vandalism of 31 percent and schools with Positive Behavior Support (PBS) had showed a decrease in overall suspension rates; the Target 9 committee recommended external camera installation at all high schools and sustained support for existing PBS schools with expansion of PBS in high-incidence pyramids.

Discussion included: once electronic door lock installations were completed for all elementary schools, CIP funding would be available for external camera installation for the remaining high schools; schools with the highest vandalism rates would have priority for external cameras; a request for the high schools projected to receive the next installation of external cameras; a request to have suspension rates disaggregated for special education students at PBS schools and by elementary, middle, and high school populations and how many schools were PBS trained with a breakdown by elementary, middle, and high school levels; selection of schools for PBS training and implementation was based primarily on the school's expressed interest and staff involvement in developing expectations and awards; and the focus was on building PBS throughout pyramids.

4. ACTION ITEMS

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- 4.01 Goal 2. Essential Life Skills** - Accept the reasonable interpretation and indicators for Goal 2. Essential Life Skills, as recommended by the Division Superintendent and as detailed in the agenda item (S; Exhibit H)

Mr. Gibson moved, and Mrs. Kory seconded, to accept the reasonable interpretation and indicators for Goal 2. Essential Life Skills, as recommended by the Division Superintendent and as detailed in the agenda item.

Based on feedback from School Board members, the Goal 2 committee had made two modifications to the reasonable interpretations; and the wording in the first bullet of 2.8, Make Healthy and Safe Life Choices, was corrected to read as follows: ***During their school experience, students will practice healthy nutrition and hygiene and understand the benefits of life-long physical activity and personal wellness.***

Discussion included: concern that the indicators failed to adequately demonstrate progress toward the stated goal; the need to have non-FCPS data that was available from the community; and the indicators included data from new survey instruments, such as the Fairfax County Youth Survey.

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The motion to accept the reasonable interpretation and indicators for Goal 2. Essential Life Skills, as recommended by the Division Superintendent and as detailed in the agenda item, with the changed language in 2.8, passed 5-3, with Mrs. Belter, Mr. Gibson, Mr. Moon, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Hunt, Mrs. Kory, and Mrs. Oleszek voting "nay"; with Mr. Niedzielski-Eichner not present for the vote; and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

- 4.02 Goal 3. Responsibility to the Community** - Accept the reasonable interpretation and indicators for Goal 3. Responsibility to the Community, as recommended by the Division Superintendent and as detailed in the agenda item (S; Exhibit I)

Mrs. Kory moved, and Mrs. Oleszek seconded, to accept the reasonable interpretation and indicators for Goal 3. Responsibility to the Community, as recommended by the Division Superintendent and as detailed in the agenda item.

Discussion included: although voting rates were not included as indicators, schools built the habit of voting by holding elections beginning in third grade; concern expressed regarding holding the Superintendent accountable by using data from outside the school system and beyond the school attendance age; and parents and community members strongly supported this goal.

The motion to accept the reasonable interpretation and indicators for Goal 3. Responsibility to the Community, as recommended by the Division Superintendent and as detailed in the agenda item, passed 7-1, with Mrs. Belter, Mr. Gibson, Mrs. Kory, Mr. Moon, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Hunt voting "nay"; with Mr. Niedzielski-Eichner not present for the vote; and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

- 4.03 FY 2007 Third-Quarter Budget Review** - Approve the adjustments reflected in the FY 2007 Third-Quarter Budget Review as detailed in the agenda item (FS; Exhibit J)

Mrs. Strauss moved, and Mrs. Wilson seconded, to approve the adjustments reflected in the FY 2007 Third-Quarter Budget Review as detailed in the agenda item.

Discussion included: a question regarding the support costs for the FY 2007-2008 e-assessment pilot that were included in the FY 2007 budget; and the response that some of the necessary equipment had to be purchased prior to the start of the pilot.

The motion to approve the adjustments reflected in the FY 2007 Third-Quarter Budget Review as detailed in the agenda item passed 8-0, with Mrs. Belter, Mr.

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Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Niedzielski-Eichner not present for the vote; and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

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

Mrs. Oleszek moved, and Mrs. Strauss seconded, to appoint individuals to serve on committees as listed in the agenda item. The motion **passed 8-0**, with Mrs. Belter, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mrs. Oleszek, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Niedzielski-Eichner not present for the vote; and with Mr. Center, Mrs. Smith, and Mr. Storck absent.

5. CONSENT AGENDA

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 5.01 Minutes** - Approve minutes of March 8, 2007, regular School Board meeting (SB; Exhibit L)
- 5.02 Monthly Separation Report** - Confirm the separations for the period beginning February 1, 2007, and ending February 28, 2007, as detailed in the agenda item (HR; Exhibit M)
- 5.03 Award of Contract** - Award the contract for the replacement of the visitor side exterior bleacher at Fairfax High School to Grandstand Design Enterprises, Inc., in the amount of \$250,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit N)
- 5.04 Award of Contract(s)** - Award the contracts for the electrical site work for the ten classroom modular buildings at Herndon Elementary School and Mountain View Alternative High School to MGM Electrical Systems, Inc., in the amount of \$489,000, and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board (FTS; Exhibit O)
- 5.05 Award of Contract(s)** - Award the contracts for the site work and concrete slab for the ten-classroom modular buildings at Herndon Elementary School and Mountain View Alternative High School to Sagres Construction Corporation, in the amount of \$878,700, and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board (FTS; Exhibit P)
- 5.06 Appointment of Agents** - Appoint Susan Quinn and Valecia Witt as Agents of the School Board to examine, approve, and order payment of financial obligations of the Board (SB; Exhibit Q)

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

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6. **NEW BUSINESS**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 6.01 School Board Policy** - Recommendation to adopt Policy 8240.5, Construction, Bids, Contracts, Bonds, Conflict of Interest, Protection, and Guarantees, as reviewed and discussed at the Policy work session (FTS; Exhibit R)

There was no discussion of this item.

- 6.02 Award of Contract** - Recommendation to (i) approve the Memorandum of Agreement with the Fairfax County Board of Supervisors; (ii) award the contract to Atlas Tracks, Inc., for installation of a synthetic turf field at Madison High School; and (iii) 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.

- 6.03 Award of Contract** – Recommendation to award the contract for the replacement of the automatic temperature controls systems at Crossfield and Union Mill Elementary Schools to the lowest responsive and responsible bidder and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit T)

There was no discussion of this item.

- 6.04 Memorandum of Agreement** - Recommendation to approve the Memorandum of Agreement with the Fairfax County Park Authority and Board of Supervisors for the installation of turf fields on school sites, and authorize the Division Superintendent, or his designee, to execute the Memorandum of Agreement on behalf of the School Board (FTS; Exhibit U)

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 V)

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March 12, 2007, Work Sessions – Stuart Gibson, Meeting Manager

Special Services: Discussion of Fairfax County Youth Survey.

Facilities: Transportation Re-Engineering discussion.

March 12, 2007, Linkage Work Session – Tessie Wilson

Focused on key communicators and community engagement related to transportation reengineering study; report to School Board at April 23, 2007, work session.

March 22, 2007, Audit Committee Work Session – Steve Hunt, Chairman

Discussion to audit credit cards and look at areas of risk for future audits.

March 22, 2007, Forum on Board Topics - Ilryong Moon

Discussion of Policy 8335, Wireless Telecommunications Facilities.

Legislative Update – Janet Oleszek and Stu Gibson

Thanks to Senators Warner and Webb and the Northern Virginia delegation for introducing legislation on testing of Limited English Proficiency students in both houses of Congress.

9. DEBRIEF

The Board debriefed tonight's meeting.

10. ADJOURNMENT

The meeting was adjourned at 9:51 p.m.