

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 18

April 26, 2007

1. **CLOSED MEETING**

Chairman Daniel Storck convened the Board in public session at 6:38 p.m. with a quorum of members present:

Catherine A. Belter (Springfield)	Phillip A. Niedzielski-Eichner (Providence)
Brad Center (Lee; dep. 9:30)	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)
Kaye Kory (Mason)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Mr. Center moved, and Mr. Niedzielski-Eichner 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 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Mrs. Smith 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

Chairman Storck convened the meeting at 7:15 p.m. with a quorum of Board members present. Also present were Division Superintendent Jack D. Dale; Deputy Superintendent Richard Moniuszko; Deputy Clerks of the Board Linda Sabo and 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. Center moved, and Mr. Moon seconded, that since the Fairfax County School Board convened a closed session meeting on April 26, 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

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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 §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 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Mrs. Smith absent.

2.03. Announcements (Exhibit B)

Student representative Jessica Miller announced that May 2007 was Asian-and Pacific-American Heritage Month, Pride in America Month, and that May 9, 2007, was School Nurse Day. *[Clerk's Note: Mr. Storck stated that, as previously announced, the School Board continued to review and accept departmental operational expectations and monitoring reports, and at the April 23, 2007, work session, the Board had voted to accept the Superintendent's Human Resources and Budget and Financial Management monitoring reports, as evidence of compliance.*

2.04 Recognition of 2007 Outstanding School Resource Officer (Exhibit C)

Chairman Storck recognized members of the Board of Supervisors and Fairfax County Police Department who were in attendance. Chairman Storck presented a certificate to the nominees and a plaque to the winner and photographs were taken with the Board.

2.05 Resolution Naming the Gymnasium at South Lakes High School (Exhibit D)

Mr. Gibson read a Resolution Naming the Gymnasium at South Lakes High School for Wendell G. Byrd.

Mr. Gibson moved, and Mr. Niedzielski-Eichner seconded, to adopt the Resolution Naming the Gymnasium at South Lakes High School. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Mrs. Smith absent.

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Mr. Gibson invited Mr. Byrd and his family and friends to join the Board for photographs.

2.06 Resolution Supporting the County-Wide Initiative to Reduce Underage Drinking (Exhibit E)

Mr. Niedzielski-Eichner read the Resolution Supporting the County-Wide Initiative to Reduce Underage Drinking.

Mr. Niedzielski-Eichner moved, and Mr. Moon seconded, to adopt the Resolution Supporting the County-Wide Initiative to Reduce Underage Drinking. The motion passed 11-0, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Mrs. Smith absent.

Mr. Niedzielski-Eichner invited Diane Eckert, Sara Freund, Clarence Jones, Iris Warren, Lisa Adler, Maj. Jack Hurlock, and Sgt. Rich Jackson to join him to accept a framed copy of the resolution, and for photographs with Board members.

2.07 Recognition of Teacher Appreciation Week (Exhibit F)

Mrs. Strauss recognized Teacher Appreciation Week.

2.08 Recognition of Administrative Professionals Week (Exhibit G)

Mr. Moon recognized Administrative Professionals Week and invited those administrative professionals who were in the audience to join him and the Board for photographs.

2.09 Recognition of Better Hearing and Speech Month (Exhibit H)

Mrs. Wilson recognized May as Better Hearing and Speech Month and invited the speech-language clinicians, audiologists, and teachers of the deaf and hard of hearing who were in the audience to join her and the Board for photographs.

2.10 Recognition of Child Nutrition Employee Recognition Week (Exhibit I)

Mr. Center recognized Child Nutrition Employee Recognition Week and invited child nutrition employees in the audience to join him and 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 - Positive Behavior Support Program (Exhibit J)

Discussion included the need to determine the value of the program, its cost, and whether it is having the expected impact.

3.02 Citizen Participation (Exhibit K)

Two speakers addressed the Board in the time reserved for public comment. Ms. Virginia Shea addressed Agenda Item No. 4.01, Operational Expectations, and Ms. Sandy Evans addressed transportation and bell schedules.

3.03 Target 10, Inclusion (Exhibit L)

Dr. Dale introduced Alice Farling, Assistant Superintendent for the Department of Special Services, who reviewed a PowerPoint presentation on Target 10 that showed all schools had increased service to students with low incidence disabilities (LID) in general education classrooms; that 100 percent of high schools and middle schools had reached the target of serving at least 50 percent of LID students in general education classrooms; and that 91 percent of elementary schools served at least 50 percent of LID students in general education classrooms.

Comments and questions included: the question why 100 percent of elementary schools were not serving 50 percent or more LID students; the response that smaller schools in some cases were within one or two students of this goal; 71 elementary schools served almost 80 percent of their LID students; the anticipation of national data that quantified the amount of time LID students spend in general education classes; the need to have a student's IEP available to all teachers at the earliest possible time; and the Departments of Professional Learning and Training and Instructional Services supported teachers with training opportunities and certified staff.

4. ACTION ITEMS

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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4.01 Operational Expectations - Accept the Superintendent's reasonable interpretation and indicators for Instructional Program and Treatment of Students operational expectations (IS; Exhibit M)

Mr. Niedzielski-Eichner moved, and Mrs. Strauss seconded, to accept the Superintendent's reasonable interpretation and indicators for Instructional Program and Treatment of Students operational expectations.

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Discussion included: appreciation for staff work on the interpretations; expectation that metrics would be used to demonstrate achievement; the question whether 16 FCPS elementary schools were providing less than four hours of instructional time on Mondays as indicated by speaker Virginia Shea; and the response that the information would be provided.

The motion to accept the Superintendent's reasonable interpretation and indicators for Instructional Program and Treatment of Students operational expectations **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; Mr. Hunt abstaining; and Mrs. Smith absent.

- 4.02 Operational Expectations** - Accept the Superintendent's reasonable interpretation and indicators for Professional Learning and Training operational expectations (IS; Exhibit N)

Mrs. Oleszek moved, and Mr. Center seconded, to accept the Superintendent's reasonable interpretation and indicators for Professional Learning and Training operational expectations.

Discussion included commendation to staff on clarifications made to the operational expectations that addressed Board concerns.

The motion to accept the Superintendent's reasonable interpretation and indicators for Professional Learning and Training operational expectations **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; Mr. Hunt abstaining; and Mrs. Smith absent.

- 4.03 Proposed 2007 School Bond Referendum** - Adopt the resolution requesting the Board of Supervisors to approve and take appropriate action to place on the ballot for the November 6, 2007, general election a School Bond Referendum in the amount of \$365,200,000 (FTS; Exhibit O)

Mr. Moon moved, and Mrs. Strauss seconded, to adopt the resolution requesting the Board of Supervisors to approve and take appropriate action to place on the ballot for the November 6, 2007, general election a School Bond Referendum in the amount of \$365,200,000.

Discussion included: the bus facility would not affect FCPS cash flow; the bond would benefit planning and renovation of Thomas Jefferson High School for Science and Technology; the question of the schedule for Graham Road Elementary School; an optimistic response; the question about funds for projects scheduled in the out years; and the response that there would be another bond referendum in 2009.

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4.04 Legislative Recommendations for 2008 - Board of Supervisors to approve and take appropriate action to place on the ballot for the November 6, 2007, general election a School Bond Referendum in the amount of \$365,200,000 (Exhibit P)

Mrs. Kory moved, and Mrs. Oleszek seconded, to Board of Supervisors to approve and take appropriate action to place on the ballot for the November 6, 2007, general election a School Bond Referendum in the amount of \$365,200,000.

Mr. Hunt moved, and Mrs. Kory seconded, to divide the motion and vote separately on Section 2.15, *No Child Left Behind Act of 2001*. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Mrs. Smith absent.

Discussion included: disagreement with elements of 2.15; changes to *No Child Left Behind* act were housekeeping changes; and to broaden advocacy beyond changes to Limited English Proficient (LEP) testing to address reauthorization of *No Child Left Behind Act of 2001* and to expand business-school system relationships to accomplish that.

The motion to accept the legislative recommendation, Section 2.15, to be forwarded to the VSBA Legislative, Policies, and Resolutions Committee for their consideration, as detailed in the agenda item **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; Mr. Hunt abstaining; and Mrs. Smith absent.

The motion to accept the legislative recommendations, Sections 2.7, 3.2 and 4.52, to be forwarded to the VSBA Legislative, Policies, and Resolutions Committee for their consideration, as detailed in the agenda item **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Mrs. Smith absent.

4.05 Confirmation of Action Taken in Closed Meeting

Mr. Gibson moved, and Mrs. Strauss seconded, to expel a student for numerous acts of misconduct at school. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Mrs. Smith absent.

Mr. Niedzielski-Eichner moved, and Mr. Moon seconded, to expel a student for defiant, disruptive, and physically aggressive behavior toward staff at school.

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The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Mrs. Smith absent.

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

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

Mr. Gibson moved, and Mr. Center seconded, to deny the parents' request for a student's assignment to a regular program, but permit attendance in an alternative program on the terms recommended by the Division Superintendent. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Mrs. Smith absent.

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Wilson moved, and Mrs. Strauss seconded, to expel a student for unauthorized entry of a Fairfax County public school building 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 Mr. Storck seconded, to expel two students for possession and use of illegal drugs on school property. The motion **passed unanimously**.

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

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Kory moved, and Mrs. Belter seconded, to expel a student for theft of school property. The motion **passed unanimously**.

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Kory moved, and Mrs. Belter seconded, to expel a student for numerous acts of misconduct at school. The motion **passed unanimously**.

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Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Kory moved, and Mrs. Belter seconded, to expel four students for violation of the conditions of probationary school assignments. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Moon, Mr. Gibson moved, and Mr. Hunt 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. Moon, Mr. Gibson moved, and Mr. Hunt seconded, to expel a student for assaulting another student during the school day. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Moon, Mr. Gibson moved, and Mr. Hunt seconded, to expel a student for disruptive and assaultive misconduct at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Moon, Mr. Hunt moved, and Mr. Gibson 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. Moon, Mr. Hunt moved, and Mr. Gibson seconded, to expel two students for participation in a mob assault on another student during the school day. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Oleszek, Mr. Center 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 Mr. Center seconded, to expel a student for preventing a student from returning home safely after school. The motion **passed unanimously.**

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

Having served on a three-member committee chaired by Mrs. Oleszek, Mr. Center moved, and Mrs. Strauss seconded, to expel four students for violation of the conditions of probationary school assignments. The motion **passed unanimously.**

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Mr. Hunt moved, and Mr. Center seconded, to excuse from attendance at school certain students identified in closed meeting pursuant to Virginia Code Section 22.1-254(B)(1). The motion passed 10-0, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, and Mrs. Strauss voting "aye"; Mrs. Wilson away from the table; and Mrs. Smith absent.

5. CONSENT AGENDA

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 5.01 Minutes** - Approve the minutes of April 12, 2007, regular School Board meeting (SB; Exhibit Q)
- 5.02 Monthly Separation Report** - Confirm the separations for the period beginning March 1, 2007, and ending March 31, 2007, as detailed in the agenda item (HR; Exhibit R)
- 5.03 Quarterly Separation Report** - Confirm the appointments and separations for the period beginning January 1, 2007, and ending March 31, 2007, as detailed in the agenda item (HR; Exhibit S)
- 5.04 Award of Contract** - Award the contract for re-roofing project phases 1-07 through 6-07 to Interstate Corporation in the amount of \$458,000 at Falls Church High School; Orndorff & Spaid Inc., in the amount of \$476,956 at Mantua Elementary School; Interstate Corporation in the amount of \$262,000 at Langley High School; Orndoff & Spaid Inc., in the amount of \$361,969 at Bailey's Elementary School ; Orndorff & Spaid Inc., in the amount of \$127,836 at Fairview Elementary; and Interstate Corporation in the amount of \$345,000 at Franklin Middle School with alternates #1, #2, #4 and #5 and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board (FTS; Exhibit T)
- 5.05 Award of Contract** - Award the contract to replace the baseball field lighting at Chantilly High School to R.E. Lee Electric Company, Inc., in the amount of \$254,163 and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit U)

Chairman Storck stated that, without objection, the five items on the consent agenda would be adopted. Hearing no objection, the consent agenda **was adopted.**

6. NEW BUSINESS

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- 6.01 Local Special Education Annual Plan and Report** - Recommendation to approve the 2007-2008 annual special education plan, Part B funding application and Section 619 Preschool Grant Application, as detailed in the agenda item (SS; Exhibit V)

There was no discussion of this item.

- 6.02 Student Responsibilities and Rights** - Recommendation to approve proposed modifications to the student code of conduct and related procedures to be included in Regulation 2601.21P, Student Responsibilities and Rights (SS; Exhibit W)

There was no discussion of this item.

- 6.03 FLECAC Recommendations** - Recommendation to approve instructional objectives for Mental Health Units in Grades 4, 5, 6, and 9; videos to support the grade 9 mental health unit; and a proposal for instruction of female students with low incidence disabilities below grade 5, as reviewed and recommended by the Family Life Education Curriculum Advisory Committee (IS; Exhibit X)

There was no discussion of this item.

- 6.04 Award of Contract** - Recommendation to award the contract for the installation of makeup air units and piping to fan coil units at Brookfield Elementary School to the lowest responsive and responsible bidder and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit Y)

There was no discussion of this item.

- 6.05 Operational Expectations** - Recommendation to accept the Superintendent's reasonable interpretation and indicators for the Relationship with the Board operational expectations (S; Exhibit Z)

There was no discussion of this item.

7. SUPERINTENDENT MATTERS

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8. REPORTS AND BOARD MATTERS (Exhibit AA)

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April 23, 2007, Work Session, Ilryong Moon, Meeting Manager

Governance Committee: Facilitation and Active Listening Training.

April 23, 2007, Work Session, Phillip Niedzielski-Eichner, Chairman

Linkage Committee Update.

April 23, 2007, Work Session, Ilryong Moon, Meeting Manager

Operational Expectations: Monitoring Reports for Human Resources and Budget and Financial Management.

Facilities: Proposed 2007 School Bond Referendum; Bond Communication Process; School Boundary Change Process Modifications; Transportation Re-Engineering; Policy 8335, Wireless Telecommunication Facilities, was postponed to the May 14, 2007, work session.

April 26, 2007, Work Session, Steve Hunt, Chairman

Audit Committee: Audit reports; petty cash funds; credit cards; and topics for 2008 Annual Audit Plan.

April 26, 2007, Work Session, Ilryong Moon, Meeting Manager

Operational Expectations: Relationship with the Board

April 26, 2007, Forum on Board Topics, Daniel Storck, Chairman

Funding for Laura Ashley Piper Scholarship; Student Cell Phone Policy; and LEP testing.

9. **DEBRIEF**

The Board debriefed tonight's meeting.

10. **ADJOURNMENT**

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