

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 21

June 7, 2007

1. **CLOSED MEETING**

Chairman Daniel Storck convened the Board in public session at 6:20 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; ABSENT)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock; arr. 7:30)

Mr. Gibson moved, and Mr. Hunt 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. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; with Mrs. Wilson not present for the vote; and with Mrs. Kory 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 – Westfield High School Guitar Ensemble**

Chairman Storck convened the meeting at 7:00 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. 8:30).

Chairman Stork thanked the members of the Westfield High School Guitar Ensemble, under the direction of Ken Hall, for their performance of the National Anthem.

2.02 **Support Employees of the Year (Exhibit A)**

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Chairman Storck said that he was pleased, on behalf of the Fairfax County School Board, to pay tribute to the achievements and contributions of the outstanding support employees in attendance who had been recognized by their supervisors, colleagues, and community for their unique and exceptional contributions to FCPS. All the nominees and finalists were recognized and photographs were taken with the Board.

Mr. Center read the resolution of commendation for Preston Everett.

Mr. Center moved, and Mr. Moon seconded, to adopt the Resolution of Commendation for Preston Everett. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory absent.

Mrs. Smith read the resolution of commendation for Robert Maffett.

Mrs. Smith moved, and Mr. Gibson seconded, to adopt the Resolution of Commendation for Robert Maffett. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory absent.

2.03 Laura Ashley Piper Scholarship (Exhibit B)

Mr. Niedzielski-Eichner read the resolution naming Lauren Ann Byrne as the 2007 Laura Ashley Piper Scholarship Recipient.

Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to adopt the Resolution Naming Lauren Ann Byrne as the 2007 Laura Ashley Piper Scholarship Recipient. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory absent.

Mr. Niedzielski-Eichner presented Ms. Byrne with a check for \$1,000 and a framed copy of the resolution and invited Lauren's family and friends to come forward for photographs with the Board.

2.04. 2007 School Board Character Award (Exhibit C)

Student Representative Jessica Miller explained the history of the School Board Character Award, and Mrs. Strauss recognized Bethany Shull, a senior at Herndon High School, as the winner of the 2007 School Board Character Award.

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Mrs. Strauss presented a plaque to Ms. Shull and invited her family and friends to join the Board for photographs.

2.05 Resolution Honoring Student Representative Jessica Miller (Exhibit D)

Mr. Gibson read the resolution honoring Jessica Miller.

Mr. Gibson moved, and the entire School Board seconded, to adopt the Resolution Honoring Student Representative Jessica Miller. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory absent.

Each Board member thanked Ms. Miller for her exceptional work as the 2006-2007 Student Representative and wished her success at California Polytechnic State University in San Luis Obispo. Ms. Miller thanked the Board members for the opportunity to serve as the Student Representative, and her family joined the Board for photographs and presentation of the resolution and a plaque.

2.06 Announcements

On behalf of all the graduating seniors, Student Representative Jessica Miller thanked the coalitions, parents, and community members for their support and hard work to provide all-night graduation parties at all 25 high schools.

2.07 Certification of Closed Meeting Compliance (Exhibit E)

Mr. Center moved, and Mrs. Strauss seconded, that since the Fairfax County School Board convened a closed session meeting on June 7, 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 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 10-0-1**,

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

3. **PRESENTATIONS TO SCHOOL BOARD**

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3.01 Spotlight on Support – Working with Bus Drivers at Liberty Middle School (Exhibit F)

3.02 Citizen Participation (Exhibit G)

Two speakers addressed the Board in the time reserved for public comment. Catherine Laing addressed Agenda Item No. 6.11, Resolution in Support of Improving the No Child Left Behind Act; and Greg Mathieson addressed Westfield High School issues.

4. **ACTION ITEMS**

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4.01 School Board Policy - Adopt Policy 7101, School Bus Transportation and Walking Routes, as detailed in the agenda item (FTS; Exhibit H)

Mr. Moon moved, and Mr. Gibson seconded, to adopt Policy 7101, School Bus Transportation and Walking Routes, as detailed in the agenda item.

Comments included: due to the complexity of the current transportation system it would be counterproductive to allow for transportation of non-FCPS students at this time.

The motion to adopt Policy 7101, School Bus Transportation and Walking Routes, as detailed in the agenda item, **passed 10-1-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Hunt voting "nay"; and with Mrs. Kory absent.

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

Mrs. Smith moved, and Mrs. Wilson seconded, to appoint individuals to serve on committees as listed in the agenda item. The motion **passed 11-0**, with Mrs.

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

4.03 Confirmation of Action Taken in Closed Meeting

Mrs. Strauss moved, and Mrs. Smith seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; with Mrs. Wilson abstaining, and with Mrs. Kory absent.

Mr. Hunt moved, and Mrs. Oleszek seconded, to expel a student for numerous acts of misconduct at school. The motion **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; with Mrs. Wilson abstaining, and with Mrs. Kory absent.

Mrs. Smith moved, and Mr. Center seconded, to expel a student for gang-related activities at school. The motion **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; with Mrs. Wilson abstaining, and with Mrs. Kory absent.

Mrs. Oleszek moved, and Mr. Niedzielski-Eichner seconded, to expel a student for theft of student property at school. The motion **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; with Mrs. Wilson abstaining, and with Mrs. Kory absent.

Mr. Moon moved, and Mr. Center seconded, to expel a student for physical assault at school. The motion **passed 10-0-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; with Mrs. Wilson abstaining, and with Mrs. Kory absent.

Mrs. Strauss moved, and Mrs. Belter 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 8-2-1**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; with Mr. Niedzielski-Eichner and Mrs. Oleszek voting "nay"; with Mrs. Wilson abstaining, and with Mrs. Kory absent.

Having served on a three-member committee chaired by Mrs. Wilson, Mrs. Strauss moved, and Mrs. Oleszek seconded, to expel a student for assaulting

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another student. The motion **passed unanimously.** [Clerk's Note: Although Mrs. Wilson was not present for the public vote, she voted affirmatively when the three-member committee rendered their decision.]

Having served on a three-member committee chaired by Mrs. Kory, Mrs. Belter moved, and Mrs. Smith seconded, to expel a student for possession of illegal drugs at school. The motion **passed unanimously.** [Clerk's Note: Although Mrs. Kory was absent for the public vote, she voted affirmatively when the three-member committee rendered their decision.]

Having served on a three-member committee chaired by Mrs. Kory, Mrs. Belter moved, and Mrs. Smith seconded, to expel two students for violation of the conditions of probationary school assignments. The motion **passed unanimously.** [Clerk's Note: Although Mrs. Kory was absent for the public vote, she voted affirmatively when the three-member committee rendered their decision.]

5. CONSENT AGENDA

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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5.01 Minutes - Approve minutes of May 24, 2007, regular School Board meeting (SB; Exhibit J)

5.02 Appointment - Approve the appointment of Phillip Niedzielski-Eichner as the School Board liaison to the Fairfax County Park Authority (SB; Exhibit K)

Chairman Storck stated that, without objection, the two 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 Reappointment of Individual Trustee to ERFC - Recommendation to approve the reappointment of Nitin M. Chittal, CPA, to the ERFC Board of Trustees for a one year term beginning July 1, 2007 (HR; Exhibit L)

There was no discussion of this item.

6.02 Reappointments to ERFC Board of Trustees - Reappoint Richard Moniuszko, Deirdra McLaughlin, and Tom Bowen to the Educational Employees'

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Supplementary Retirement System of Fairfax County (ERFC) Board of Trustees for one-year terms (HR; Exhibit M)

There was no discussion of this item.

- 6.03 Amendments to ERFC and ERFC 2001-** Recommendation to approve proposed Amendment Number 13 to the Educational Employees of Fairfax County Defined Benefit Plan (ERFC and ERFC 2001) for the purpose of (A) offering beneficiaries other than spouses an opportunity to roll over distributions received due to the death of a member, (B) clarifying the age at which standard benefit payments from ERFC are reduced after retirement, (C) permitting members who are working part-time for FCPS after age 65 to receive their benefits and continue working in their part-time position, (D) clarifying the effect under the plan of small benefits that are paid as a lump-sum actuarial equivalent, (E) clarifying the plan's compliance with federal law for members who return to FCPS after a period of military service, (F) clarifying that members must currently be in eligible employment to purchase service credit in ERFC; and (G) updating cross-references in the plan documents (ERFC; Exhibit N)

There was no discussion of this item.

- 6.04 School Board Member Salary** - Recommendation that, effective January 1, 2008, the annual salary for each member of the Fairfax County School Board be set at \$20,000, and that the Chairman be paid an additional salary of \$2,000 (SB; Exhibit O)

There was no discussion of this item.

- 6.05 School Board Policy** - Recommendation to adopt Policy 3380, Ceremonies and Observances, as reviewed and discussed at the Policy work session (IS; Exhibit P)

There was no discussion of this item.

- 6.06 Award of Contract** - Recommendation to award the contract for school buses and related services and parts to Kingmor Supply, Inc., for a contract period of three (3) years with two (2) one-year renewals (FTS; Exhibit Q)

There was no discussion of this item.

- 6.07 Award of Contract** - Recommendation to award the contract for installation of a synthetic turf field at Hutchison Elementary School to Atlas Track and Tennis and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit R)

There was no discussion of this item.

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- 6.08 Award of Contract** - Recommendation to award the contract for installation of a synthetic turf field at Sandburg Middle School to Atlas Track and Tennis 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.

- 6.09 Award of Contract** - Recommendation to approve the award of contract for providing group Long Term Care Insurance for FCPS employees to CNA, our current vendor, effective January 1, 2008, and through the duration of the five (5) year contract and up to five (5) one year extensions, as recommended by the Office of Benefit Services and the Selection Advisory Committee (SAC) (HR; Exhibit T)

There was no discussion of this item.

- 6.10 Award of Contract** - Recommendation to approve the award of contract for providing integrated disability management services (which includes short-term and long-term disability and workers' compensation benefits) for FCPS employees to Liberty Mutual Insurance Company, our current vendor, effective July 1, 2007, and through the duration of the three (3) year contract, as recommended by the Office of Benefit Services and the Selection Advisory Committee (SAC) (HR; Exhibit U)

There was no discussion of this item.

- 6.11 Resolution in Support of Improving the No Child Left Behind Act** - Recommendation to approve a resolution in support of improving the No Child Left Behind Act, urging the U.S. Congressional Delegation of the Commonwealth of Virginia to fully support H.R. 648--also known as the No Child Left Behind Improvements Act of 2007--by becoming a co-sponsor of the bill or by co-sponsoring a comparable Senate version, as detailed in the agenda item (SB; Exhibit V)

There was no discussion of this item.

7. SUPERINTENDENT MATTERS

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8. REPORTS AND BOARD MATTERS

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This portion of the meeting may include Board committee reports and Board matters (Exhibit W)

May 31, 2007; Work Sessions; Kathy Smith, Meeting Manager

Accountability: Minority Student Achievement Oversight Advisory Committee Annual Report.

Special Services: Advisory Committee for Students with Disabilities Annual Report

Instruction: Gifted and Talented Advisory Committee Annual Report.

June 1, 2007; Governance Committee; Kathy Smith, Chairman

Annual work calendar; orientation for School Board candidates; School Board retreat July 20-21; process for changing language in an operational expectation.

June 6, 2007; Work Sessions, Kathy Smith, Meeting Manager

Instruction: Title I District Advisory Council and FECEP/Head Start Annual Reports.

Human Resources: Human Relations Advisory Committee Annual Report.

Special Services: School Health Advisory Committee Annual Report.

June 7, 2007; Forum on Board Topics; Dan Storck, Chairman

School Board member salaries; timeline for student expulsion cases.

9. **DEBRIEF**

The Board debriefed tonight's meeting.

10. **ADJOURNMENT**

The meeting was adjourned at 9:40 p.m.