

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 2

July 26, 2007

1. **CLOSED MEETING**

Chairman Daniel Storck convened the Board in public session at 6:37 p.m. with a quorum of members present:

Catherine A. Belter (Springfield; ABSENT)	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; ABSENT)

Mr. Gibson moved, and Mr. Center seconded, that the Board go into closed session: 1) to discuss and consider the performance and promotion of a specific public employee pursuant to Virginia Code Section 2.2-3711(A)(1); 2) to discuss and consider disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2); and 3) to consult with legal counsel regarding School Board members' participation in, and attendance of, School Board meetings, requiring the provision of legal advice by counsel pursuant to Virginia Code Section 2.2-3711(A)(7). The motion **passed 10-0**, with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; and with Mrs. Belter and Mrs. Wilson absent.

2. **MEETING OPENING**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT
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2.01 **Call to Order/Pledge of Allegiance/Moment of Silence/National Anthem by the School Board Men's Quartet**

Chairman Storck convened the meeting at 7:14 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 Pat Charbonneau; and certain other members of staff. Student Representative to the School Board James Rosenquist was absent.

The School Board Men's Quartet, which performed the National Anthem, was comprised of Mr. Gibson, Mr. Hunt, Mr. Moon, and Mr. Storck; Mrs. Moon accompanied the quartet on the piano.

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2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mr. Gibson moved, and Mr. Niedzielski-Eichner seconded, that since the Fairfax County School Board convened a closed session meeting on July 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 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 10-0, with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; and with Mrs. Belter and Mrs. Wilson absent.

2.03. Announcements (Exhibit B)

Mr. Storck announced that Mrs. Belter and Mrs. Wilson were out of town and would not attend the meeting this evening.

3. PRESENTATIONS TO SCHOOL BOARD

*[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT
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3.01 Spotlight on Learning – K12nects II (Exhibit C)

3.02 Citizen Participation (Exhibit D)

No speakers addressed the Board in the time reserved for public comment.

4. ACTION ITEMS

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- 4.01 FY 2007 Final Budget Review** - Approve revenue and expenditures as detailed in the agenda item (FS; Exhibit E)

Mrs. Strauss moved, and Mr. Niedzielski-Eichner seconded, to approve revenue and expenditures as detailed in the agenda item.

Comment that due to conservative fiscal management, the Board was able to designate \$9.1 million for the FY 2009 beginning balance; that given the predictions from the County of a very tight budget year, having those funds at year end was evidence of prudent financial management.

The motion to approve revenue and expenditures as detailed in the agenda item **passed 10-0**, with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; and with Mrs. Belter and Mrs. Wilson absent.

- 4.02 Fiscal Year 2008 Audit Plan** - Approve the FY 2008 Audit Plan, as detailed in the agenda item (S; Exhibit F)

Mr. Hunt moved, and Mr. Niedzielski-Eichner seconded, to approve the FY 2008 Audit Plan, as detailed in the agenda item.

Compliments offered to Theresa Weatherman, director, Office of Internal Audit, for her professional leadership and supportive attitude in assisting departments and schools to manage resources effectively and responsibly; the continuous improvement approach was in line with the Board's governance model and would help strengthen the system overall.

The motion to approve the FY 2008 Audit Plan, as detailed in the agenda item, **passed 10-0**, with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; and with Mrs. Belter and Mrs. Wilson absent.

- 4.03 School Board Liaisons and Committee Chairmanships** - Recommendation to confirm committee liaisons and chairmanships, as listed in the agenda item (SB; Exhibit G)

Mrs. Smith moved, and Mr. Moon seconded, to confirm committee liaisons and chairmanships, as listed in the agenda item.

Mrs. Smith read the following recommended committee assignments, which would be in effect from August 2007 through July 2008: Budget Liaisons – Phillip Niedzielski-Eichner, Ilryong Moon (Alternate); Legislative Liaisons – Stuart Gibson (Federal), Janet Oleszek (State); Audit Committee – Steve Hunt, Chair, Cathy Belter, Vice Chair; Governance Committee – Kathy Smith, Chair, Kaye

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Kory, Ilryong Moon, and Dan Storck; Linkage Committee – Brad Center, Chair, Steve Hunt, Jane Strauss, and Tessie Wilson; Board Liaisons to Committees: Adult and Community Education – Phillip Niedzielski-Eichner; Gifted and Talented – Cathy Belter and Kaye Kory; Career and Technical Education – Dan Storck; Human Relations – Jane Strauss; Minority Student Achievement Oversight – Kathy Smith; School Health – Steve Hunt; Students with Disabilities – Tessie Wilson; Title I and FECEP – Kaye Kory; Fairfax City School Board – Janet Oleszek; Fairfax County Planning Commission – Ilryong Moon; and Fairfax County Park Authority – Phillip Niedzielski-Eichner.

The motion to confirm committee liaisons and chairmanships, as listed in the agenda item, **passed 10-0**, with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting “aye”; and with Mrs. Belter and Mrs. Wilson absent.

- 4.04 Appointment of VSBA Delegate and Alternate** - Appoint Brad Center as delegate and Kathy Smith as an alternate to the Virginia School Boards Association 2007 annual conference (SB; Exhibit H)

Mr. Gibson moved, and Mr. Niedzielski-Eichner seconded, to appoint Brad Center as delegate and Kathy Smith as an alternate to the Virginia School Boards Association 2007 annual conference. The motion **passed 10-0**, with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting “aye”; and with Mrs. Belter and Mrs. Wilson absent.

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

There were no additional appointments.

- 4.06 Confirmation of Action Taken in Closed Meeting**

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

Mrs. Strauss moved, and Mr. Center seconded, to expel a student for possession of weapons and illegal drugs at school. The motion **passed 10-0**, with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting “aye”; and with Mrs. Belter and Mrs. Wilson absent.

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

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

Mr. Gibson moved, and Mr. Center seconded, to expel two students for possession of weapons at school. The motion **passed 10-0**, with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; and with Mrs. Belter and Mrs. Wilson absent.

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

Having served on a three-member committee chaired by Mrs. Kory, Mr. Storck moved, and Mrs. Kory seconded, to expel a student for possession of a weapon at school. The motion **passed unanimously**. *[Clerk's Note: Although Mrs. Belter 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 Mr. Hunt, Mr. Niedzielski-Eichner moved, and Mr. Gibson seconded, to expel a student for inappropriate actions on school property. The motion **passed unanimously**.

Having served on a three-member committee chaired by Mr. Hunt, Mr. Gibson moved, and Mr. Niedzielski-Eichner 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 Mrs. Strauss, Mrs. Oleszek moved, and Mr. Niedzielski-Eichner seconded, to expel a student for possession of illegal drugs and a weapon at school. The motion **passed unanimously**.

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

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possession and distribution of illegal drugs at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mrs. Strauss, Mr. Niedzielski-Eichner moved, and Mrs. Oleszek seconded, to expel a student for participation in gang-related activities at school. The motion **passed unanimously.**

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

Mr. Moon moved, and Mrs. Smith seconded, to appoint Peter Noonan as Assistant Superintendent for Instructional Services, effective August 1, 2007, and authorize the Chairman to execute a contract reflecting these actions. The motion **passed 10-0**, with Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; and with Mrs. Belter and Mrs. Wilson absent.

5. CONSENT AGENDA

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 5.01 **Minutes** - Approve the minutes of July 12, 2007, regular School Board meeting (SB; Exhibit J)
- 5.02 **Monthly Separation Report** - Confirm the separations for the period beginning June 1, 2007, and ending June 30, 2007 (HR; Exhibit K)
- 5.03 **Quarterly Separation Report** - Confirm the appointments and separations for the period April 1, 2007, and ending June 30, 2007 (HR; Exhibit L)
- 5.04 **Thomas Jefferson High School for Science and Technology** - Approve Fairfax County Public Schools (FCPS) continue in 2007-2008 to accept the Virginia Department of Education designation as the Governor's Regional School for Science and Technology in Northern Virginia (Cluster III; Exhibit M)
- 5.05 **Award of Contract** - Award the contract for the addition at Langley High School to Sumter Contracting Corporation in the amount of \$2,780,000 and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit N)
- 5.06 **Award of Contract** - Approve the award of contract for providing dental benefit services for FCPS employees to Aetna Inc., the current vendor, effective January 1, 2008, and through the duration of the three (3) year contract and up to three (3) one-year extensions as recommended by the Office of Benefit Services and the Selection Advisory Committee (HR; Exhibit O)
- 5.07 **Award of Contract** - Award the contract for the lease/purchase and outright purchase of classroom trailers to Modular Solutions, Inc., and authorize the

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Division Superintendent, or his designee, to execute one or more contracts as requirements become known (FTS; Exhibit P)

5.08 School Board Policy - Adopt Policy 8120.1, School Planning, as reviewed and discussed at the Policy work session (FTS; Exhibit Q)

5.09 Award of Contract - Award the contract for the interior modification at Westfield High School to Creative Finishes Inc., with add alternate #1, in the amount of \$256,012.97, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit R)

5.10 Award of Contract - Award the contract for the phased replacement of the rooftop units at West Potomac High School to Adrian L. Merton, Inc., in the amount of \$515,400.00, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit S)

Chairman Storck stated that, without objection, the ten 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 School Board Policy - Recommendation to adopt Policy 3202, New Course and Program Proposals and Deletion and Consolidation of Existing Courses, as reviewed and discussed at the Policy work session (IS; Exhibit T)

There was no discussion of this item.

6.02 Challenged Materials Interdepartmental Review Committee - Recommendation that School Board Members Catherine Belter, Stuart Gibson, Kathy Smith, Dan Storck, Jane Strauss, and Tessie Wilson appoint individuals to serve a one-year term on the Challenged Materials Interdepartmental Review Committee, as listed in the agenda item (IS; Exhibit U)

There was no discussion of this item.

6.03 Transportation Task Force - Recommendation to appoint citizens and staff to serve on the Transportation Task Force, 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** (Exhibit W)

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July 16, 2007, Work Sessions

Audit: FY 2008 Audit Plan

Budget: FY 2007 Final Budget Review; FY 2009 Fiscal Forecast

Policy: Policy 3202, New Course and Program Proposals

Facilities: Proposed Scope of Fall Boundary Studies; Capital Renovation Program

Governance: Policy 1710, Citizen Advisory Committees to the School Board

Linkage: Framework for Possible Transportation Reengineering Task Force and Parameters

July 20-21, School Board Retreat

Chairman Storck reported that the Board retreat had been an excellent opportunity for Board members to review their governance process, the progress made on the measurements for the student achievement goals and the operational expectations, and future linkage strategies to increase two-way, all-inclusive communications with the community, including the creation of a Key Communicators group; the Board had also approved the annual work plan for 2007-2008.

July 26, 2007, Work Sessions

Audit Committee: Proposed FY 2008 Annual Audit; Estimated Timing of FY 2008 Audits.

Forum on Board Topics: Shared use of County/School facilities and green buildings; Charter for School Employees' Benefits Advisory Council (SEBAC); foreign language textbook adoption committee update; FLECAC appointments for 2007-2008; programs for disruptive or lower-performing students in the disciplinary process; debrief on meeting protocol.

9. **ADJOURNMENT**

The meeting was adjourned at 8:47 p.m.

10. **DEBRIEF**

The Board debriefed tonight's meeting.

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