

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 3

September 6, 2007

1. **MEETING OPENING**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

<http://www.boarddocs.com/vsba/Fairfax/Board.nsf/Public?OpenFrameSet>

1.01 Call to Order/Pledge of Allegiance/Moment of Silence/National Anthem – West Springfield High School Madrigals

Chairman Storck convened the meeting at 8 p.m. with a quorum of Board members present.

Catherine A. Belter (Springfield)	Phillip A. Niedzielski-Eichner (Providence)
Brad Center (Lee)	Janet S. Oleszek (At Large; dep. 10:40)
Stuart D. Gibson (Hunter Mill)	Kathy L. Smith (Sully)
Stephen M. Hunt (At Large)	Daniel G. Storck (Mt. Vernon)
Kaye Kory (Mason, dep. 10:40)	Jane K. Strauss (Dranesville; arr. 8:05; dep. 10:40)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

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 James Rosenquist was present.

Chairman Storck thanked the members of the West Springfield High School Madrigals, under the direction of Michael Dombrow, for their performance of the National Anthem.

1.02. Announcements (Exhibit A)

Chairman Storck welcomed Student Representative to the Board James Rosenquist to his first Board meeting, and Mr. Rosenquist said he was honored to be there representing all the students in FCPS. Chairman Storck also announced that Mr. Gibson had requested that agenda item 4.02, Policy 3202.2, New Course Proposals and Deletion and Consolidation of Existing Courses, be removed from the consent agenda and added under action items as agenda item 3.02; and Mrs. Smith recognized National Hispanic American Heritage Month.

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2. PRESENTATIONS TO SCHOOL BOARD

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2.01 Spotlight on Learning – Special Olympics at Hayfield Elementary School (Exhibit B)

2.02 Citizen Participation (Exhibit C)

One speaker addressed the Board in the time reserved for public comment. Kimberly Larkin addressed Agenda Item No. 5.04, Operational Expectations.

2.03 School Planning (Exhibit D)

Deputy Superintendent Richard Moniuszko reviewed a powerpoint presentation highlighting the recent revisions that had been made to the School Improvement Plan (SIP) process in order for schools to focus on the three student achievement goals; the SIP project team had defined areas for growth and improvement, and all school plans would be completed by November 1; the Project Management Oversight Committee would set priorities, approve projects, identify resources, and monitor progress of district projects. Woodlawn Elementary School Principal Stephanie Bisson and her staff, and Fairfax High School Principal Scott Brabrand and his staff, each gave an overview of how their school planning process had been successfully developed with faculty and community members using the new procedure.

Comments included the following: consensus that parent involvement in the school planning process was critical to a school's success; request that the school improvement training for staff include information on how to identify meaningful indicators and measurable objectives; these new school plans would have an effect on student learning by the end of this school year, and best practices would be available for all schools to help benefit students; cluster assistant superintendents met with staff at each school and monitored their individual plans throughout the year, and there would be continuous improvement analysis of the plans; and commendation for the staffs' efforts.

3. ACTION ITEMS

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3.01 Transportation Task Force - Appoint citizens and staff members to serve on the Transportation Task Force, as listed in the agenda item (Exhibit E)

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Mr. Niedzielski-Eichner moved, and Mr. Gibson seconded, to appoint citizens and staff members to serve on the Transportation Task Force, as listed in the agenda item.

Consensus that the individuals nominated to serve on the task force were an outstanding representation of the community, and would be dealing with a complex and challenging task; the Chairman and Vice Chairman of the task force would be selected by Chairman Storck prior to the group's first meeting on September 15, 2007.

The motion to appoint citizens and staff members to serve on the Transportation Task Force, as listed in the agenda item, **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek not present for the vote.

3.02 School Board Policy - Adopt Policy 3202.2, New Course Proposals and Deletion and Consolidation of Existing Courses as reviewed and discussed at the Policy work session (Exhibit F)

Mrs. Strauss moved, and Mr. Niedzielski-Eichner seconded, to adopt Policy 3202.2, New Course Proposals and Deletion and Consolidation of Existing Courses, as listed in the agenda item.

Comments included the following: the revised policy consolidated middle and high school courses so that there would only be one review committee, and cluster assistant superintendents, instead of Board members, would appoint community members to the committee; the Board would continue to have final approval of the creation of new courses and deletion of existing courses.

The motion to adopt Policy 3202.2, New Course Proposals and Deletion and Consolidation of Existing Courses, as listed in the agenda item, **passed 10-1**, with Mrs. Belter, Mr. Center, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; with Mr. Gibson voting "nay"; and with Mrs. Oleszek not present for the vote.

3.03 Additional Appointments - Appoint individuals to serve on committees as listed in the agenda item (Exhibit G)

Mrs. Smith moved, and Mr. Moon seconded, to appoint individuals to serve on committees as listed in the agenda item. The motion **passed 11-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek not present for the vote.

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4. CONSENT AGENDA

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 4.01 Minutes** - Approve minutes of July 26, 2007, regular School Board meeting (SB; Exhibit H)

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

5. NEW BUSINESS

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- 5.01 Family Life Education Curriculum Advisory Committee** - Recommendation to appoint individuals to serve on the Family Life Education Curriculum Advisory Committee, as listed in the agenda item (Exhibit I)

There was no discussion of this item.

- 5.02 Foreign Language Textbook Adoption Committee** - Recommendation to confirm the members of the Foreign Language Textbook Adoption Committee, as listed in the agenda item (Exhibit J)

There was no discussion of this item.

- 5.03 Board of Supervisors and School Board Joint Resolution** - Recommendation to adopt a resolution that requires the Fairfax County School Board and the Fairfax County staff to work together to determine opportunities for the shared delivery of services to citizens in all facilities (Exhibit K)

There was no discussion of this item.

- 5.04 Fairfax County Purchasing Resolution** - Recommendation to adopt the revised Fairfax County Purchasing Resolution (Exhibit L)

There was no discussion of this item.

- 5.05 Operational Expectations** - Recommendation to accept the reasonable interpretations and indicators for Community Relations, as recommended by the Division Superintendent and as detailed in the agenda item (Exhibit M)

There was no discussion of this item.

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6. **SUPERINTENDENT MATTERS**

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7. **REPORTS AND BOARD MATTERS** (Exhibit N)

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July 30, 2007, Work Sessions

Facilities: Transportation Reengineering Questions

Operational Expectations: Community Relations

Special Services: Implementation of Individualized Education Programs (IEPs), and Functional Behavior Analysis and Behavioral Intervention Plan Update.

August 20, 2007 Work Session

Linkage: Community Leadership Council breakfast meeting; review of the purpose and proposed schedule for linkage topics on 21st Century Skills, Parental Involvement, and Transitions to Post-Secondary Opportunity.

8. **CLOSED MEETING**

8.01 Mrs. Oleszek moved, and Mr. Center seconded, that the Board go into closed session 1) to discuss and consider the employment and performance of specific public employees 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 actual litigation against the School Board (*M.S. v. Fairfax County School Board*, U.S. District Court for the Eastern District of Virginia), and regarding a specific legal matter (BRAC issues) requiring the provision of legal advice by counsel pursuant to Virginia Code Section 2.2-3711(A)(7). The motion **passed unanimously**. *[Clerk's Note: After the vote, Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss left the meeting.]*

8.02 Certification of Closed Meeting Compliance (Exhibit O)

Mr. Gibson moved, and Mr. Center seconded, that since the Fairfax County School Board convened a closed session meeting on September 6, 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

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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 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

8.03 Confirmation of Action Taken in Closed Meeting

Mr. Center moved, and Mrs. Smith seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mr. Gibson moved, and Mr. Niedzielski-Eichner seconded, to expel a student for threatening a school official. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mrs. Wilson moved, and Mrs. Smith seconded, to expel a student for theft of another's property. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mr. Niedzielski-Eichner moved, and Mr. Center seconded, to expel a student for possession of a weapon at school. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

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Mr. Gibson moved, and Mrs. Smith seconded, to expel a student for assault with a weapon. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mr. Niedzielski-Eichner moved, and Mrs. Smith seconded, to expel a student for sexual battery. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mrs. Smith moved, and Mrs. Wilson seconded, to expel a student for numerous acts of misconduct at school. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mr. Hunt moved, and Mr. Niedzielski-Eichner seconded, to expel a student for numerous acts of misconduct at school and on a school bus. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mrs. Wilson moved, and Mr. Hunt seconded, to expel a student for participation in a gang-related mob assault. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mr. Center moved, and Mr. Gibson seconded, to expel a student for engaging in numerous acts of misconduct, including gang-related activities. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mr. Niedzielski-Eichner moved, and Mr. Gibson seconded, to expel three students for engaging in gang-related activities at school. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mrs. Wilson moved, and Mr. Moon seconded, to expel a student for possession of illegal drugs at school. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck,

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and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mr. Moon moved, and Mr. Center seconded, to expel four students for possession and distribution of illegal drugs at school. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

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

Having served on a three-member committee chaired by Mr. Moon, Mr. Center moved, and Mr. Storck seconded, to expel a student for burglary, destruction of school property, and arson on school property. The motion **passed unanimously**.

Having served on a three-member committee chaired by Mr. Moon, Mr. Center moved, and Mr. Storck seconded, to expel a student for disruption of the instructional program. The motion **passed unanimously**.

Having served on a three-member committee chaired by Mr. Moon, Mr. Center moved, and Mr. Storck seconded, to expel a student for theft of another's property. The motion **passed unanimously**.

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

Having served on a three-member committee chaired by Mr. Center, Mr. Niedzielski-Eichner moved, and Mr. Storck 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. Center, Mr. Niedzielski-Eichner moved, and Mr. Storck seconded, to expel a student for sexual harassment. The motion **passed unanimously**.

Having served on a three-member committee chaired by Mr. Center, Mr. Niedzielski-Eichner moved, and Mr. Storck seconded, to expel a student for theft of another's property. The motion **passed unanimously**.

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

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burglary, destruction of school property, and arson on school property. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Niedzielski-Eichner, Mrs. Smith moved, and Mrs. Wilson seconded, to expel a student for sexual harassment and other misconduct on school property. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Niedzielski-Eichner, Mrs. Smith moved, and Mrs. Wilson seconded, to expel a student for conviction of a crime in the community. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Gibson, Mr. Center moved, and Mr. Gibson seconded, to expel a student for involvement in the theft of another's property. 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 Mr. Gibson, Mr. Center moved, and Mr. Gibson seconded, to expel a student for burglary, destruction of school property, and arson on school property. 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 Mr. Gibson, Mr. Center moved, and Mr. Gibson seconded, to expel a student for possession and use 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. Wilson, Mrs. Smith moved, and Mrs. Belter seconded, to expel a student for possession and use of illegal drugs at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Moon, Mr. Hunt moved, and Mr. Niedzielski-Eichner seconded, to expel a student for sexual battery. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Moon, Mr. Hunt moved, and Mr. Niedzielski-Eichner seconded, to expel a student for conviction of a crime in the community. The motion **passed unanimously.**

Mr. Gibson moved, and Mr. Moon seconded, to approve the settlement of the attorney's fees claims in the case of M.S. v. Fairfax County School Board on the terms described by counsel in closed meeting, and authorize the Division

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Superintendent, or his designee, on behalf of the School Board, to approve the final text of the settlement agreement, and execute that agreement together with any other related documents as may be necessary and appropriate to accomplish this purpose. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

Mr. Hunt moved, and Mr. Niedzielski-Eichner seconded, that the teacher identified in closed meeting be dismissed from employment. The motion **passed 9-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

9. **ADJOURNMENT**

The meeting was adjourned at 12:20 a.m.

10. **DEBRIEF**

There was no debrief of tonight's meeting.