

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 4

September 27, 2007

1. **MEETING OPENING**

1.01 **Call to Order/Pledge of Allegiance/Moment of Silence**

Chairman Dan Storck convened the meeting at 8:06 p.m. with a quorum of Board members present.

Catherine A. Belter (Springfield)	Phillip A. Niedzielski-Eichner (Providence)
Brad Center (Lee; arr. 8:27)	Janet S. Oleszek (At Large; arr. 8:27; dep. 12:35 a.m.)
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)

Also present were Division Superintendent Jack D. Dale; 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 present (dep. 11 p.m.).

1.02 **Announcements** (Exhibit A)

Mr. Rosenquist announced that October 7-13 was fire prevention week and encouraged everyone to practice their emergency escape plans; and that October was Head Start Awareness month.

1.03 **Recognition of Gary Chevalier** (Exhibit B)

Mrs. Strauss read a certificate honoring Gary Chevalier for his years of service to Fairfax County Public Schools (FCPS). She invited Mr. Chevalier's family and friends to join the Board for presentation of the certificate and plaque and for photographs; Mr. Chevalier expressed his thanks; and Board members thanked him for his service.

2. **PRESENTATIONS TO SCHOOL BOARD**

***[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT
<http://www.boarddocs.com/vsba/Fairfax/Board.nsf/Public?OpenFrameSet>]***

2.01 **Spotlight on Learning** - School-Based Mentoring Program at Mountain View Alternative High School (Exhibit C)

2.02 **Citizen Participation** (Exhibit D)

Six speakers addressed the Board in the time reserved for public comment. Vern Williams addressed the Thomas Jefferson High School for Science and Technology admissions process; and Jeanne Eagle Bull-Oxendine, Jake Eagle Bull-Oxendine,

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James Eagle Bull-Oxendine, Michael Nephew, and Mary Phillips addressed the student dress code.

2.03 Opening of Schools Report (Exhibit E)

Dr. Dale reviewed a PowerPoint highlighting the opening of the 2007-2008 school year and 2007 summer school. He pointed out that the biggest challenge had been the 1,000-student increase, which was not previously forecasted, and which would impact staffing levels; the bus driver shortage had decreased; and the achievement gap continued to be narrowed in 9 of 11 Standards of Learning (SOL) tests.

Questions and comments included the following: a question regarding the decline in reading scores at the lower grade levels; response that the drop was largely attributable to Level 1 and 2 English Speakers of Other Languages (ESOL) students who were taking SOL tests for the first time; a request for a report on scores with, and without, ESOL Level 1 and 2 students' scores; a question whether the additional bus driver hires had achieved increased service levels; response that the increase in student population would impact the transportation budget and service levels, and the 2007 Transportation Task Force was addressing service levels as well as start times and would provide a recommendation on transportation services to the School Board after January 2008; a question where the largest projected enrollment increase occurred; response that increases were projected across the county and across grade levels; a question whether MyLunchMoney.com was designed to alert parents when the balance on a student's lunch card was low; response to be provided; a question regarding anticipated costs for increased staffing levels resulting from the enrollment increase; response that the normal lapse was expected, requiring no unusual budget requests; and the concern that the next budget cycle would be extremely tight.

2.04 Pandemic Flu Plan (Exhibit F)

Fred Ellis, Director, Safety and Security, reviewed a PowerPoint that demonstrated a pandemic flu epidemic potential, its possible consequences, and steps that would be taken to minimize the outbreak and impact.

Comments included the following: the FCPS Workbook was being used as a model by the United States Department of Education; the County and FCPS continue to work closely on a coordinated Pandemic Influenza plan and the decision to close schools would be coordinated with the State Health Commissioner, the School Board, and the Superintendent; the expectation that there should be some advance warning of a potential outbreak; Instructional Services Department was devising plans for continuity in educational services and student learning; a question whether schools were a terrorist target; and the response that the Federal Government and local intelligence sources have advised FCPS that they are not aware of any credible information at this time of any planned attack.

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3. **ACTION ITEMS**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 3.01 Family Life Education Curriculum Advisory Committee** - Appoint individuals to serve on the Family Life Education Curriculum Advisory Committee, as detailed in the agenda item (IS; Exhibit G)

Mrs. Kory moved, and Mr. Niedzielski-Eichner seconded, to appoint individuals to serve on the Family Life Education Curriculum Advisory Committee, as detailed in the agenda item. The motion **passed unanimously.**

- 3.02 Board of Supervisors/School Board Joint Resolution** - Adopt a resolution that requires the Fairfax County School Board and County staff to work together to determine opportunities for the shared delivery of services to citizens in all facilities (FTS; Exhibit H)

Mrs. Smith moved, and Mrs. Strauss seconded, to adopt a resolution that requires the Fairfax County School Board and County staff to work together to determine opportunities for the shared delivery of services to citizens in all facilities.

Comments included: recognition of the positive working relationship between the School Board and the Board of Supervisors; and areas of cooperation included synthetic turf fields, community use of FCPS facilities, collocation of services within a County or school building, and shared projects with the Park Authority.

The motion to adopt a resolution that requires the Fairfax County School Board and County staff to work together to determine opportunities for the shared delivery of services to citizens in all facilities **passed unanimously.**

- 3.03 Challenged Materials Interdepartmental Review Committee** - 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 I)

Mr. Moon moved, and Mr. Center seconded, 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.

Mr. Storck added the name of his appointee, Theresa Evans, to the Challenged Materials Interdepartmental Review Committee.

The motion that School Board Members Catherine Belter, Stuart Gibson, Kathy Smith, Dan Storck, Jane Strauss, and Tessie Wilson appoint individuals to serve a one-year

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term on the Challenged Materials Interdepartmental Review Committee, as amended and as listed in the agenda item, **passed unanimously.**

- 3.04 Operational Expectations** - Accept the reasonable interpretations and indicators for Community Relations, as recommended by the Division Superintendent and as detailed in the agenda item (S; Exhibit J)

Mrs. Strauss moved, and Mrs. Smith seconded, to accept the reasonable interpretations and indicators for Community Relations, as recommended by the Division Superintendent and as detailed in the agenda item.

Discussion included: the Community Relations Operational Expectations reasonable interpretations and indicators reflected revisions from the July 30, 2007, work session based on Board comments and concerns; concerns expressed that the indicators would not measure useful information; and the Community Relations Monitoring Report was scheduled for approval in April 2008.

The motion to accept the reasonable interpretations and indicators for Community Relations, as recommended by the Division Superintendent and as detailed in the agenda item **passed 8-4**, with Mrs. Belter, Mr. Gibson, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Center, Mr. Hunt, Mrs. Kory, and Mrs. Oleszek voting "nay".

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

Mrs. Oleszek moved, and Mrs. Kory seconded, to appoint individuals to serve on committees as listed in the agenda item. The motion **passed unanimously.**

4. CONSENT AGENDA

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 4.01 Minutes** - Approve the minutes of September 6, 2007, regular School Board meeting (SB; Exhibit L)
- 4.02 Monthly Separation Report** - Confirm the separations for the period beginning July 1, 2007, and ending July 31, 2007, and for the period beginning August 1, 2007, and ending August 31, 2007, as detailed in the agenda item (HR; Exhibit M)
- 4.03 Foreign Language Textbook Adoption** - Confirm the members of the Foreign Language Textbook Adoption Committee, as listed in the agenda item (IS; Exhibit N)
- 4.04 Fairfax County Purchasing Resolution** - Adopt the revised Fairfax County Purchasing Resolution (FS; Exhibit O)

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

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5. **NEW BUSINESS**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 5.01 Divisionwide Comprehensive Plan** - Recommendation to approve the Divisionwide Comprehensive Plan, as detailed in the agenda item (A; Exhibit P)

There was no discussion of this item.

- 5.02 Request for Waiver of Verified Credit (SOL)** - Recommendation to request waiver of verified credit requirements, as detailed in the agenda item, for a student identified to School Board Members (SS; Exhibit Q)

There was no discussion of this item.

- 5.03 Award of Contract** - Recommendation to award the contract for the renovation of the Edsall Park Adult Education Center 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 R)

There was no discussion of this item.

- 5.04 Award of Contract** - Recommendation to award the contract for the re-roofing project at Key Middle 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 S)

There was no discussion of this item.

- 5.05 Appointment of Deputy Agent** - Recommendation to appoint Dennis Shelton as Deputy Agent of the School Board to examine, approve, and order payment of financial obligations of the Board in the absence of the Agents (SB; Exhibit T)

There was no discussion of this item.

- 5.06 Charge to the District Advisory Council for the Fairfax County Compensatory Education Title I Program** - Recommendation to approve the following charge to the District Advisory Council for the Fairfax County Compensatory Education Title I Program for 2007-2008: Determine ways to strengthen family involvement in schools and focus on how schools can best support families in developing children's literacy skills (SB; Exhibit U)

There was no discussion of this item.

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- 5.07 Charge to the Family and Early Childhood Education Program (FECEP/Head Start) Parent Policy Committee** - Recommendation to approve the following charge to the Family and Early Childhood Education Program (FECEP/Head Start) Parent Policy Committee for 2007-2008: Find and recommend ways to increase parental involvement (SB; Exhibit V)

There was no discussion of this item.

- 5.08 Strategic Governance Manual** - Recommendation to approve the proposed revision to Section 4, Board Committees, page 38, of the Strategic Governance Manual, which would add a representative from Fairfax County's Therapeutic Recreation Services to the membership of the Advisory Committee for Students with Disabilities (ACSD), as recommended by ACSD and as detailed in the agenda item. (SB; Exhibit W)

There was no discussion of this item.

Mr. Hunt requested, and Chairman Storck accepted, the addition of two items to the New Business agenda:

- 5.09** Recommendation to approve the charge to the School Health Advisory Committee for 2007-2008: Determine the elements of a comprehensive school health policy and compare those elements to the current Wellness Policy and other FCPS health-related written policies (SB; Exhibit X)
- 5.10** Recommendation to remove from the School Board's adopted Strategic Governance Manual, Section 4, Board Committees, the "note" paragraph at the beginning of 7.B. Legally Required Committees (page 37) and the "note" paragraph at the beginning of 7.C. Other Committees (page 41) (SB; Exhibit Y)

There was no discussion on Agenda Items 5.09 and 5.10.

6. SUPERINTENDENT MATTERS

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7. REPORTS AND BOARD MATTERS (Exhibit Z)

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September 7, 2007, Work Session

Governance Committee: Boundaries ground rules language, meeting manager guidelines, January 4-5, 2008, School Board retreat.

September 17, 2007, Work Sessions

Forum on Board Topics: Impact on school capacity at Tyson's Corner; charges to School Board advisory committees.

Governance: Reported earlier.

Linkage: Community Leadership Council initial meeting; topics for future Board consideration.

Operational Expectations: Professional Learning and Training monitoring report.

Technology: Student Information system replacement focus group.

Facilities: Systemwide emergency operations plan and crisis management workbook.

8. CLOSED MEETING

8.01 Mr. Gibson moved, and Mr. Moon seconded, that the Board go into closed session 1) to discuss and consider the employment, appointment, performance and disciplining 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); 3) to discuss and consider the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy or the public body pursuant to Virginia Code Section 2.2-3711(A)(3); 4) to protect the privacy of individuals in personal matters not related to public business pursuant to Virginia Code Section 2.2-3711(A)(4); and 5) to consult with legal counsel 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**

8.02 Certification of Closed Meeting Compliance (Exhibit AA)

Mr. Moon moved, and Mr. Gibson seconded, that since the Fairfax County School Board convened a closed session meeting on September 27, 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

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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 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.

8.03 Confirmation of Action Taken in Closed Meeting

Mr. Gibson moved, and Mrs. Strauss seconded, to deny the parent's 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. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Oleszek not present for the vote.

Having served on a three-member committee chaired by Mrs. Smith, Mrs. Strauss moved, and Mrs. Kory seconded, to expel two students for participation in a gang-related mob assault. The motion **passed unanimously**.

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

Having served on a three-member committee chaired by Mrs. Smith, Mrs. Strauss moved, and Mrs. Kory seconded, to expel a student for possession of illegal drugs, with the intent to distribute at school. The motion **passed unanimously**.

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

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

Having served on a two-member committee chaired by Mr. Hunt, Mrs. Kory moved, and Mr. Hunt seconded, to expel a student for possession of illegal drugs, with the intent to distribute at school. The motion **passed unanimously**. *[Clerk's Note: The parents of the student agreed to a hearing before two School Board members.]*

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

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

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

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 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.

Mrs. Strauss moved, and Mrs. Wilson seconded that, for the reasons discussed in the closed meeting hearing earlier this evening, the School Board approve the Division Superintendent's recommendation for revocation of the Virginia teaching license of the individual who was previously dismissed from employment by the Board on September 6, 2007, and direct the Division Superintendent to forward this recommendation, along with the investigative file, to the State Superintendent of Public Instruction, in accordance with the Licensure Regulations for School Personnel in Virginia. 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.

9. **ADJOURNMENT**

The meeting was adjourned at 12:45 p.m.

10. **DEBRIEF**

There was no debrief of tonight's meeting.