

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 8

November 29, 2007

1. **CLOSED MEETING**

Chairman Dan Storck convened the Board in public session at 6:40 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)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Mr. Gibson moved, and Mr. Center seconded, that the Board go into closed session 1) to discuss and consider disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2); and 2) to protect the privacy of individuals in personal matters not related to public business pursuant to Virginia Code Section 202-3711(A)(4). The motion **passed unanimously.**

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 7:07 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 James Rosenquist was absent.

2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mr. Moon moved, and Mr. Niedzielski-Eichner seconded, that since the Fairfax County School Board convened a closed session meeting on November 29, 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

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 8

2

November 29, 2007

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 11-0**, with Mrs. Belter, 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. Wilson not present for the vote.

2.03 Announcements (Exhibit B)

Chairman Storck announced that Mr. Rosenquist would not be in attendance at this evening's meeting because he had a rehearsal for a school play; Vice Chairman Kathy Smith announced that December 3-7, 2007 was National Inclusive Schools Week. Chairman Storck recognized Mr. Gibson for his recent installation as the Virginia School Boards Association president-elect, and Board members joined Mr. Gibson for photographs.

2.04 Resolution Naming the Auditorium at Hayfield Secondary School (Exhibit C)

Mr. Center read a resolution naming the auditorium at Hayfield Secondary School "The Rebecca S. Wilburn Auditorium."

Mr. Center moved, and Mrs. Smith seconded, to adopt the Resolution Naming the Auditorium at Hayfield Secondary School "The Rebecca S. Wilburn Auditorium." The motion **passed unanimously**.

Mr. Center invited Ms. Wilburn and her family and friends to join the Board for photographs.

3. PRESENTATIONS TO SCHOOL BOARD

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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3.01 Citizen Participation (Exhibit D)

Two speakers addressed the Board in the time reserved for public comment. Steven Key addressed Agenda Item No. 4.04, Student Achievement Goal 1.2,

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 8

3

November 29, 2007

Communicate in at Least Two Languages; and Michael Grasso addressed high school capacity problems.

4. ACTION ITEMS

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 4.01 FY 2008 Midyear Budget Review** - Approve revenue and expenditure changes reflected in the FY 2008 Midyear Budget Review, as detailed in the agenda item (FS; Exhibit E)

Mr. Niedzielski-Eichner moved, and Mrs. Strauss seconded, that the School Board approve revenue and expenditure changes reflected in the FY 2008 Midyear Budget Review, as detailed in the agenda item.

Mr. Niedzielski-Eichner explained that there had been a significant savings in health insurance; a significant number of students were enrolled that had not been anticipated, and approximately 190 positions had been used from the flexibility reserve to accommodate the increased enrollment; and \$5.9 million would be added to the FY 2009 beginning balance.

The motion that the School Board approve revenue and expenditure changes reflected in the FY 2008 Midyear Budget Review, as detailed in the agenda item, passed unanimously.

- 4.02 2008 FCSB Legislative Program** - Adopt the 2008 Fairfax County School Board Legislative Program (S; Exhibit F)

Michael Molloy, director of Government Relations, explained the changes that had been made to the Program since the Board discussion at the October 15, 2007, work session.

Mrs. Oleszek moved, and Mrs. Kory seconded, that the Board adopt the 2008 Legislative Program, as reviewed and discussed at the Legislation work session.

Mrs. Wilson moved, and Mr. Hunt seconded, to divide the motion to vote separately on the position of fiscal autonomy for local elected school boards (page 32).

The motion passed 11-1, 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 voting "nay".

Mrs. Smith moved, and Mr. Niedzielski-Eichner seconded, to approve the position of fiscal autonomy for local elected school boards (page 32).

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 8

4

November 29, 2007

Clarifying comment made that this fiscal autonomy position recommended that the General Assembly initiate a study.

The motion to approve the position of fiscal autonomy for local elected school boards (page 32) passed 9-3, with Mrs. Belter, Mr. Center, Mr. Gibson, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mr. Storck, and Mrs. Strauss voting "aye"; and with Mr. Hunt, Mrs. Smith, and Mrs. Wilson voting "nay".

The motion to approve the 2008 Legislative Program as reviewed and discussed at the Legislation work session passed 11-1, with Mrs. Belter, Mr. Center, Mr. Gibson, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mr. Hunt voting "nay".

- 4.03 Student Achievement Goal 1.1.2., Mathematics** - Accept the report as a reasonable interpretation of the Board's goals, including indicators to measure attainment of the goal, the timeline, and the aspirational expectation of Student Achievement Goal 1.1.2., Mathematics (IS; Exhibit G)

Mrs. Smith moved, and Mrs. Oleszek seconded, to accept the report as a reasonable interpretation of the Board's goals, including indicators to measure attainment of the goal, the timeline, and the aspirational expectation of Student Achievement Goal 1.1.2., Mathematics.

Dr. Dale introduced Mary Ann Ryan, director of Office of Elementary Instruction and Library Information Services, and Frank Atchison, K-12 mathematics coordinator, to present the report on Student Achievement Goal 1.1.2, Mathematics.

Comments included: request for a comparison of those students taking Math 8 who achieved proficiency and those taking Algebra I who achieved proficiency; concern that the report did not include data for Limited English Proficiency (LEP) and special education students; response that the final report on the entire Student Achievement Goal I would be presented in early 2008 and data would be complete at that time; the Board would discuss the presentation format and process of student achievement goals at their retreat in January 2008; concern that sufficient resources would be available in FY 2009 to achieve the student goals, and that the Superintendent would need to keep the Board informed of resource requirements to ensure students were successful in reaching their potential; appreciation expressed for the staff's hard work in developing data measurements and how the data would be communicated to the community.

The motion to accept the report as a reasonable interpretation of the Board's goals, including indicators to measure attainment of the goal, the timeline, and

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 8

5

November 29, 2007

the aspirational expectation of Student Achievement Goal 1.1.2., Mathematics **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".

- 4.04 Student Achievement Goal 1.2., Communicate in at Least Two Languages -** Accept the report as a reasonable interpretation of the Board's goals, including indicators to measure attainment of the goal, the timeline, and the aspirational expectation of Student Achievement Goal 1.2., Communicate in at Least Two Languages (IS; Exhibit H)

Mrs. Smith moved, and Mr. Niedzielski-Eichner seconded, to accept the report as a reasonable interpretation of the Board's goals, including indicators to measure attainment of the goal, the timeline, and the aspirational expectation of Student Achievement Goal 1.2., Communicate in at Least Two Languages. 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 not present for the vote.

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

Mr. Gibson moved, and Mr. Niedzielski-Eichner 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, Mr. Moon, Mr. Niedzielski-Eichner, Mrs. Oleszek, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory away from the table.

- 4.06 Confirmation of Action Taken in Closed Meeting**

Mr. Gibson moved, and Mr. Hunt 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 unanimously**.

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

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

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 8

6

November 29, 2007

Having served on a three-member committee chaired by Mr. Niedzielski-Eichner, Mr. Moon moved, and Mr. Storck seconded, to expel a student for possession of a weapon, illegal drugs, and prohibited items at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Niedzielski-Eichner, Mr. Moon moved, and Mr. Storck seconded, to expel a student for possession and consumption of illegal substances at school. The motion **passed unanimously.**

Mr. Hunt moved, and Mr. Niedzielski-Eichner 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 unanimously.**

5. CONSENT AGENDA

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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

- 5.01 **Minutes** - Approve minutes of November 8, 2007, regular School Board meeting (SB; Exhibit J)
- 5.02 **Monthly Separation Report** - Confirm the separations as indicated below for the period beginning October 1, 2007, and ending October 31, 2007 (HR; Exhibit K)
- 5.03 **Award of Contract** - Award the contract for the renovation of Franklin Sherman Elementary School to Dustin Construction, Inc., in the amount of \$10,254,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit L)
- 5.04 **Award of Contract** - Award the contract for the replacement of the visitor side exterior bleachers at Falls Church High School to the lowest responsive and responsible bidder, Steel Stadiums, Inc., in the amount of \$399,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit M)
- 5.05 **Award of Contract** - Authorize staff to negotiate professional services contracts with the selected firms, for the architectural design of certain projects contained in the school bond referendum, and authorize the Division Superintendent, or his designee, to award the contracts on behalf of the School Board (FTS; Exhibit N)
- 5.06 **Sale of School Bonds** - Approve the resolution, in the form attached, requesting the Board of Supervisors to issue and sell \$144,280,000 in school bonds approved by the voters in the November 4, 2003, School Bond Referendum, and authorize the Chairman or Vice Chairman, with the advice of the School Board attorney, to negotiate and to execute, on behalf of the School Board, the Certificate of the School Board (substantially in the form attached) in connection with the issuance by the County of Series 2008A public improvement bonds (FS; Exhibit O)

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 8

7

November 29, 2007

Chairman Storck stated that, without objection, the six 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 Foreign Language Textbook Adoption** - Recommendation to adopt Spanish, French, German, and Latin textbooks for Levels 1-3 as recommended by the Foreign Language Textbook Review Committee (IS; Exhibit P)

There was no discussion of this item.

- 6.02 Award of Contract** - Recommendation to award the contract for the replacement of the windows and lintels at Mosby Woods 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 Q)

There was no discussion of this item.

- 6.03 Award of Contract** - Recommendation to award the contract for the carpet and floor tile installation and replacement contract to the lowest responsive and responsible bidder(s) 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.

- 6.04 Award of Contract** - Recommendation to award the contract for the locker refinishing, refurbishing, and installation contract to the lowest responsive and responsible bidder(s) 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.

- 6.05 Award of Contract** - Recommendation to award the contract for the window and sill replacement at Stratford Landing 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 T)

There was no discussion of this item.

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 8

8

November 29, 2007

7. **SUPERINTENDENT MATTERS**

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8. **REPORTS AND BOARD MATTERS** (Exhibit U)

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This portion of the meeting may include Board committee reports and Board matters.

November 12, 2007, Work Sessions

Budget: Planning for FY 2009 Budget Prioritization

Facilities: Projection Updates for Fall 2007 Boundary Studies; Gatehouse Phase I update

Governance: Operational Expectations and Monitoring Reports; Meeting Managers

Linkage: Linkage Ideas for 2007-2008

November 28, 2007 Work Session

Joint meeting with Fairfax County Park Authority

November 29, 2007 Work Sessions

Audit: Technology Opportunities Program Grant Audit Report; Human Resources Office of Salary Services Petty Case Audit for FY 2006 Report; and School Board Office Procurement Card Audit Report.

Forum on Board Topics: Policy 8420, Community Use of School Facilities and Regulation 8424, Booster Club and PTA-Managed Fee-Based Classes, Clinics, Leagues, and Youth Summer Camps in FCPS Facilities; Disposal of surplus or retired equipment; Policy 8170, Naming School Facilities; Policy 2670, Programs for Students with Disabilities; Policy 3860, Extracurricular Activities; and Policy 3335, Special Programs.

9. **ADJOURNMENT**

The meeting was adjourned at 10:25 p.m.

10. **DEBRIEF**

The Board debriefed tonight's meeting.