

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 10

December 20, 2007

1. **CLOSED MEETING**

Chairman Dan Storck convened the Board in public session at 4:37 p.m. with a quorum of members present:

Catherine A. Belter (Springfield)	Phillip A. Niedzielski-Eichner (Providence, arr. 4:50)
Brad Center (Lee)	Janet S. Oleszek (At Large, arr. 5:50)
Stuart D. Gibson (Hunter Mill)	Kathy L. Smith (Sully)
Stephen M. Hunt (At Large)	Daniel G. Storck (Mt. Vernon)
Kaye Kory (Mason, arr. 4:51)	Jane K. Strauss (Dranesville, arr. 4:42)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Mr. Center moved, and Mr. Gibson seconded, that the Board go into closed session: 1) to discuss and consider the performance of specific public officers and 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 protect the privacy of individuals in personal matters not related to public business pursuant to Virginia Code Section 2.2-3711(A)(4); and 4) to consult with legal counsel regarding a complaint filed with the Virginia Department of Education pursuant to Virginia Code Section 2.2-3711(A)(7). The motion **passed 8-0**, with Mrs. Belter, Mr. Center, Mr. Gibson, Mr. Hunt, Mr. Moon, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; and with Mrs. Kory, Mr. Niedzielski-Eichner, Mrs. Oleszek, and Mrs. Strauss not present for the vote.

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 7:15 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 present.

Mr. Storck requested a moment of silence in honor of the passing of Mrs. Strauss' husband, Bill, this week and noted his many contributions to the students of Fairfax County Public Schools and the community.

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 10

2

December 20, 2007

2.02 Principal of the Year Recognition (Exhibit A)

Dr. Dale thanked the Fairfax County Education Foundation for its support. Foundation Chairman James M. "Marty" Irving made brief remarks. Assistant Superintendent for Human Resources Kevin North presented the Nancy F. Sprague Leadership Award recognizing the Outstanding First Year Principal to Mount Vernon High School principal Nardos King. Members of the Leadership Team recognized the nominees and finalists for Principal of the Year. Mr. North introduced Fairfax County Public Schools 2008 Principal of the Year Brian Hull.

Vice Chairman Smith read a resolution of commendation for Brian Hull.

Mrs. Smith moved, and Mr. Gibson seconded, to adopt the Resolution of Commendation for Brian Hull.

The motion to adopt the Resolution of Commendation for Brian Hull **passed unanimously.**

After photographs were taken with family and friends, Mr. Hull accepted the commendation, expressed his appreciation, and made brief remarks.

2.03 Resolution Honoring Catherine Belter (Exhibit B)

Mr. Niedzielski-Eichner read a resolution honoring Catherine Belter.

Mr. Niedzielski-Eichner moved, and Mrs. Strauss seconded, to adopt the resolution honoring Catherine Belter. The motion **passed unanimously.**

2.04 Resolution Honoring Stephen Hunt (Exhibit C)

Mrs. Wilson read a resolution honoring Stephen Hunt.

Mrs. Wilson moved, and Mrs. Kory seconded, to adopt the resolution honoring Stephen Hunt. The motion **passed unanimously.**

2.05 Resolution Honoring Janet Oleszek (Exhibit D)

Mrs. Kory read a resolution honoring Janet Oleszek.

Mrs. Kory moved, and Mr. Moon seconded, to adopt the resolution honoring Janet Oleszek. The motion **passed unanimously.**

After photographs were taken with family and friends, Mrs. Belter, Mr. Hunt, and Mrs. Oleszek expressed their appreciation and made brief remarks. Board members noted Mrs. Belter's extensive and dedicated service to Fairfax County's children, Mr. Hunt's ability to look at issues from different perspectives, and Mrs. Oleszek's passion and commitment to programs for early learners such as full-day kindergarten.

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 10

3

December 20, 2007

2.06 Announcements (Exhibit E)

Mr. Rosenquist announced that January 2008 was National Mentoring Month. It was also noted that members of Boy Scout Troop 1581 were in attendance, working on Citizenship in the Community merit badge.

Mr. Storck announced that at the December 10, 2007, work session, the Board voted to accept the Human Resources Operational Expectations Monitoring Report and found that each indicator was in compliance, with the exception of B1 and C1, which were marked as "Unacceptable." At the December 10, 2007, work session, the Board also voted to revise the language for the Accountability and Audit Operational Expectations (OE) as follows: (1) add "of continuous improvement" in the preface; (2) replace OE #1 as follows: "Establish a multi-year plan for program evaluation that identifies evaluation criteria and the relationship to student achievement goals. New program proposals shall include an evaluation plan that assures its evaluation within the first three years. All evaluations should recommend whether a program should be continued, modified, or discontinued based on its effectiveness and cost."; and (3) delete OE #2.

2.07 Certification of Closed Meeting Compliance (Exhibit F)

Mr. Center moved, and Mr. Gibson seconded, that since the Fairfax County School Board convened a closed session meeting on December 20, 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 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.

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 10

4

December 20, 2007

3. **PRESENTATIONS TO SCHOOL BOARD**

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3.01 **Spotlight on Learning – Herndon Planetarium** (Exhibit G)

3.02 **Citizen Participation** (Exhibit H)

Two speakers addressed the Board in the time reserved for public comment. Sandy Evans thanked the departing Board members and Phyllis Payne addressed later start times.

4. **ACTION ITEMS**

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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4.01 **2008-2009 School Calendars** - Approve the 2008-2009 student school calendars as detailed in the agenda item (HR; Exhibit I)

Questions and comments included the following: the request for clarification on the scheduling of the Thanksgiving holiday and spring break; the explanation that holidays were scheduled to allow as much instructional time as possible prior to SOL testing and to align with surrounding jurisdictions for teachers and staff who live outside Fairfax County; the clarification that Veterans' Day was not an FCPS holiday so that students might attend meaningful programs in school.

Mr. Hunt moved, and Mrs. Strauss seconded, to approve the 2008-2009 student school calendars as detailed in the agenda item. The motion **passed unanimously.**

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

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

4.03 **Confirmation of Action Taken in Closed Meeting**

Mrs. Wilson moved, and Mr. Center seconded, to expel a student for conviction of specific crimes in the community. The motion **passed unanimously.**

Mr. Gibson moved, and Mrs. Wilson seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed unanimously.**

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 10

5

December 20, 2007

Mrs. Smith moved, and Mr. Niedzielski-Eichner seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed unanimously.**

Mrs. Smith moved, and Mr. Niedzielski-Eichner seconded, to expel three students for engaging in gang activities in school. The motion **passed unanimously.**

Mrs. Smith moved, and Mr. Center seconded, to deny the parents' appeal and to confirm the long-term suspension decision issued by the Division Superintendent's designated hearing officer. The motion **passed unanimously.**

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

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

Having served on a three-member committee chaired by Mrs. Oleszek, Mrs. Kory moved, and Mrs. Smith seconded, to expel three students for violation of the conditions of probationary school assignments. 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.**

Chairman Storck then read the following statement (Exhibit K):

Recently, the Fairfax County Public Schools (FCPS) received a letter of findings from the Virginia Department of Education (VDOE), finding the "school division to be in noncompliance regarding the confidentiality of educational records" of an individual student as charged by one parent. The VDOE imposed no sanction and required no corrective action on the part of FCPS or Stu Gibson, the Board member whose statements were the subject of the parent's complaint. The letter of findings applied to this individual complaint only.

School Board member Stu Gibson states: "I am sorry. I apologize if anything I said caused any harm. It was certainly not my intent." The School Board accepts Mr. Gibson's apology. The School Board has also decided not to appeal the letter of findings.

Each member of the Fairfax County School Board believes in the importance of protecting the confidentiality of student records in accordance with applicable laws. In order to ensure a more complete understanding of privacy statutes, their interpretations, and compliance, School Board members will receive additional

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 10

6

December 20, 2007

training regarding the legal requirements governing confidentiality of student records.

Mr. Center moved, and Mr. Niedzielski-Eichner seconded, that the School Board adopt the statement as read by the Chairman. The motion **passed unanimously.**

- 4.04 Foreign Language Textbook Adoption** - Adopt Spanish, French, German, and Latin textbooks for Levels 1-3 as recommended by the Foreign Language Textbook Review Committee (IS; Exhibit L)

[Clerk's note: Mrs. Kory requested that Agenda Item 5.03, Foreign Language Textbook Adoption, be removed from the Consent Agenda and added to Action Items.]

Comments included the following: that the approved list would be used by schools to replace only those textbooks that were needed.

Mrs. Kory moved, and Mr. Gibson seconded, to adopt Spanish, French, German, and Latin textbooks for Levels 1-3 as recommended by the Foreign Language Textbook Review Committee. The motion **passed unanimously.**

5. CONSENT AGENDA

[NOTE: MP3 AUDIO FILES ARE AVAILABLE AT

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- 5.01 Minutes** - Approve minutes of October 15, 2007, Operational Expectations work session, and December 6, 2007 regular School Board meeting (SB; Exhibit M)
- 5.02 Monthly Separation Report** - Confirm the separations for the period beginning November 1, 2007, and ending November 30, 2007 (HR; Exhibit N)
- 5.03** *[Clerk's note: This agenda item was moved to Action Items as 4.04.]*
- 5.04 Award of Contract** - Award the contract for the carpet and floor tile installation and replacement contract to Carpet Experts, Inc., and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit O)
- 5.05 Award of Contract** - Award the contract for the locker refinishing, refurbishing, and installation contract to Red Hill Distributors, Inc., and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit P)
- 5.06 Award of Contract** - Award the contract for the renovation of Woodburn Elementary School to Henley Construction Company, Inc., in the amount of \$10,494,000, which reflects credits from the allowances, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit Q)
- 5.07 Award of Contract** - Award the contract for the modular additions for Mount Vernon Woods and Waynewood Elementary Schools to Creative Finishes, Inc.,

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 10

7

December 20, 2007

in the amount of \$3,666,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit R)

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 FY 2009 - FY 2013 Capital Improvement Program** - Recommendation to approve the FY 2009-2013 Capital Improvement Program as described in the narrative and in the Superintendent's Proposed FY 2009-2013 Capital Improvement Program Summary (FTS; Exhibit S)

After a PowerPoint presentation, comments and questions included: request that updated enrollment information be provided at the January work session; question of capacity issues in areas of high density development and the initiatives available for Army support for Base Realignment and Closure Commission (BRAC) impact mitigation; response that staff was consulting with principals prior to Board consideration; question regarding proffers from the County and the stipulations attached to those proffers; response that the information would be provided to School Board members; question whether the CIP queue needed to be revised; response that Board agreement would be needed on criteria, whether a consultant should be hired, and whether the queue should be in shorter increments for maximum utilization of funds.

- 6.02 EHS/FECEP/HS Policy Committee** - Recommendation to confirm the elected members of the Fairfax County Public Schools Early Head Start/Family and Early Childhood Education Program/Head Start Policy Committee, as listed in the agenda item (IS; Exhibit T)

There was no discussion of this item.

- 6.03 Title I District Advisory Council Committee Appointments** - Recommendation to approve the proposed membership to the Title I District Advisory Council, as detailed in the agenda item (IS; Exhibit U)

There was no discussion of this item.

- 6.04 Award of Contract** - Recommendation to award the contract for the construction of a new elementary school at the Laurel Hill site 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 V)

There was no discussion of this item.

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 10

8

December 20, 2007

- 6.05 Award of Contract** - Recommendation to award the contract for synthetic turf, athletic surfaces, and related products and services to the lowest responsive and responsible bidder and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board (FTS; Exhibit W)

There was no discussion of this item.

- 6.06 Award of Contract** - Award the contract(s) for the ten-classroom modular additions at Braddock, Rose Hill, and White Oaks Elementary Schools, to the lowest responsive and responsible bidders, and authorize the Division Superintendent, or his designee, to execute the contracts on behalf of the School Board (FTS; Exhibit X)

There was no discussion of this item.

7. **SUPERINTENDENT MATTERS**

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8. **REPORTS AND BOARD MATTERS**

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December 10, 2007, Work Sessions

Operational Expectations: Human Resources monitoring report; revised language for Accountability and Audit Operational Expectations

Human Resources: Review of Annual Planning Calendar; 2008-2009 School Calendars

Budget: FY 2009 Budget; Proposed FY 2008 Departmental Budget Reductions,

Special Services: Alternative Schools Update

Discussion of video streaming and consensus to refer the matter to the Linkage Committee for further consideration.

9. **ADJOURNMENT**

The meeting was adjourned at 11:32 p.m.

10. **DEBRIEF**

There was no debrief.