

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 12

January 24, 2008

1. **CLOSED MEETING**

Chairman Dan Storck convened the Board in public session at 6:30 p.m. with a quorum of members present:

Elizabeth T. Bradsher (Springfield)	Phillip A. Niedzielski-Eichner (Providence)
Brad Center (Lee)	James L. Raney (At Large)
Stuart D. Gibson (Hunter Mill)	Kathy L. Smith (Sully)
Martina A. Hone (At Large)	Daniel G. Storck (Mt. Vernon)
Kaye Kory (Mason, arr. 7:05)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Mr. Gibson moved, and Mr. Niedzielski-Eichner 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); 2) 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 of the public body pursuant to Virginia Code Section 2.2-3711(A)(3). The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory 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 7:06 p.m. with a quorum of Board members present. Also present were 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.

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2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mr. Center moved, and Mrs. Strauss seconded, that since the Fairfax County School Board convened a closed session meeting on January 24, 2008, 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 unanimously.**

2.03. Announcements (Exhibit B)

Chairman Storck announced that Superintendent Dale was out of town attending a conference. Student Representative James Rosenquist announced that February was African American History Month.

2.04 Recognition of National School Counselors Week (Exhibit C)

Mr. Moon recognized that February 4-8, 2008, was National School Counselors Week, and he invited the school counselors in the audience to join the Board members for photos.

2.05 Recognition of National Career and Technical Education Month (Exhibit D)

Mr. Gibson recognized National Career and Technical Education Month and invited those involved with careers and technical education to join Board members for photos.

2.06 Resolution Naming the Football Stadium at West Potomac High School (Exhibit E)

Mr. Storck read a Resolution Naming the Football Stadium at West Potomac High School "The Jeffrey C. Dietze Stadium".

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Mr. Storck moved, and Mr. Center seconded, to adopt the Resolution Naming the Stadium at West Potomac High School "The Jeffrey C. Dietze Stadium". The motion passed unanimously.

Mr. Storck invited Mr. Dietze and his family and friends to join the Board for photographs and presentation of the resolution.

3. **PRESENTATIONS TO SCHOOL BOARD**

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3.01 Citizen Participation (Exhibit F)

One speaker addressed the Board in the time reserved for public comment. Mike Grasso addressed background checks for employees.

4. **ACTION ITEMS**

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- 4.01 Proposed FY 2009 – FY 2013 Capital Improvement Program (CIP) (Exhibit G)**
– Approve the FY 2009-2013 Capital Improvement Program (CIP) as described in the narrative and in the Superintendent's Proposed FY 2009-2013 Capital Improvement Program Summary (FTS: presented as new business 12/20/07; public hearing held 1/9/08; work session held 1/14/08)

Mr. Niedzielski-Eichner moved, and Mr. Center seconded, to approve the FY 2009-2013 Capital Improvement Program (CIP) as described in the narrative and in the Superintendent's Proposed FY 2009-2013 Capital Improvement Program Summary.

Chairman Storck turned the gavel over to Mrs. Smith to chair the Board's consideration of 4.01, Capital Improvement Program.

Comments included: the current CIP reflected the increase in enrollment, which was previously anticipated to decrease, and planning money for the anticipated impact of the Base Realignment and Closure (BRAC); and appreciation for the improved design of the CIP document for ease of understanding.

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Mr. Storck moved, and Mrs. Bradsher seconded, to amend the motion to allocate the \$2 million in BRAC planning money contained in the 2009-2013 CIP to immediately begin the planning for the South County middle school.

Comments and discussion included the following: the property designated for the middle school remained available from the closure of Lorton Prison and the need for a middle school was, in part, to address the impact of BRAC; South County Secondary School (SCSS), had been overcrowded from its first day, but the school had created a sense of community; concern that the impact of BRAC and the schools affected were still not known, but development and growth patterns in the South County area indicated a substantial increase in student population; the question whether a boundary study would still be necessary if funding for the middle school was attained; the response that a middle school would still be four years in planning and construction, necessitating a boundary study in the fall 2008 to alleviate current overcrowding and scheduling requirements at SCSS.

The motion to amend the motion to allocate the \$2 million in BRAC planning money contained in the 2009-2013 CIP to immediately begin the planning for the South County middle school **passed 11-1**, with Mrs. Bradsher, Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, and Mrs. Strauss voting "aye"; and Mrs. Wilson voting "nay".

Mr. Storck moved, and Mrs. Bradsher seconded, to amend the motion to direct the Superintendent to begin discussions with the County to determine the options, feasibility, benefits, general costs, and likely County funding contributions to provide both school and some county services at the South County middle school facility and to identify such other creative approaches that will reduce project costs and minimize site constraints; further direct the Superintendent to report his findings to the Board by July 2008.

Comments and discussion included the following: building the middle school as a community school would create a better facility for the community, and this offered the opportunity to leverage scarce resources together.

The motion to amend the motion to direct the Superintendent to begin discussions with the County to determine the options, feasibility, benefits, general costs, and likely County funding contributions to provide both school and some county services at the South County middle school facility and to identify such other creative approaches that will reduce project costs and minimize site constraints; further direct the Superintendent to report his findings to the Board by July 2008 **passed unanimously**.

Mr. Storck moved, and Mrs. Bradsher seconded, to amend the motion that, upon the provision by the Board of Supervisors and/or the federal government of at least \$10 million in funding or its equivalent designated for that purpose, the

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Board direct the Superintendent to work with the County to utilize these funds to leverage such other additional funding or financing necessary to initiate a contracting process that will result in the most expeditious construction possible of a South County middle school that does not displace any other project currently funded by the CIP.

Discussion included the following comments: confidence expressed that this measure had Board of Supervisors' support and offered the ability to fund the middle school in a creative way; the cost to build the middle school by 2012 or 2013 would be approximately \$50 million instead of an estimated \$76 million in the current CIP timeframe; this amendment would provide the opportunity for a private contractor to construct the middle school for receipt of payment at a later date, with the funds that were made available paying the debt service from the time of middle school construction to the time funding was included in the appropriate CIP; and clarification that it was not the intent of the motion that this middle school overtake or replace the renovations of those projects where funding for planning had been approved but construction funding had not yet received CIP approval.

Mr. Gibson moved, and Mrs. Kory seconded, to amend the motion to amend by adding after "funded" the words "for planning or construction", so that the motion to amend would read ..."any other project currently funded for planning or construction by the CIP."

The motion to amend the motion by adding after "funded" the words "for planning or construction", so that the motion to amend would read ..."any other project currently funded for planning or construction by the CIP" **passed 11-1**, with Mrs. Bradsher, Mr. Center, Mr. Gibson, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and Ms. Hone voting "nay".

Continued discussion and comments included: the belief that the CIP should allow adjusting placement of projects based on severity of needs; the affected schools had a right to the opportunity to comment if funding for their schools' renovations was in jeopardy; the goal of the amendment was to secure sufficient funds without impacting other projects in the CIP; concern that publicly placing a dollar amount of \$10 million would undercut the ability to negotiate with the federal government and the Board of Supervisors; question whether the Board would have oversight on creative financing opportunities provided and staff response that commitment of financial resources would come to the Board for approval; and concern that the CIP commitment to renovate 12 additional elementary schools could be sacrificed for the middle school construction.

The amended motion that, upon the provision by the Board of Supervisors and/or the federal government of at least \$10 million in funding or its equivalent designated for that purpose, the Board direct the Superintendent to work with the County to utilize these funds to leverage such other additional funding or

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financing necessary to initiate a contracting process that will result in the most expeditious construction possible of a South County middle school that does not displace any other project currently funded for planning or construction by the CIP passed 8-4, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mr. Storck, and Mrs. Strauss voting "aye"; and Mr. Gibson, Mr. Niedzielski-Eichner, Mrs. Smith, and Mrs. Wilson voting "nay".

Mrs. Bradsher moved, and Mrs. Strauss seconded, to amend the motion to direct the Superintendent to initiate an objective study of those projects which have not received planning funding and are not currently bonded in the 2009-2013 CIP, including those projects waiting for CIP placement due to age and need; this study should include a review of the enrollment, facility, and core capacity needs along with other criteria pertaining to school facilities, and the findings be incorporated into the 2010-2014 CIP presented to the School Board in December 2008.

Comments and discussion included the following: staff had committed to conducting this study and would provide the scope and criteria for that study at the March 10, 2008, work session; review and evaluation of the queue could be considered every three to five years; consider incorporating analysis of enrollment projections, core capacity, and state of school facilities in the Facilities operational expectations; and assurance that the intent of this amendment was not to displace schools for which planning had been funded.

The motion to amend the motion to direct the Superintendent to initiate an objective study of those projects which have not received planning funding and are not currently bonded in the 2009-2013 CIP, including those projects waiting for CIP placement due to age and need; this study should include a review of the enrollment, facility, and core capacity needs along with other criteria pertaining to school facilities, and the findings be incorporated into the 2010-2014 CIP presented to the School Board in December 2008 passed unanimously.

Mrs. Bradsher moved, and Mrs. Kory seconded, to amend the motion to direct the Superintendent to research and assess the concept of a rolling renovation schedule for schools such as, but not limited to, West Springfield, Falls Church, Oakton, Herndon, and Langley High Schools, and to report to the Board no later than July 2008 the staff recommendations complete with a cost-benefit-risk analysis to include the advantages and disadvantages of this alternative approach to renovating schools.

Discussion included the following: caution to be aware of the advantages and disadvantages of rolling renovation; request to include assessment from those principals whose schools had undergone a 'phased' renovation; possibility that the planning for renovation of the listed high schools would be included in the next bond in 2009; and within the current FY 2009-2013 CIP, the listed high schools would not be affected.

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Mr. Center moved, and Mr. Niedzielski-Eichner seconded, to amend the amendment to read "...to report to the Board no later than October 2008...". There being no objection, the amendment was accepted (no formal vote was called for this amendment).

The amendment to amend the motion to direct the Superintendent to research and assess the concept of a rolling renovation schedule for schools such as, but not limited to, West Springfield, Falls Church, Oakton, Herndon, and Langley High Schools, and to report to the Board no later than October 2008 the staff recommendations complete with a cost-benefit-risk analysis to include the advantages and disadvantages of this alternative approach to renovating schools **passed unanimously.**

The amended motion to approve the FY 2009-2013 Capital Improvement Program (CIP) as described in the narrative and in the Superintendent's Proposed FY 2009-2013 Capital Improvement Program Summary; to allocate the \$2 million in BRAC planning money contained in the 2009-2013 CIP to immediately begin the planning for the South County middle school; to direct the Superintendent to begin discussions with the County to determine the options, feasibility, benefits, general costs, and likely County funding contributions to provide both school and some county services at the South County middle school facility and to identify such other creative approaches that will reduce project costs and minimize site constraints; further direct the Superintendent to report his findings to the Board by July 2008; that, upon the provision by the Board of Supervisors and/or the federal government of at least \$10 million in funding or its equivalent designated for that purpose, the Board direct the Superintendent to work with the County to utilize these funds to leverage such other additional funding or financing necessary to initiate a contracting process that will result in the most expeditious construction possible of a South County middle school that does not displace any other project currently funded for planning or construction by the CIP; to direct the Superintendent to initiate an objective study of those projects which have not received planning funding and are not currently bonded in the 2009-2013 CIP, including those projects waiting for CIP placement due to age and need; this study should include a review of the enrollment, facility, and core capacity needs along with other criteria pertaining to school facilities, and the findings be incorporated into the 2010-2014 CIP presented to the School Board in December 2008; and to direct the Superintendent to research and assess the concept of a rolling renovation schedule for schools such as, but not limited to, West Springfield, Falls Church, Oakton, Herndon, and Langley High Schools, and to report to the Board no later than October 2008 the staff recommendations complete with a cost-benefit-risk analysis to include the advantages and disadvantages of this alternative approach to renovating schools **passed unanimously.**

- 4.02 Award of Contract** (Exhibit H) – Award the contract for the construction of a new elementary school at the Coppermine site to Whitener & Jackson, Inc., in the amount of \$13,749,000 and authorize the Division Superintendent, or his

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designee, to execute the contract on behalf of the School Board (FTS; presented as new business 1/10/08)

Mr. Gibson moved, and Mrs. Smith seconded, to award the contract for the construction of a new elementary school at the Coppermine site to Whitener & Jackson, Inc., in the amount of \$13,749,000 and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board. The motion **passed unanimously**.

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

Mr. Moon moved, and Mr. Gibson, seconded, to appoint individuals to serve on committees as listed in the agenda item. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory away from the table.

4.03 Confirmation of Action Taken in Closed Meeting

Mrs. Strauss moved, and Mr. Center seconded to expel a student for theft of student property. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye"; and with Mrs. Kory away from the table.

Mr. Gibson moved, and Mrs. Smith seconded, to expel a student for assault of a staff member at school. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye", and with Mrs. Kory away from the table.

Mrs. Wilson moved, and Mr. Moon seconded, to expel a student for threats to commit acts of violence at school. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Randy, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye", and with Mrs. Kory away from the table.

Mr. Gibson moved, and Mr. Center seconded, to expel a student for participation in a gang-related fight. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye", and with Mrs. Kory away from the table.

Mr. Niedzielski-Eichner moved, and Mr. Gibson seconded, to expel a student for felony conviction of certain crimes in the community. The motion **passed 11-0**.

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with Mrs. Bradsher, Mr. Center, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye", with Mrs. Kory away from the table.

Having served on a three-member committee chaired by Mrs. Smith, Mrs. Wilson moved, and Mr. Raney seconded, to expel a student for participation in a mob assault. The motion **passed unanimously.**

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

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

Having served on a three-member committee chaired by Mrs. Smith, Mr. Raney moved, and Mrs. Wilson 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. Smith, Mr. Raney moved, and Mrs. Wilson seconded, to expel a student for assaulting and injuring a staff member and destruction of school property. The motion **passed unanimously.**

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

Having served on a three-member committee chaired by Mr. Moon, 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.**

[Clerk's Note: The Board took a 5-minute break at 10:20 p.m.]

5. **CONSENT AGENDA**

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- 5.01 Minutes** - Approve minutes of January 10, 2008, regular School Board meeting (SB; Exhibit J)

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- 5.02 **Monthly Separation Report** (Exhibit K) – Confirm the separations as indicated below for the period beginning December 1, 2007, and ending December 31, 2007 (HR)
- 5.03 **Quarterly Separation Report** (Exhibit L) – Confirm the appointments and separations for the period October 1, 2007, and ending December 31, 2007 (HR)
- 5.04 **Award of Contract** (Exhibit M) – Award the contract for the replacement of the automatic temperature control system at Centreville High School to Engineered Services, Inc., in the amount of \$775,000 and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 1/10/08)

Chairman Storck stated that, without objection, the four 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 **Student Achievement Goals 1.1.4. Social Studies and 1.4. Understand the Interrelationship and Interdependence of the Countries and Cultures of the World** (Exhibit N) – Recommendation 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 Goals 1.1.4. Social Studies and 1.4. Understand the Interrelationship and Interdependence of the Countries and Cultures of the World (IS; action scheduled 2/14/08)

Dr. Dale introduced Peter Noonan, Assistant Superintendent for Instructional Services, who introduced a video and reviewed a PowerPoint presentation on the performance measures to be used for successful attainment of Student Achievement Goal 1.1.4. Social Studies and 1.4. Understand the Interrelationship and Interdependence of the Countries and Cultures of the World; Mr. Noonan noted that student achievement in core subjects would be reported as the percent of students scoring in specified "performance bands" that would reflect two levels—at or above proficient, or advanced.

Comments and questions included the following: a request for the list of the schools currently piloting the program on the grade 5 global awareness technology project; question regarding the methods that would be used to enable special education students to achieve in the highest band; concern that the current expectational goals and aspirational goals shifted, rather than closed, the achievement gap for African-American and Latino students and the preference that the goals for minority students were a two-band increase instead of one; indication that closing the achievement gap would be addressed through

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customization of individual programs as a way to look at each student's strengths and potential, and ability to intervene with students who were not being successful; staff to provide information shared at the recent principals' meeting on closing the achievement gap; request for information on the number of students, by subgroup, who take a fifth social studies course; question regarding the differences in achievement rates between early course tests and end-of-course tests; response that students exerted additional effort on end-of-course tests because of heightened awareness of course requirements for graduation; and comments on the value of funding for instructional coaches and training to disseminate best practices.

- 6.02 Award of Annual Contract** (Exhibit O) – Recommendation to authorize staff to negotiate professional services contracts for construction testing and inspection services with selected engineering firms and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS;

There was no discussion of this item.

7. **SUPERINTENDENT MATTERS**

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

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Audit Committee, January 24, 2008; Tessie Wilson, Chairman

Quarterly Status Report; Audit Processes and Procedures

Forum Work Session, January 24, 2008

Possibility of a staff study on the feasibility and desirability of various alternatives for increasing utilization of South Lakes HS enrollment capacity to increase voluntary enrollments and decrease the need for changes in high school boundaries; process used by schools for the implementation of level 4 GT services and FLES; and scheduling for Response through Intervention presentation

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Work Sessions, January 14, 2008:

Operational Expectations – Revised language for Accountability operational expectations reasonable interpretations/indicators; Facilities and Transportation Services Monitoring Report

Facilities – Proposed FY 2009-2013 Capital Improvement Program (CIP); Preliminary Boundary Discussion

Governance – Brief Update of January 4 and 5, 2008, School Board Retreat; Review of Annual Planning Calendar

Technology – School Board Technology Support, FOIA, and Electronic Records Retention

Joint School Board and Board of Supervisors Meeting – County Fiscal Outlook; FCPS Operating Budget for FY 2009; FCPS Capital Improvement Program; Graham Road Elementary School Update

9. **ADJOURNMENT**

The meeting was adjourned at 12:43 a.m.

10. **DEBRIEF**

The Board debriefed tonight's meeting.

Chairman of the Board

Clerk of the Board