

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 16

March 27, 2008

1. **CLOSED MEETING**

Chairman Dan Storck convened the Board in public session at 6:05 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; ABSENT)	Kathy L. Smith (Sully)
Martina A. Hone (At Large)	Daniel G. Storck (Mt. Vernon)
Kaye Kory (Mason)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Mr. Raney moved, and Mr. Niedzielski-Eichner seconded, that the Board go into closed session 1) to discuss and consider the 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); 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 of the public body pursuant to Virginia Code Section 2.2-3711(A)(3); and 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) . The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

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 7:17 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 Executive Assistant and Deputy Clerk of the Board 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. Wilson seconded, that since the Fairfax County School Board convened a closed session meeting on March 27, 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 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

2.03. Announcements (Exhibit B)

Chairman Storck announced that Mr. Gibson was attending the National School Boards Association conference as the Virginia School Boards Association president-elect and would not be present for the meeting.

Mrs. Wilson announced that April was Autism Awareness Month. Mr. Rosenquist then announced that April was being recognized as Childhood Immunization Month.

2.04 Recognition of National School Library Media Month (Exhibit C)

Ms. Hone announced that April was National School Library Media Month, and she invited those librarians in the audience to join the Board members for photographs.

2.05 Resolution Supporting the County-Wide Initiative to Reduce Underage Drinking (Exhibit D)

Mr. Niedzielski-Eichner's remarks included: that, as the father of two grown daughters, he understood parents' concerns for their children; that parents had

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an obligation to hold their children accountable for their behavior, to communicate clear limits, and to not enable risky behavior; and that “parents who host, lose the most.” Mr. Niedzielski-Eichner then read a resolution supporting the county-wide initiative to reduce underage drinking.

Mr. Niedzielski-Eichner moved, and Mrs. Strauss seconded, to adopt the resolution supporting the county-wide initiative to reduce underage drinking. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss and Mrs. Wilson voting “aye,” and with Mr. Gibson absent.

Mr. Niedzielski-Eichner then invited those representatives from the County-wide Initiative group in the audience to join the Board members for photographs and presentation of the resolution.

3. PRESENTATIONS TO SCHOOL BOARD

3.01 Citizen Participation (Exhibit E)

Ten speakers addressed the Board in the time reserved for public comment. Elaine O’Hora, Neal McBride, Christine Morin, Peter Dickinson, Lisa Adler, Christine Bachman, Kim Kern, John Long, Susan Pehrsson and Greg Schuckman addressed Agenda Item 6.03, South County Secondary School.

3.02 Student Achievement Goal 2 (Exhibit F) – 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 Goal 2., Essential Life Skills (SS; action scheduled 4/10/08)

Dr. Dale introduced Alice Farling, Assistant Superintendent for Special Services, who reviewed a PowerPoint presentation with the indicators for Student Achievement Goal 2., Essential Life Skills, sharing data obtained from student report cards and student surveys as baseline data for the performance bands; she indicated that other measures were currently in development and staff would be revising the elementary report card to more accurately capture goal-related performance.

Comments and questions included the following: concern that gaps in essential life skills for identified subgroups appeared to be similar to those gaps reported for Student Achievement Goal 1., Academics; concern that measurement of healthy life choices by using teachers’ perceptions of their students’ choices linked to students’ self-report on surveys would violate the surveys’ anonymity; suggestion for future reporting to consider a summary chart of each sub-goal with the indicators and timeline linked to each; the question whether there was an

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accurate measure of how a teacher's behavior influenced students; the statement that FCPS was pursuing grants to train entire school staffs on modeling exemplary character and to assess the impact of such modeling on students; the question how many schools used Positive Behavior Support (PBS) and responsive classrooms; the response that currently 104 schools had been trained in PBS and 39 schools implementing responsive classrooms; concern that there was a discrepancy between school data on students' demonstrating sound moral character and students' self-reports of engaging in risky behavior; response that the risky behavior reported may have occurred during non-school hours; the request to capture data on incidents that required disciplinary action but did not reach the level of state-reported disciplinary infractions; concern that when reporting protective factors, the 'family' was rated lower than other factors, and a request for cross-correlation of data; suggestion that leadership be included as one of the skills to be assessed; concern regarding the subjective nature of assessment for this goal, and the question whether teachers were trained how to objectively evaluate students; and the response that the report card was being revised with clear definitions of each character trait and standardized training would be provided on assessment.

4. ACTION ITEMS

- 4.01 FY 2008 Third-Quarter Budget Review** (Exhibit G) - Approve revenue and expenditure changes in the FY 2008 Third Quarter Budget Review as detailed in the agenda item (FS; presented as new business 3/13/08).

Mr. Niedzielski-Eichner moved, and Mr. Moon seconded, to approve the revenue and expenditure changes in the FY 2008 Third Quarter Budget Review as detailed in the agenda item. The motion passed 11-0, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

- 4.02 Student Achievement Goals** (Exhibit H) – 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. Academics – Overview (IS; presented as new business 3/13/08)

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., Academics - Overview.

Comments included commending staff for their efforts in obtaining and reporting baseline information; the anticipation of the next report indicating progress made or challenges to be undertaken; and although the quality of the curriculum was

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outstanding, concern about the length of time (seven years) projected to close the achievement gap.

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 the aspirational expectation of Student Achievement Goal 1., Academics - Overview **passed 9-0-2**, with Mrs. Bradsher, Mr. Center, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss and Mrs. Wilson voting "aye;" with Ms. Hone and Mrs. Kory abstaining, and with Mr. Gibson absent.

4.03 Confirmation of Action Taken in Closed Meeting (Exhibit I)

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

Mrs. Strauss moved, and Ms. Hone seconded, to expel a student for assaulting another student at school. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

Mr. Niedzielski-Eichner moved, and Mrs. Bradsher seconded, to expel a student for theft of another's property at school. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

Mr. Raney moved, and Mr. Niedzielski-Eichner seconded, to expel a student for possession of illegal drugs at school. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

Mr. Moon moved, and Ms. Hone seconded, to expel a student for indecent exposure on school property. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

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Mrs. Wilson moved, and Mrs. Smith seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

Mrs. Strauss moved, and Mrs. Bradsher seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

Having served on a three-member committee chaired by Mr. Niedzielski-Eichner, Ms. Hone moved, and Mrs. Kory seconded, to expel a student for numerous acts of misconduct at school. The motion **passed unanimously**.

Having served on a three-member committee chaired by Mrs. Smith, Mrs. Bradsher moved, and Mrs. Strauss seconded, to expel a student for physically assaulting a staff member. The motion **passed unanimously**.

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

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

Having served on a three-member committee chaired by Mr. Center, Ms. Hone moved, and Mr. Niedzielski-Eicher 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. Center, Ms. Hone moved, and Mr. Niedzielski-Eichner seconded, to expel a student for possession of illegal drugs and drug paraphernalia at school. The motion **passed unanimously**.

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

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possession and distribution of illegal drugs and possession of drug paraphernalia at school. The motion **passed unanimously.**

Having served on a three-member committee chaired by Mr. Center, Mr. Niedzielski-Eichner moved, and Ms. Hone 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 Mr. Center, Mr. Niedzielski-Eichner moved, and Ms. Hone 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. Center, Mr. Niedzielski-Eichner moved, and Ms. Hone seconded, to expel a student for participation in a mob assault at school. The motion **passed unanimously.**

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

Mr. Center moved, and Mr. Niedzielski-Eichner seconded, that prior to April 15, 2008, the instructional personnel identified in closed session be notified that their contracts will not be renewed: (1) those who hold a provisional or conditional license expiring 2008 or earlier; (2) those who hold a provisional or conditional license expiring 2009 and 2010; (3) those with incomplete license data; (4) those missing or failing Praxis II; (5) those with license pending with VDOE and missing or failing Praxis II; (6) those who hold a professional license that expired prior to 2008; (7) those on a one-year hiring agreement; (8) those due to low student enrollment; and (9) those due to performance. The motion **passed 11-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye," and with Mr. Gibson absent.

5. CONSENT AGENDA

- 5.01 **Minutes** – Approve the minutes of March 13, 2008, regular School Board meeting (SB; Exhibit J)
- 5.02 **Additional Appointments** - Appoint individuals to serve on committees as listed in the agenda item (SB; Exhibit K)
- 5.03 **Monthly Separation Report** - Confirm the separations as indicated below for the period beginning February 1, 2008, and ending February 29, 2008 (HR; Exhibit L)

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- 5.04 Award of Contract** – Award the contract for the installation of a synthetic turf field at Bryant Alternative High School to General Sports Venue/Astroturf and authorize the Division Superintendent or his designee to execute the contract on behalf of the School Board (FTS; Exhibit M; presented as new business 3/7/08)
- 5.05 Award of Contract** - Award the contract for the renovation of Freedom Hill Elementary School to R.J. Crowley Inc., with alternate #1 in the amount of \$10,917,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit N; presented as new business 3/13/08)
- 5.06 School Board Liaisons and Committee Chairmanships** - Appoint Kaye Kory to replace Martina Hone as board liaison to the Title I and FECEP Advisory Committees effective immediately (SB; Exhibit O; presented as new business 3/13/08)
- 5.07 Appointment** – Approve the appointment of Brad Center to replace Steve Hunt as board representative to the Schools Administrative Student Information (SASI) Replacement Committee User Advisory Group (SB; Exhibit P; presented as new business 3/13/07)

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

6. NEW BUSINESS

- 6.01 Award of Contract** - Recommendation to award the contract for the culinary kitchen and classroom renovation at Mount Vernon High 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; action scheduled 4/10/08)

There was no discussion of this item.

- 6.02 Award of Contract** - Recommendation to award the contract for the new baseball field lighting project at Falls Church High School to R.E. Lee Electric Company, Inc., in the amount of \$298,718, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit R; action scheduled 4/10/08)

There was no discussion of this item.

- 6.03 South County Secondary School** - Recommendation to approve a building addition to South County Secondary School using the \$10 million provided by county funding and the \$2 million in FCPS bond funding currently designated for the planning and design of a South County middle school, and direct staff to

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begin immediately to take steps to plan and complete the building addition (FTS; Exhibit S; action scheduled 4/10/08)

Chief Operating Officer Dean Tistadt presented information on the status of South County Secondary School (SCSS), that it was currently 450 students overcapacity and the Capital Improvement Program (CIP) lacked sufficient funds to address the overcrowding at SCSS; the county executive had recently approached FCPS staff to offer a possible \$10 million to build an addition to SCSS, although this had not yet been approved by the Board of Supervisors; three options were currently available to alleviate overcrowding at South County Secondary School included: build a middle school, conduct a new boundary study, or build a 35-room addition to SCSS; staff recommendation was to request \$10 million from the county to build an addition that would open in 2010, thus relieving the overcrowding and allowing SCSS to return to a seven-period day from the nine-period schedule that had been developed to accommodate the overcrowding; and the funding for a new middle school in South County would remain in the CIP for 2017.

Comments and questions included the following: the question how much it would cost to build the middle school; the response that the 2017 CIP contained \$60 million for the middle school, but the middle school could be built for approximately \$40 million if built on land adjacent to SCSS so that fields could be shared; the question whether using modular units would provide extra capacity; response that modulars would not address the capacity issues that required the extended school day, but staff would investigate further; request for sufficient time to allow a proposal from one or two Public/Private Education Act proposals to be confirmed; concern that accepting county funds tied to a specific project would set a precedent; the question whether building the addition would provide enough capacity to permit the return of those students affected by the boundary adjustment in 2008; a negative response.

7. **SUPERINTENDENT MATTERS**

The Superintendent may present items for information.

8. **REPORTS** (Exhibit T)

Linkage Committee, March 14, 2008: Committee Chairman Center reported on: CLC breakfast; Transportation Task Force recommendations.

Audit Committee, March 27, 2008: Committee Chairman Wilson reported on: 2008 audit plan, declining balance credit card, petty cash audit, fraud hotline, 2009 audit plan.

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Forum Work Session, March 27, 2008: Chairman Storck reported on: the procedure for pre-briefing Board members on specific information prior to public release and the April 14, 2008, work session schedule.

9. **BOARD MATTERS**

Board Members may make brief comments.

10. **ADJOURNMENT**

The meeting was adjourned at 11:25 p.m.

11. **DEBRIEF**

The Board debriefed tonight's meeting.