

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 17

April 10, 2008

1. **CLOSED MEETING**

Chairman Dan Storck convened the Board in public session at 5:30 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; 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)

Mrs. Smith moved, and Mr. Moon 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 consult with legal counsel regarding specific legal matters pertaining to student discipline and to the student dress code which require the provision of legal advice by counsel pursuant to Virginia Code Section 2.2-3711(A)(7); and 3) to consult with legal counsel regarding litigation currently pending in the Circuit Court of Fairfax County regarding school boundary adjustments pursuant to Virginia Code Section 2.2-3711(A)(7). The motion **passed 8-0**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, and Mrs. Wilson voting "aye"; with Mrs. Kory, Mr. Niedzielski-Eichner, and Mrs. Strauss not present for the vote, 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/National Anthem

Chairman Storck convened the meeting at 7:10 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 Linda Sabo; and certain other members of staff. Student Representative to the School Board James Rosenquist was also present.

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Chairman Storck thanked the members of the Fort Hunt Elementary School Handchime Ensemble, under the direction of Gayla Kobialka, for their performance of the national anthem.

2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mr. Raney moved, and Mr. Center seconded, that since the Fairfax County School Board convened a closed session meeting on April 10, 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

Chairman Storck announced that Mr. Gibson was out of town on business and that Dr. Dale was attending an Education Leadership Summit out of town.

2.04 Resolution Naming the Oral History Lab at Rocky Run Middle School (Exhibit B)

Mrs. Smith read a resolution naming the Oral History Lab at Rocky Run Middle School "The Melvin H. Rosen Oral History Lab."

Mrs. Smith moved, and Mr. Niedzielski-Eichner seconded, to adopt the resolution naming the Oral History Lab at Rocky Run Middle School "The Melvin H. Rosen Oral History Lab." 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. Smith invited Mrs. Rosen, and friends, family, and Rocky Run staff members to join her for photographs and presentation of the resolution.

2.05 Recognition of Administrative Professionals Week (Exhibit C)

Mr. Moon recognized Administrative Professionals Week and invited those administrative professionals in the audience to join the Board members for photographs.

3. PRESENTATIONS TO SCHOOL BOARD

3.01 Citizen Participation (Exhibit D)

Seven speakers addressed the Board in the time reserved for public comment. Christine Morin, Rob Robertory, Peter Dickinson, Kimberly Kern, and Christine Bachman addressed Agenda Item No. 4.01, South County Secondary School; Neal McBride addressed Agenda Item No. 4.02, Student Achievement Goal 2, Essential Life Skills; and Mike Grasso addressed the morality gap and accountability.

3.02 Student Achievement Goal 3. Responsibility to the Community (Exhibit E)

Dr. Moniuszko introduced Phyllis Pajardo, Assistant Superintendent for Cluster II, who introduced the video and provided a PowerPoint presentation to provide data on the progress toward the achievement of Goal 3.

Comments and questions included the following: request for further information on virtual service projects; question how service learning was evaluated; response that students had the opportunity to share their experiences and an entry was made in the Student Information System noting completion but no grading was involved; question what made the civics seal important for students to earn; response that the civics seal became a sign of development for the student and that the student had made selflessness a habit; suggestion that the principal announce at graduation that a student had earned the civics seal on his or her diploma.

4. ACTION ITEMS

- 4.01 South County Secondary School** - 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 begin immediately to take steps to plan and complete the building addition (FTS; Exhibit F; presented as new business 3/27/08)

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Mr. Storck moved, and Mrs. Bradsher seconded, that the School Board 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 begin immediately to take steps to plan and complete the building addition.

Mr. Storck moved, and Mrs. Bradsher seconded, to amend the main motion in the form of a substitute motion: that the School Board request from the Board of Supervisors the provision of County capital funding in the amount of \$5 million in FY 2009 and \$5 million in FY 2010 for the purpose of addressing the overcrowding at South County Secondary School.

Comments included the following: the School Board and the Board of Supervisors (BOS) recognized the needs of South County Secondary School although there may be differences of opinions on how to best address those needs; that since the current budget situation was difficult, the County Executive's offer of possible funds from the Board of Supervisors to relieve the current overcrowding was very generous; that recent enrollment projections for Lake Braddock Secondary School were shown to have increased and that would preclude including them in a future boundary study.

Mr. Niedzielski-Eichner moved, and Mrs. Wilson seconded, to amend the substitute motion to add the following language: further direct the Superintendent to provide a written report to the School Board by May 23, 2008, regarding all known concepts for addressing the overcrowding of South County Secondary School; said report is to include (1) a conceptual description of each alternative, including a boundary adjustment, as can be best determined; (2) the funding sources, as appropriate, that support each alternative; and (3) an assessment of the relative viability and risks of each alternative, in both the short term and the long term.

Comments included the following: the South County Secondary School community preferred that a middle school be built but the Board needed to consider all available alternatives: school capacity information would be presented to the Board at the April 14 work session; concern that the Board had not moved quickly enough to solve the overcrowding issue at South County and the Board needed to make a decision; the amendment would accomplish what the BOS had requested to ask for the \$10 million they had offered but would also provide the Board with information that was vital to their decision-making process.

The motion to amend the substitute motion by adding the following language: further direct the Superintendent to provide a written report to the School Board by May 23, 2008, regarding all known concepts for addressing the overcrowding of South County Secondary School; said report is to include (1) a conceptual

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description of each alternative, including a boundary adjustment, as can be best determined; (2) the funding sources, as appropriate, that support each alternative; and (3) an assessment of the relative viability and risks of each alternative, in both the short term and the long term **passed 7-4**, with Mr. Center, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voting "aye," and Mrs. Bradsher, Ms. Hone, Mrs. Kory, and Mr. Storck voting "nay," and with Mr. Gibson absent.

The motion that the School Board request from the Board of Supervisors the provision of County capital funding in the amount of \$5 million in FY 2009 and \$5 million in FY 2010 for the purpose of addressing the overcrowding at South County Secondary School; and further direct the Superintendent to provide a written report to the School Board by May 23, 2008, regarding all known concepts for addressing the overcrowding of South County Secondary School; said report is to include (1) a conceptual description of each alternative, including a boundary adjustment, as can be best determined; (2) the funding sources, as appropriate, that support each alternative; and (3) an assessment of the relative viability and risks of each alternative, in both the short term and the long term **passed 10-0-1**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye;" with Mrs. Kory abstaining; and with Mr. Gibson absent.

- 4.02 Student Achievement Goals** - 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; Exhibit G; presented as new business 3/27/08)

Mrs. Smith moved, and Mrs. Strauss seconded, that the Board 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.

Comments included: the Board had approved the reasonable interpretation and indicators for this goal in March 2007; when the monitoring report had been presented at the last Board meeting, questions and concerns had been raised by both Board members and the community, and the Board needed further discussion.

Ms. Hone moved, and Mrs. Strauss seconded, to postpone action on the Board's acceptance of the report on Student Achievement Goal 2. Essential Life Skills, to no later than the June 19, 2008, regular School Board meeting, to allow the Board sufficient time to more fully consider the impact of the reporting categories.

Comments included: concerns expressed about whether or not the data had been measured in a reasonable way; at the Board's request, staff had disaggregated the data, and the reported disparity among sub-groups had

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resulted in a negative perception of certain groups of students, which had never been the intent; the Board would continue to discuss Goal 2 overall, including the indicators and the data, and decide whether there were more appropriate measures that could capture goal-related performance.

Mrs. Smith moved, and Ms. Hone seconded, to amend the amendment by striking the words “the impact of the reporting categories” and adding “Student Achievement Goal 2.” 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.

Comments included: the Board needed further discussion and additional information from staff and the community; some goals were more difficult to measure than others, and the Board needed to decide what were the best possible measures; and the Board would continue to address the challenges the report had presented about the overall achievement gap.

The motion to postpone action on the Board’s acceptance of the report on Student Achievement Goal 2., Essential Life Skills, to no later than the June 19, 2008, regular School Board meeting, to allow the Board sufficient time to more fully consider Student Achievement Goal 2 **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.

4.03 Confirmation of Action Taken in Closed Meeting

Mr. Center moved, and Mrs. Smith seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 10-0-1**, with Mrs. Bradsher, Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting “aye,” with Mr. Niedzielski-Eichner abstaining, and with Mr. Gibson absent.

Mrs. Wilson moved, and Mrs. Strauss seconded, to expel a student for violation of the conditions of a probationary school assignment. The motion **passed 9-0-1**, with Mrs. Bradsher, Mr. Center, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting “aye,” with Mr. Niedzielski-Eichner abstaining, with Ms. Hone not present for the vote, and with Mr. Gibson absent.

Mrs. Smith moved, and Mrs. Bradsher seconded, to expel a student for numerous acts of misconduct at school. The motion **passed 9-0-1**, with Mrs. Bradsher, Mr. Center, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck,

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Mrs. Strauss, and Mrs. Wilson voting "aye," with Mr. Niedzielski-Eichner abstaining, with Ms. Hone not present for the vote, and with Mr. Gibson absent.

Mrs. Smith moved, and Mrs. Bradsher seconded, to expel a student for numerous acts of physical aggression toward students and staff at school. The motion **passed 9-0-1**, with Mrs. Bradsher, Mr. Center, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voting "aye," with Mr. Niedzielski-Eichner abstaining, with Ms. Hone not present for the vote, and with Mr. Gibson absent.

Having served on a three-member committee chaired by Mr. Raney, Mrs. Wilson moved, and Mr. Raney seconded, to expel a student for assault and battery against another student at school. The motion **passed unanimously**. [Clerk's note: Although Mr. Gibson was absent for the public vote, he voted affirmatively when the three-member committee rendered their decision.]

Having served on a three-member committee chaired by Mr. Raney, Mrs. Wilson moved, and Mr. Raney seconded, to expel two students for possession and distribution of illegal drugs at school. The motion **passed unanimously**. [Clerk's note: Although Mr. Gibson was absent for the public vote, he voted affirmatively when the three-member committee rendered their decision.]

Having served on a three-member committee chaired by Mr. Raney, Mrs. Wilson moved, and Mr. Raney seconded, to expel two students for violation of the conditions of probationary school assignments. The motion **passed unanimously**. [Clerk's note: Although Mr. Gibson was absent for the public vote, he voted affirmatively when the three-member committee rendered their decision.]

Having served on a three-member committee chaired by Mrs. Bradsher, Ms. Strauss moved, and Mrs. Smith seconded, to expel two students for possession of weapons at school. The motion **passed unanimously**.

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

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

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Having served on a three-member committee chaired by Mrs. Bradsher, Mrs. Smith moved, and Mrs. Strauss seconded, to expel a student for possession and use of a weapon, causing injury to another student at school. The motion passed unanimously.

5. CONSENT AGENDA

- 5.01 **Minutes** - Approve minutes of February 11, 2008, Operational Expectations work session and March 27, 2008, regular School Board meeting (SB; Exhibit H)
- 5.02 **Additional Appointments** - Appoint individuals to serve on committees as listed in the agenda item (SB; Exhibit I)
- 5.03 **Award of Contract** - 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 J; presented as new business 3/27/08)

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

6. NEW BUSINESS

- 6.01 **FLECAC Recommendations** - Recommendation to approve instructional objectives for Grade 9 Biology and Grade 10 Personal and Community Health (human sexuality units); and supporting videos and instructional materials, as detailed in the agenda item and as reviewed and recommended by the Family Life Education Curriculum Advisory Committee (IS; Exhibit K; action scheduled 5/8/08)

Chairman Storck noted that the community review for these materials would be April 15 – May 19, with Board action scheduled on May 22.

- 6.02 **Award of Contract** - Recommendation to authorize staff to negotiate a professional services contract for the facility program and condition assessment with the selected architectural firm and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; Exhibit L; action scheduled 4/24/08)

There was no discussion of this item.

- 6.03 **Easement** - Recommendation to approve the conveyance of the conservation easements to the Board of Supervisors for the Thoreau Middle School sidewalk extension, and (ii) authorize the Chief Operating Officer of Facilities and Transportation Services to execute on behalf of the School Board the Deed and

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any related documents as approved by School Board counsel to accomplish the conveyance (FTS; Exhibit M; action scheduled 4/24/08)

There was no discussion of this item.

- 6.04 Legislative Recommendations for 2009** - Recommendation to approve the legislative recommendations for 2009 for presentation to the Virginia School Boards Association (VSBA) Legislative, Policies, and Resolutions Committee, as detailed in the agenda item (S; Exhibit N; action scheduled 4/24/08)

There was no discussion of this item.

7. SUPERINTENDENT MATTERS

The Superintendent may present items for information.

8. REPORTS (Exhibit O)

Governance Committee, April 4, 2008: Committee Chairman Smith reported on: changes to the operational expectations for Facilities and Transportation Services and Budget and Financial Management; next steps for the current version of Policy 1710, Citizen Advisory Committees to the School Board; and timeline to provide charge to the committees and to make appointments.

Linkage Committee, April 4, 2008: Committee Chairman Center reported on: proposed membership changes to the Community Leadership Council (CLC); plans for next CLC meeting on April 25; and project plan for linkage to the community on the recommendations of the Transportation Task Force.

9. BOARD MATTERS

Board Members may make brief comments.

10. ADJOURNMENT

The meeting was adjourned at 11:17 p.m.

11. DEBRIEF

The Board debriefed tonight's meeting.