

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 5

October 2, 2008

1. **MEETING OPENING**

[NOTE: EACH AGENDA ITEM IS AVAILABLE ON MP3 AUDIO FILES AT

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

1.01 **Call to Order/Pledge of Allegiance/Moment of Silence/National Anthem – Jackson Middle School Chorus.**

Chairman Storck convened the meeting at 7:35 p.m. with a quorum of Board 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. 7:41 p.m.)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large; arr. 7:56 p.m.)	Tessie Wilson (Braddock)

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 Arvin Ahmadi was present.

1.02 **Announcements (Exhibit A)**

Chairman Storck thanked the members of the Jackson Middle School Chorus, under the direction of Ms. Little, for their performance of the national anthem. He welcomed Boy Scouts from Troop 13 and Troop 1916 and announced that October 13-17 was National School Lunch Week and October 5-11 was Fire Prevention Week.

2. **PRESENTATIONS TO SCHOOL BOARD**

2.01 **Citizen Participation (Exhibit B)**

Eight speakers addressed the Board in the time reserved for public comment. Mr. Braunlich, Mr. Lecos, Mr. Robertory, Ms. Hendrickson, Ms. Otersen, Mr. Dane, Mr. Grasso, and Mr. Meiser addressed Agenda Item No. 3.04 Reconsideration of Purchase and Sale Agreement for 8111 Gatehouse Road.

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 5

2

October 2, 2008

2.02 Student Representative Matters (Exhibit C)

The Student Representative presented informational items.

2.03 Student Achievement Goal 1.3. Explore, Understand, and Value the Fine and Practical Arts (Exhibit D)

Peter Noonan, Assistant Superintendent for Instructional Services, reviewed a PowerPoint presentation, which included information on the grade 6 assessments in art and music, and updated performance expectations for increasing the number of students earning industry credentials in the practical arts; the fine arts program of studies would continue to be improved, and assessment development would continue with eCart; an annual evaluation of credentials that were available and that would fit within the curriculum for practical arts would continue.

Discussion included the following: students were provided many opportunities to enroll in high-quality advanced programs; the data reported the number of students taking a course, not those earning a specific score on the final exam to avoid discouraging students from enrolling in advanced level courses; the practical arts aspirational goal was aligned with state requirements; request for next year's report to include trend data for both the fine and practical arts; request for information on the demographics for both fine and practical arts programs; although there had been significant enrollment growth in the CTE courses due to the expansion of some courses at base school, the challenges of bell schedules, traffic, and transportation remained.

2.04 Student Achievement Goal 2. Essential Life Skills (Exhibit E)

Dr. Richard Moniuszko, Deputy Superintendent, reviewed a PowerPoint presentation that included the Superintendent's recommended new reasonable interpretations and indicators for Goal 2 based on the revised wording of Goal 2 that the Board had approved in June 2008; staff recommendations included working collaboratively with the County staff on the youth survey to develop items that would specifically measure issues related to the goal; school improvement plans included teacher and student expectations to ensure specific successful outcomes; and staff would present some limited baseline data to the Board based on the approved indicators in March 2009 as many indicators were in the development stage.

Discussion included the following: concern that some of the indicators might measure information that would not ultimately be useful and that the indicators still did not adequately emphasize teacher training in an effort to diminish any individual bias that might occur related to subjective evaluations; suggestion that an economic literacy component be included in the indicators related to the financial goal; question whether some of the data that had been collected in

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 5

3

October 2, 2008

spring 2008 was being used to gain insight into how teachers viewed students and affirmative response; concern expressed to not rush to collect data just to meet a deadline, but instead consider ways to improve collecting data; appreciation expressed for the progress made with the indicators.

3. **ACTION ITEMS**

3.01 **Closed Meeting**

Mr. Center moved, and Ms. Bradsher seconded, that the Board go into closed session at 10:20 p.m. 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 unanimously.**

[Clerk's note: The public meeting was reconvened at 11:40 p.m.]

3.02 **Certification of Closed Meeting Compliance (Exhibit F)**

Mrs. Smith moved, and Mr. Center seconded, that since the Fairfax County School Board convened a closed session meeting on October 2, 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 motion **passed unanimously.**

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

There was no action taken in closed meeting.

3.04 **Reconsideration of Purchase and Sale Agreement for 8111 Gatehouse Road**

1. Approve the acquisition of, and financing for, the Facility (the property located at 8111 Gatehouse Road, Falls Church, Virginia) for use as the second centralized administration facility for a purchase price not to exceed that stated in the Original PSA and consistent with the parameters discussed in closed session. The School Board hereby adopts the resolution attached hereto relating to the New Financing of the Facility. 2. That the School Board authorize the Division Superintendent or the Chief Operating Officer, on behalf of the School Board, and with the advice and counsel of the School Board attorney to (i) negotiate, execute and deliver the New PSA in substantial conformity with the foregoing; (ii) negotiate, execute and deliver all documents and amendments

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 5

4

October 2, 2008

related to, in connection with, or in furtherance of the transaction described herein; and (iii) upon approval by the Board of Supervisors of the New Financing, proceed with the transaction and complete the purchase and financing of the Facility. 3. If the Board of Supervisors declines to approve the New Financing during the New Due Diligence Period, if the transaction cannot be completed consistent with the parameters discussed by the School Board in closed session, or it is otherwise determined during the New Due Diligence Period that termination of the New PSA is in the best interest of the School Board, then the School Board hereby authorizes the Division Superintendent or the Chief Operating Officer, with the advice and counsel of the School Board attorney, (i) to terminate the New PSA, (ii) to recover the deposit and any other sums that may be due the School Board, and (iii) to notify the County of the foregoing and to cancel the New Financing (FTS; Exhibit G)

Mrs. Wilson moved, and Mr. Niedzielski-Eichner seconded, to 1. Approve the acquisition of, and financing for, the Facility (the property located at 8111 Gatehouse Road, Falls Church, Virginia) for use as the second centralized administration facility for a purchase price not to exceed that stated in the Original PSA and consistent with the parameters discussed in closed session. The School Board hereby adopts the resolution attached hereto relating to the New Financing of the Facility. 2. That the School Board authorize the Division Superintendent or the Chief Operating Officer, on behalf of the School Board, and with the advice and counsel of the School Board attorney to (i) negotiate, execute and deliver the New PSA in substantial conformity with the foregoing; (ii) negotiate, execute and deliver all documents and amendments related to, in connection with, or in furtherance of the transaction described herein; and (iii) upon approval by the Board of Supervisors of the New Financing, proceed with the transaction and complete the purchase and financing of the Facility. 3. If the Board of Supervisors declines to approve the New Financing during the New Due Diligence Period, if the transaction cannot be completed consistent with the parameters discussed by the School Board in closed session, or it is otherwise determined during the New Due Diligence Period that termination of the New PSA is in the best interest of the School Board, then the School Board hereby authorizes the Division Superintendent or the Chief Operating Officer, with the advice and counsel of the School Board attorney, (i) to terminate the New PSA, (ii) to recover the deposit and any other sums that may be due the School Board, and (iii) to notify the County of the foregoing and to cancel the New Financing.

Comments included the following: on September 18, 2008, the School Board approved a motion to move forward with the potential acquisition of the property at 8111 Gatehouse Road ("the property") in a continued effort to achieve greater efficiency through the consolidation of certain administrative offices into a single office campus where the school system's central administrative office is already located; with the current nationwide economic situation, there was now a possibility of improving the initial business plan as well as an opportunity to review evolving market conditions with specific focus on the Merrifield area;

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 5

5

October 2, 2008

approval of the agenda item relating to the purchase effectively would provide an extended due diligence period to December 1, 2008, and would enable the staff to explore additional options and continue negotiations with the owner of the property; prior to providing the Board of Supervisors, which had voted to not take action on the initial proposal, with any revised proposal for the purchase and financing of the property, staff would provide to the School Board an update on developments and the status of the proposed transaction; and the initial business plan, prior to any revisions or updates, would continue to support returning savings to the operating budget, moving administrative staff out of buildings that could be used for schools, and increasing cash flow for construction and renovation of schools.

The motion to 1. Approve the acquisition of, and financing for, the Facility (the property located at 8111 Gatehouse Road, Falls Church, Virginia) for use as the second centralized administration facility for a purchase price not to exceed that stated in the Original PSA and consistent with the parameters discussed in closed session. The School Board hereby adopts the resolution attached hereto relating to the New Financing of the Facility. 2. That the School Board authorize the Division Superintendent or the Chief Operating Officer, on behalf of the School Board, and with the advice and counsel of the School Board attorney to (i) negotiate, execute and deliver the New PSA in substantial conformity with the foregoing; (ii) negotiate, execute and deliver all documents and amendments related to, in connection with, or in furtherance of the transaction described herein; and (iii) upon approval by the Board of Supervisors of the New Financing, proceed with the transaction and complete the purchase and financing of the Facility. 3. If the Board of Supervisors declines to approve the New Financing during the New Due Diligence Period, if the transaction cannot be completed consistent with the parameters discussed by the School Board in closed session, or it is otherwise determined during the New Due Diligence Period that termination of the New PSA is in the best interest of the School Board, then the School Board hereby authorizes the Division Superintendent or the Chief Operating Officer, with the advice and counsel of the School Board attorney, (i) to terminate the New PSA, (ii) to recover the deposit and any other sums that may be due the School Board, and (iii) to notify the County of the foregoing and to cancel the New Financing **passed unanimously.**

4. CONSENT AGENDA

- 4.01 Minutes** - Approve the minutes of September 8, 2008, Operational Expectations work session and September 18, 2008, regular School Board meeting (SB; Exhibit H)
- 4.02 Additional Appointments** - Appoint individuals to serve on committees as listed in the agenda item (SB; Exhibit I)
- 4.03 School Board Policy** - Adopt Policy 2611.8, Procedures for Hearings and Appeals to the School Board, as reviewed and discussed at the Policy work session (SB; work session held 9/8/08; presented as new business 9/18/08; Exhibit J)

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 5

6

October 2, 2008

- 4.04 School Board Policies** - Rescind Policy 4030, Opportunities for Individual Assistance, and adopt new Policy 9003, Opportunities for Individual Assistance (HR; PLT; presented as new business 9/18/08; Exhibit K)
- 4.05 School Board Policies** - Rescind Policy 1522, Child Care Services, and adopt new Policy 8561, Child Care Services (DCCO; FTS; presented as new business 9/18/08; Exhibit L)
- 4.06 School Board Policy** - Adopt Policy 7130.3, Vehicle Replacement, as reviewed and discussed at the Policy work sessions (FTS; work sessions held 6/9/08 and 7/14/08; presented as new business 9/18/08; Exhibit M)
- 4.07 Award of Contract** - Award the contract for the football field lighting project at Fairfax High School to R.E. Lee Electric Company, Inc., in the amount of \$317,827, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 9/18/04; Exhibit N)

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

5. NEW BUSINESS

- 5.01 Award of Contract** - Recommendation to award the contract for the renovation of Vienna Elementary School to the lowest responsive and responsible bidder and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; action scheduled 10/23/08; Exhibit O)

There was no discussion of this item.

- 5.02 Fairfax County Purchasing Resolution** - Recommendation to adopt the new revisions to the Fairfax County Purchasing Resolution, excluding Article 3, Construction Contracting (FS; action scheduled 10/23/08; Exhibit P)

There was no discussion of this item.

- 5.03 Appointment to ERFC Board of Trustees** - Recommendation to appoint Susan Quinn to the Educational Employee's Supplementary Retirement System of Fairfax County (ERFC) Board of Trustees for the remainder of the one-year term that expires June 30, 2009 (HR; action scheduled 10/23/08; Exhibit Q)

There was no discussion of this item.

- 5.04 2009 Fairfax County School Board Legislative Program** - Recommendation to adopt the 2009 Fairfax County School Board Legislative Program, as detailed in the agenda item (S; work session held 9/8/08; action scheduled 11/6/08; Exhibit R)

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 5

7

October 2, 2008

There was no discussion of this item.

6. **SUPERINTENDENT MATTERS**

There were no Superintendent matters.

7. **REPORTS** (Exhibit S)

September 25, 2008 – Program Review Committee – Phil Niedzielski-Eichner, Chairman

Budget program review criteria with Superintendent's reasonable interpretations

8. **BOARD MATTERS**

The Board Members made brief comments.

9. **CLOSED MEETING**

The closed meeting was not held.

10. **ADJOURNMENT**

The meeting was adjourned at 12:08 a.m.

11. **DEBRIEF**

The Board debriefed tonight's meeting.