

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 18

April 23, 2009

1. **CLOSED MEETING**

Chairman Storck convened the Board in public session at 6:50 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)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Mr. Gibson moved, and Mr. Center seconded, that the Board go into closed meeting to discuss and consider disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711 (A)(2). The motion passed unanimously.

2. **MEETING OPENING**

[NOTE: EACH AGENDA ITEM IS AVAILABLE ON MP3 AUDIO FILES 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 7:05 p.m. with a quorum of Board members present. Also present were Division Superintendent Jack D. Dale; Deputy Superintendent Richard Moniuszko; Deputy Executive Assistants and Deputy Clerks of the Board Linda Sabo and Pat Charbonneau; and certain other members of staff. Student Representative to the School Board Arvin Ahmadi was absent.

Chairman Storck thanked the members of Longfellow Middle School choir, directed by Molly Khatcheressian, for their performance of the National Anthem and the Flute Ensemble from Edison High School, who had performed during the Support Employees of the Year reception earlier this evening.

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2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mr. Niedzielski-Eichner moved, and Mrs. Strauss seconded, that in order to comply with Section 2.2-3712 (D) of the Code of Virginia, it is necessary for the Board to certify that since the Fairfax County School Board convened a closed meeting on April 23, 2009, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Board during the closed meeting. The foregoing also shall be deemed to include the certification of each School Board member who served on a student disciplinary committee that those closed committee meetings are lawfully exempted from open meeting requirements by Section 2.2-3711(A)(2) of the Code of Virginia, and that only student disciplinary matters were heard, discussed, or considered in those closed committee meetings. The motion **passed unanimously.**

2.03 Announcements (Exhibit B)

Mrs. Wilson made the following announcements: May 2009 was Asian and Pacific-American Heritage Month and Pride in America Month; May 6, 2009, was School Nurse Day; and April 19-25, 2009, was Family and Consumer Sciences Week in the Commonwealth of Virginia.

2.04 Resolution Naming the Baseball Field at Herndon High School (Exhibit C)

Mrs. Strauss read a resolution naming the baseball field at Herndon High School "The Alan McCulloch Field."

Mrs. Strauss moved, and Mr. Gibson seconded, to adopt the resolution naming the baseball field at Herndon High School "The Alan McCulloch Field." The motion **passed unanimously.**

Mrs. Strauss invited friends and family of Mr. McCulloch to join the Board for presentation of the resolution and photographs.

2.05 Resolution Naming the Band Room at Robinson Secondary School (Exhibit D)

Postponed to May 21, 2009.

2.06 Resolution Naming the Crestwood Elementary School Library (Exhibit E)

Mr. Center read a resolution naming the library at Crestwood Elementary School "The Kathryn S. Nutter Library."

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Mr. Center moved, and Ms. Bradsher seconded, to adopt the resolution naming the library at Crestwood Elementary School "The Kathryn S. Nutter Library." The motion **passed unanimously.**

Mr. Center invited friends and family of Ms. Nutter to join the Board for presentation of the resolution and photographs.

2.07 Resolution Supporting the County-Wide Initiative To Reduce Underage Drinking (Exhibit F)

Mr. Niedzielski-Eichner read a resolution "Supporting the County-Wide Initiative To Reduce Underage Drinking."

Mr. Niedzielski-Eichner moved, and Ms. Bradsher seconded, to adopt the resolution Supporting the County-Wide Initiative to Reduce Underage Drinking. The motion **passed unanimously.**

Mr. Niedzielski-Eichner invited all members of the Unified Prevention Coalition in the audience to join the Board members for photographs.

2.08 Recognition of Administrative Professionals Week (Exhibit G)

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

2.09 Support Employees of the Year Recognition (Exhibit H)

Chairman Storck said that he was pleased, on behalf of the Fairfax County School Board, to pay tribute to the achievements and contributions of the outstanding support employees in attendance who had been recognized by their supervisors, colleagues, and community for their unique and exceptional contributions to FCPS. All the nominees and finalists were recognized and photographs were taken with the Board.

Mr. Niedzielski-Eichner read the resolution of commendation for Janet Cameron, school-based support employee of the year.

Mr. Niedzielski-Eichner moved, and Ms. Hone seconded, to adopt the Resolution of Commendation for Janet Cameron. The motion **passed unanimously.**

Mr. Center read the resolution of commendation for Sher Nasir, non-school-based support employee of the year.

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Mr. Center moved, and Mr. Moon seconded, to adopt the Resolution of Commendation for Sher Nasir. The motion **passed unanimously.**

Ms. Cameron and Mr. Nasir made brief remarks.

3. **PRESENTATIONS TO SCHOOL BOARD**

3.01 Spotlight on Learning – Environmental Stewardship at Waples Mill Elementary School (Exhibit I)

3.02 Citizen Participation (Exhibit J)

Two speakers addressed the Board in the time reserved for public comment. Lois Page and Lucille Morton addressed Agenda Item No. 6.03 Award of Contract.

3.03 Student Representative Matters

There were no student matters.

4. **ACTION ITEMS**

4.01 Legislative Recommendations for 2010 - Accept the legislative recommendations for 2010 to be forwarded to the VSBA Legislative, Policies and Resolutions Committee for their consideration, as detailed in the agenda item (S; presented as new business 04/02/09; Exhibit K)

Mrs. Kory moved, and Mr. Gibson seconded, to accept the legislative recommendations for 2010 to be forwarded to the VSBA Legislative, Policies and Resolutions Committee for their consideration, as detailed in the agenda item.

Comments included: the Board did not support artificial state caps on funding, including those for reimbursement of support personnel costs, but did support realistic funding tied to available revenue; the State should reimburse the cost of language proficiency exams for English Language Learners - the only tests which are federally mandated under *No Child Left Behind* that the state currently does not fund; the Board of Education should consider the financial implications, not just policy, when it adds mandates under its own rulemaking processes.

The motion to accept the legislative recommendations for 2010 to be forwarded to the VSBA Legislative, Policies and Resolutions Committee for their consideration, as detailed in the agenda item **passed unanimously.**

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- 4.02 Award of Contract** - Award the contract for the installation of a synthetic turf field at Bailey's Elementary 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; presented as new business 04/02/09; Exhibit L)

Mrs. Kory moved, and Mr. Moon seconded, to award the contract for the installation of a synthetic turf field at Bailey's Elementary School to General Sports Venue/Astroturf, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board.

Comments included: project had been ongoing for a long time; many community meetings were held to ensure access to the field by all interested groups.

The motion to award the contract for the installation of a synthetic turf field at Bailey's Elementary School to General Sports Venue/Astroturf, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board **passed unanimously.**

- 4.03 Proposed 2009 School Bond Referendum** - Adopt the resolution requesting the Board of Supervisors to approve and take appropriate action to place on the ballot for the November 3, 2009, general election a School Bond Referendum in the amount of \$232,580,000 (FTS; presented as new business 04/2/09; Exhibit M)

Mrs. Wilson moved, and Ms. Hone seconded, to adopt the resolution requesting the Board of Supervisors to approve and take appropriate action to place on the ballot for the November 3, 2009, general election a School Bond Referendum in the amount of \$232,580,000.

Comments and questions included: every two years Fairfax County Public Schools had a bond referendum; this year's bond would be used to address capacity enhancements due to enrollment; importance of community understanding of how school buildings were financed; question did the \$50 million for the building of the new South County Middle School include the \$10 that was to be provided by the County; affirmative response; concern that George Mason University did not want to partner with the school system to co-locate Thomas Jefferson High School for Science and Technology on their campus; the Board would never achieve their renovation objectives until the capital improvement dollars were greater than they were today.

The motion to adopt the resolution requesting the Board of Supervisors to approve and take appropriate action to place on the ballot for the November 3, 2009, general election a School Bond Referendum in the amount of \$232,580,000 **passed unanimously.**

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4.04 Confirmation of Action Taken in Closed Meeting

Mrs. Strauss moved, and Mr. Center seconded, to expel a student for numerous acts of misconduct at school. The motion **passed unanimously.**

Ms. Bradsher moved, and Mr. Niedzielski-Eichner seconded, to expel a student for engaging in gang activity at school. The motion **passed unanimously.**

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

Mr. Gibson moved, and Mr. Center seconded, to deny the suspension appeal of a student who violated school rules, and to confirm the disciplinary decision of the Division Superintendent. The motion **passed unanimously.**

Having served as chairman of a three-member committee, along with Ms. Hone and Mr. Raney, Mr. Moon moved, and Mr. Raney seconded, to expel two students—one for sexual assault of another student at school and one for violation of the conditions of a probationary school assignment. The motion **passed unanimously.**

Having served as chairman of a three-member committee, along with Mrs. Smith, and Mrs. Strauss, Ms. Bradsher moved, and Mrs. Smith seconded, to expel five students—two for involvement in a mob assault; one for possession of illegal drugs; one for possession of a weapon at school and use of that weapon to threaten other students; and one for assault of a staff member at school. The motion **passed unanimously.**

5. CONSENT AGENDA

- 5.01 **Minutes** – Approve the minutes of April 2, 2009, regular School Board meeting (SB; Exhibit N)
- 5.02 **Monthly Separation Report** - Confirm the separations for the period beginning March 1, 2009, and ending March 31, 2009, as detailed in the agenda item (HR; Exhibit O)
- 5.03 **Quarterly Separation Report** - Confirm the appointments and separations for the period beginning January 1, 2009, and ending March 31, 2009 (HR; Exhibit P)
- 5.04 **Award of Contract** - Award a contract for the relocation of a six-classroom modular building (from Glasgow Middle School) and the addition of a two-classroom modular building at Rocky Run Middle School to Creative Finishes, Inc., in the amount of \$1,018,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 4/2/09; Exhibit Q)

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- 5.05 School Board Policy** - Approve Policy 5010.4, Procurement of Goods and Services except Construction (FS; presented as new business 4/2/09; Exhibit R)

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

6. **NEW BUSINESS**

- 6.01 CTEMS Annual Plan** - Recommendation to approve the CTEMS Annual Plan and 2009-2010 Application for Career and Technical Education Funds, as detailed in the agenda item (IS; action scheduled 5/7/09; Exhibit S)

There was no discussion of this item.

- 6.02 Annual Special Education Plan and Report** - Recommendation to approve the 2009-2010 annual special education plan, Part B funding application and Section 619 Preschool Grant Application, as detailed in the agenda item (SS; action scheduled 05/7/09; Exhibit T)

There was no discussion of this item.

- 6.03 Award of Contract** - Recommendation to approve the contract awards for providing IRS Section 403(b) Plan deferred compensation services for FCPS employees to Great West Retirement Services, TIAA-CREF, and VALIC effective September 1, 2009, and through the duration of the three (3) year contract as recommended by the Office of Benefit Services and endorsed by the Selection Advisory Committee (SAC) (HR; action scheduled 5/07/09; Exhibit U)

Kevin North, assistant superintendent for Human Resources, and De Hawley Brown, director for Office of Benefit Services, provided a brief explanation for the recommendation. The current contracts expired on June 30 and the major focus had been to consolidate the number of vendors; the average savings for school system employees would be about \$900 per year with the new contracts due to a reduction in service fees; retirees would see no change in the way their account is maintained, or in their relationship with their current agent; new deposits would be required to be deposited with one of the three listed vendors, effective September 1, 2009.

Comments and questions included: was VALIC a subsidiary of AIG; affirmative response; was there a tax advantage to being a member of FCPS; response that there is a tax deferral advantage; request for an estimate of the additional cost to maintain the vast amount of information we would be required to create due to increased compliance for the current number of vendors.

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- 6.04 FLECAC Recommendations** - Recommendation to approve instructional objectives for grade 2, grade 3, and modified curriculum for Emotional and Social Health; and grade 8 and modified curriculum Human Growth and Development; and recommended media for grade 5: If It Happens to You: Dealing with Abuse; for grade 9: Life's Greatest Miracle; and for grade 10 Breast Self Awareness Interactive Tool, and recommended print material for grade 3, Enemy Pie (book), as reviewed and recommended by the Family Life Education Curriculum Advisory Committee (IS; work session scheduled 04/20/09; action scheduled 05/21/09; Exhibit V)

There was no discussion of this item.

- 6.05 Award of Contract** - Recommendation to award the contract for the synthetic running track replacement at West Springfield 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; action scheduled 5/7/09; Exhibit W)

There was no discussion of this item.

- 6.06 Easements** - Recommendation to (i) approve the conveyance of storm drainage easements to the Board of Supervisors, and (ii) authorize the Chief Operating Officer of Facilities and Transportation Services to execute, on behalf of the School Board, the Deeds and any related documents as approved by School Board counsel to accomplish the conveyances (FTS; action scheduled 5/7/09; Exhibit X)

There was no discussion of this item.

- 6.07 Award of Contract** - Recommendation to negotiate civil engineering services for the Lacey Center site with selected engineering firms and authorize the Division Superintendent, or his designee to execute the contract on behalf of the School Board (FTS; action scheduled 05/07/09; Exhibit Y)

There was no discussion of this item.

- 6.08 Award of Contract** - Recommendation to award the contract for the athletic field lighting project at Oakton 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; action scheduled 05/07/09; Exhibit Z)

There was no discussion of this item.

- 6.09 Revisions to Strategic Governance Manual** - Recommendation to approve the proposed revisions to the Strategic Governance Manual in Section 2, Operational

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Expectations, Section 4, Policy Development and Review, and Board Committees, and Section 5, Meetings, as detailed in the agenda item (SB; action scheduled 05/07/09; Exhibit AA)

There was no discussion of this item.

- 6.10 Grading Scale Recommendation** - Recommendation to use a variation of the College Board grading scale, as detailed in the agenda item (IS; work session held 4/20/09; action scheduled 5/07/09; Exhibit BB)

There was no discussion of this item.

7. **SUPERINTENDENT MATTERS**

The Superintendent presented informational items.

8. **REPORTS** (Exhibit CC)

April 14, 2009 Linkage - Brad Center, Chairman
FY 2010 Budget Community Dialogues

April 20, 2009, Work Session - Kaye Kory and Phil Niedzielski-Eichner, Meeting Managers

Operational Expectations - Community Relations Monitoring Report

Student Services - Regulation 2601.23P, Student Responsibilities and Rights

Instruction - Family Life Education Curriculum Advisory Committee Recommendations; Grading Scale Recommendation

Human Resources - Personnel Practices during Reduction in Force (RIF)

Governance - Review of Community Relations Operational Expectations; Revised Operational Expectation for Professional Learning and Training; Revised Operational Expectation for Human Resources

April 23, 2009 - Audit - James Raney, Chairman

Procurement Card Audit Draft Response; Follow-up Review Memo - Temporary Pay Process; Proposed Coverage FY 2010 Annual Audit Plan; Development of Proposed FY 2010 Audit Plan

April 23, 2009 - Forum - Dan Storck, Chairman

2009 Bond Committee; Part-time employees in the context of the FY 2011 budget process and potential for RIFs

9. **BOARD MATTERS**

The Board Members made brief comments

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10. **CLOSED MEETING**

10.01 **Closed Meeting**

Mr. Gibson moved, and Mrs. Wilson seconded, that the Board go into closed meeting to discuss and consider the performance of specific public officers pursuant to Virginia code Section 2.2-3711 (A)(1). The motion **passed 10-2**: Ms. Bradsher, Mr. Center, Mr. Gibson, Mr. Moon, Mr. Niedzielski-Eichner, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Hone and Mrs. Kory voted "nay."

10.02 **Certification of Closed Meeting Compliance** (Exhibit DD)

Mr. Gibson moved, and Mr. Center seconded, that in order to comply with Section 2.2-3712 (D) of the Code of Virginia, it is necessary for the Board to certify that since the Fairfax County School Board convened a closed meeting on April 23, 2009, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Board during the closed meeting. The motion **passed unanimously**.

11. **ADJOURNMENT**

The meeting was adjourned at 11:23 p.m.

12. **DEBRIEF**

The Board debriefed tonight's meeting.