

## MINUTES

### Fairfax County School Board

### Luther Jackson Middle School

Regular Meeting No. 1

July 9, 2009

#### 1. **CLOSED MEETING**

Mr. Center moved, and Mrs. Strauss seconded, that the Board go into closed meeting to 1) discuss and consider disciplinary matters concerning students pursuant to Virginia Code Section 2.2-3711(A)(2); 2) to discuss and consider the disciplining of a specific public employee pursuant to Virginia Code Section 2.2-3711 (A)(1); and 3) to discuss and consider the employment performance of a specific public officer, pursuant to Virginia Code Section 2.2-3711(A)(1). The motion passed 6-0: Mr. Center, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mr. Gibson, Ms. Hone, Mrs. Kory, and Mr. Moon were not present for the vote; Ms. Bradsher was absent; with the Providence district seat vacant.

Chairman Storck convened the closed meeting at 5:52 p.m.

#### 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 the following members present:

Elizabeth T. Bradsher (Springfield; ABSENT)	James L. Raney (At Large)
Brad Center (Lee)	Kathy L. Smith (Sully)
Stuart D. Gibson (Hunter Mill; arr. 5:53)	Daniel G. Storck (Mt. Vernon)
Martina A. Hone (At Large; arr. 6:00)	Jane K. Strauss (Dranesville)
Kaye Kory (Mason; arr. 6:00)	Tessie Wilson (Braddock)
Ilryong Moon (At Large; arr. 6:30)	Vacant (Providence)

*[Clerk's note: Effective June 18, 2009, Providence district member Phil Niedzielski-Eichner resigned; the seat will remain vacant until a November 2009 special election.]*

Also present were Division Superintendent Jack D. Dale; 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 Shawn Ghuman was present.

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### 2.02 Annual School Board Organizational Meeting (Exhibit A)

Chairman Storck announced that Section 22.1-76 of the *Code of Virginia* specified that, at the annual organizational meeting, a school board shall elect one of its members as Chairman and one as Vice Chairman to serve a one-year term, and shall approve other appointments and designations of responsibility necessary for Board operations during the year; he noted that on January 22, 2009, this Board had approved changing its annual organizational meeting from January to July to align the Board's work schedule so that it was consistent with the school system's fiscal year schedule, and state and school calendars, and that due to this change, it was necessary for the current chairman and vice chairman to resign before proceeding with the selection process for a new chairman and vice chairman. Mrs. Wilson stated that she was resigning her position as vice chairman of the Fairfax County School Board effective July 9, 2009, and Mr. Storck stated that he was resigning his position as chairman of the Fairfax County School Board effective July 9, 2009. Board members expressed appreciation to both Chairman Storck and Vice Chairman Wilson for their service in support of the Board, noting that Mr. Storck had served as chairman for the past two and a half years. Chairman Storck then turned the gavel over to Dr. Dale to preside over the election of the chairman, and the floor was opened for nominations for chairman.

Mr. Raney moved, and Mr. Center seconded, that Kathy L. Smith be nominated as Chairman of the School Board of Fairfax County, Virginia.

Mr. Raney noted that Mrs. Smith had recently served for two years as Vice Chairman, and two and a half years as the chairman of the Governance Committee, and she had demonstrated leadership in those roles.

Hearing no other nominations, the motion that Kathy L. Smith be nominated as Chairman of the School Board of Fairfax County, Virginia, passed 10-0: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was absent; with the Providence district seat vacant.

Dr. Dale turned the gavel over to Chairman Smith, who thanked her colleagues for their support and said that she looked forward to working with everyone during the next year; she then opened the floor for nominations for vice chairman.

Mr. Gibson moved, and Mrs. Strauss seconded, that Tessie Wilson be nominated as Vice Chairman of the School Board of Fairfax County, Virginia.

Mr. Gibson noted that Mrs. Wilson's service as vice chairman for the past six months brought leadership stability to the Board.

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Hearing no other nominations, the motion that Tessie Wilson be nominated as Vice Chairman of the School Board of Fairfax County, Virginia, **passed 6-0-4:** Mr. Center, Mr. Gibson, Mr. Raney, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Hone, Mrs. Kory, Mr. Moon, and Mr. Storck abstained; Ms. Bradsher was absent; with the Providence district seat vacant.

Mr. Gibson moved, and Ms. Hone seconded, that the School Board authorize organizational arrangements and appointments as follows: 1) designate the following as regular business meeting dates: July 23, September 10 and 24, October 8 and 22, November 5 and 16 (Monday), December 3 and 17, 2009, and January 7 and 21, February 4 and 18, March 4 and 18, April 8 and 22, May 6 and 20, June 10 and 24, and July 8, 2010. Regular business meetings are typically held on Thursdays. Special meetings, Board committee work sessions, and other special functions will also be scheduled. Committees of three Board members hear student disciplinary cases in closed meetings, typically on Tuesdays. The Board does not meet in August. The Board's calendar of meeting dates will be based on the school year and will be initially set and published in July; 2) set the salary of Board members at \$20,000 per year and that of the Board Chairman at \$22,000, and reimburse for local mileage at the Federal mileage reimbursement rate for official School Board business travel; 3) compensate the student representative for attendance at public meetings not to exceed \$50 per day and reimburse for local mileage at the Federal mileage reimbursement rate for official School Board business travel; 4) approve Richard Moniuszko, Deputy Superintendent, to serve as the Superintendent's designee to attend any meeting of the School Board that the Superintendent cannot attend; 5) appoint Pamela Goddard as Executive Assistant and Clerk of the School Board; 6) appoint Patricia Charbonneau and Linda Sabo as Deputy Clerks of the School Board; 7) appoint Steve Eddy and Brian Waymire as Deputy Clerks of the School Board for the limited purpose of signing titles to School Board vehicles; and appoint Bok Nam DeGregorio, Arnold Dunbar, Diane Trabucco, Mary J. Thomas, and Roger A. Pearson as Deputy Clerks of the School Board for the limited purpose of countersigning payment warrants; 8) appoint Anita Kapper, Doug Campbell, Alan Belstock, Mahmood Sheikh, Shakeel Yusuf, and Jerome Wilhelm as Agents of the School Board to examine, approve, and order payment of financial obligations of the Board; and appoint Natalia Nankovitch-Andersen, Kristen Fang, Mary Keninitz, Dalila Khalafi, Michael Lunter, Kevin McCarty, Joy Russom, Helen Shiflett, John Lako, and Valerie Wolfe as Deputy Agents of the School Board to perform those functions in the absence of the Agents; 9) appoint Shakeel Yusuf as Agent of the School Board to approve disbursements made from all petty cash funds; 10) authorize the Chairman and Clerk to sign all legal documents for the Board, other than those requiring the signature of some other officer; and authorize the Vice Chairman to sign in the absence of the Chairman, and the Deputy Clerks in the absence of the Clerk; 11) authorize Richard Moniuszko, Deputy Superintendent, and Susan Quinn, Chief Financial Officer, to execute official documents relating to state, federal, and impact aid requiring the Superintendent's signature; 12) authorize Richard Moniuszko, Deputy

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Superintendent, and Susan Quinn, Chief Financial Officer, to execute official documents relating to the Virginia Department of Education reports, documents, requisitions, and other official correspondence in the absence of the Division Superintendent, effective July 2009 through July 2014; 13) retain Thomas J. Cawley, Esquire, and the firm of Hunton & Williams to provide general legal advice and litigation services. Retain John Cafferky, Esquire, and the firm of Blankingship & Keith to provide special education legal services. Retain Michael Salvesson and the firm of Littler Mendelsohn to provide workers compensation services; and 14) organize liaisons and committees to support the Board's work. The motion **passed 10-0**: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was absent; with the Providence district seat vacant.

### **2.03 Certification of Closed Meeting Compliance (Exhibit B)**

Mr. Storck moved, and Mr. Raney 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 July 9, 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 9-0-1**: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mr. Moon abstained; Ms. Bradsher was absent; with the Providence district seat vacant.

### **2.04 Announcements**

Chairman Smith announced that Ms. Bradsher was out of town this week.

### **2.05 Recognition of Songpa-Gu, Seoul, Korea, Delegation (Exhibit C)**

Chairman Smith announced that it was a pleasure to welcome the members of the delegation from Songpa-Gu District, in Seoul, South Korea, to the Board meeting; the School Board had passed a resolution in November 2008 establishing a partner relationship with Songpa-Gu District, and the members of the delegation were going to spend the next five days touring Fairfax County, to include schools, universities, and government agencies; the goals of this partnership included cultural exchanges, communication of educational ideas, and the development and sharing of technical and professional

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knowledge to encourage and facilitate dialogue about environmental, community, and educational challenges. Songpa-Gu Mayor Young Soon Kim made brief remarks and introduced the members of the delegation; a plaque was presented from the School Board, and gifts were exchanged and photographs taken.

### **2.06 Resolution Honoring Patrick K. Murphy (Exhibit D)**

Chairman Smith read a resolution honoring Patrick K. Murphy, who had recently been selected as the new superintendent for Arlington County Public Schools.

Mrs. Smith moved, and Mr. Center seconded, to adopt the resolution honoring Dr. Patrick K. Murphy. The motion passed 10-0: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was absent; with the Providence district seat vacant.

Mrs. Smith presented Dr. Murphy with a framed copy of the resolution and a gift, and photographs were taken with the Board and members of Dr. Murphy's family and friends.

Comments included the following: Arlington County Public Schools was very fortunate to have hired Dr. Murphy as their new superintendent; he had played a leadership role in the Board's strategic governance initiative when it began four years ago, and his calm demeanor and strong leadership would serve him well in Arlington. Dr. Murphy thanked the Board, Dr. Dale, Leadership Team members, and friends and family for their support.

## **3. PRESENTATIONS TO SCHOOL BOARD**

**3.01 Spotlight on Learning** – Physical Education Program at Poe Middle School  
(Exhibit E)

**3.02 Citizen Participation** (Exhibit F)

One speaker addressed the Board in the time reserved for public comment. Barry Weinstein addressed FCPS employee compensation policy.

**3.03 Student Representative Matters**

The Student Representative presented informational items.

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### 4. ACTION ITEMS

#### 4.01 **2009 Passages Monitoring Report** - Accept the 2009 Passages Monitoring Report, as detailed in the agenda item (PLA; presentation 6/25/09; Exhibit G)

Ms. Hone moved, and Mr. Center seconded, to accept the 2009 Passages Monitoring Report, as detailed in the agenda item.

Comments included the following: the Passages report was an excellent monitoring report model and provided an important view of the whole child's progress, with emphasis on the early years, and included significant data to demonstrate what students were capable of accomplishing.

The motion to accept the 2009 Passages Monitoring Report, as detailed in the agenda item, **passed 10-0**: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was absent; with the Providence district seat vacant.

#### 4.02 **Confirmation of Action Taken in Closed Meeting**

Mr. Center moved, and Mrs. Wilson seconded, to expel a student for possession and distribution of an imitation controlled substance at school. The motion **passed 10-0**: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was absent; with the Providence district seat vacant.

Mrs. Strauss moved, and Mr. Gibson seconded, to expel a student for fighting, participating in gang activities, and disrupting the educational process at school. The motion **passed 10-0**: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was absent; with the Providence district seat vacant.

Mr. Raney moved, and Mr. Center seconded, to expel a student for violation of the probationary conditions of a school assignment. The motion **passed 10-0**: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was absent; with the Providence district seat vacant.

Having served as chairman of a three-member committee, along with Mr. Gibson and Ms. Hone, Mrs. Wilson moved, and Mr. Gibson seconded, to expel two students—one for possession and use of illegal drugs at school and one for numerous acts of misconduct at school. The motion **passed unanimously**.

Having served as chairman of a three-member committee, along with Ms. Hone and Mrs. Wilson, Mr. Gibson moved, and Mrs. Wilson seconded, to expel a

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student for possession and distribution of illegal drugs at school. The motion **passed unanimously.**

Having served as chairman of a three-member committee, along with Mr. Raney and Mr. Storck, Mrs. Kory moved, and Mr. Raney seconded, to expel five student—one for possession and distribution of a controlled substance at school; one for possession of a weapon at school; one for assaulting a fellow student and a staff member; one for assaulting a staff member; and one for violation of the probationary conditions of a school assignment. The motion **passed unanimously.**

Mr. Raney moved, and Mrs. Strauss seconded, that the teacher identified in closed meeting be dismissed from employment. The motion **passed 9-0-1: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted “aye”; Mr. Moon abstained; Ms. Bradsher was absent; with the Providence district seat vacant.**

### 5. CONSENT AGENDA

- 5.01 **Minutes** - Approve the minutes of June 3, 2009, public hearing and June 25, 2009, regular School Board meeting (SB; Exhibit H)
- 5.02 **Award of Contract** - Authorize staff to negotiate a professional services contract with the top-ranked firm or negotiation with the second ranked firm in the event that a successful contract cannot be negotiated with the top-ranked firm for Thomas Jefferson High School for Science and Technology and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 6/25/09; Exhibit I)
- 5.03 **Award of Contract** - Award the contract for the HVAC and electrical upgrades at Wilton Woods Network Operations Center to M.C. Dean, Inc., in the amount of \$1,227,041.05, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 6/25/09; Exhibit J)
- 5.04 **Award of Contract** - (i) Award the contract for the addition at Hybla Valley Elementary School to Creative Finishes, Inc. (CFI), as the lowest responsive and responsible bidder, in the amount of \$4,178,600; (ii) waive any informalities in CFI's bid, to the extent there are any; and (iii) authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 6/25/09; Exhibit K)

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

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### 6. NEW BUSINESS

- 6.01 FY 2009 Final Budget Review** - Recommendation to approve the revenue and expenditure adjustments as detailed in the agenda item (FS; action scheduled 7/23/09; Exhibit L)

Chief Financial Officer Susan Quinn briefly reviewed the agenda item. Board members' concerns were expressed about the increase in class size for this school year and the amount of the staffing reserve; a possible amendment to be considered to add \$1 million to the staffing reserve to help those schools with unique class size problems; question why the third-quarter budget review item on adding GPS units to buses, which had been previously deferred by Board action, was not included, and response that since receiving the budget situation projection, the Superintendent did not want to obligate any additional expenditures at this point and had deferred the decision.

- 6.02 FY2010 Audit Plan** - Recommendation to approve the FY 2010 Audit Plan, as detailed in the agenda item (S; action scheduled 7/23/09; Exhibit M)

There was no discussion of this item.

- 6.03 Appointment of VSBA Delegate and Alternate** - Recommendation to appoint a delegate and an alternate to the Virginia School Boards Association 2009 Annual Conference (SB; action scheduled 7/23/09; Exhibit N)

There was no discussion of this item.

- 6.04 School Board Liaisons and Committee Chairmanships** - Recommendation to confirm committee liaisons and chairmanships, as listed in the agenda item (SB; action scheduled 7/23/09; Exhibit O)

There was no discussion of this item.

- 6.05 TJHSST** - Recommendation to approve Fairfax County Public Schools (FCPS) continue in 2009-2010 to accept the Virginia Department of Education designation as the Governor's Regional School for Science and Technology in Northern Virginia (Cluster III; action scheduled 7/23/09; Exhibit P)

There was no discussion of this item.

- 6.06 2009-2010 Charges to School Board Advisory Committees** - Recommendation to approve the charges for 2009-2010 for the following School Board Citizen Advisory Committees: Adult and Community Education, Students with Disabilities, Advanced Academic Programs, Career and Technical Education, District Advisory Council for the Fairfax County Compensatory Education Title I Program, FECEP/Head Start, Human Relations, Minority

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Student Achievement Oversight, and School Health, as detailed in the agenda item (SB; action scheduled 7/23/09; Exhibit Q)

There was no discussion of this item.

- 6.07 Easement** - Recommendation to grant the easement at Annandale High School and authorize the Division Superintendent, or his designee, to execute the deed on behalf of the School Board (FTS; action scheduled 7/23/09; Exhibit R)

There was no discussion of this item.

- 6.08 Easement** - Recommendation to grant the easement at West Potomac High School and authorize the Division Superintendent, or his designee, to execute the deed on behalf of the School Board (FTS; action scheduled 7/23/09; Exhibit S)

There was no discussion of this item.

### 7. **SUPERINTENDENT MATTERS**

The Superintendent presented informational items.

### 8. **REPORTS** (Exhibit T)

#### **July 9, 2009 - Forum - Dan Storck, Chairman**

Budget liaison name change and School Board Retreat July 17-18, 2009.

### 9. **BOARD MATTERS**

The Board Members made brief comments.

### 10. **ADJOURNMENT**

The meeting was adjourned at 9:24 p.m.

### 11. **DEBRIEF**

The Board debriefed tonight's meeting.