

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 7

November 5, 2009

1. **CLOSED MEETING**

Mrs. Strauss moved, and Ms. Hone seconded, that the Board go into closed meeting to 1) discuss and consider disciplinary matters concerning students pursuant to Section 2.2-3711(A)(2) of the Code of Virginia; and 2) to consult with legal counsel concerning certain special education litigation against the school division currently pending the U.S. District Court for the Eastern District Court and the U. S. Court of Appeals, and related claims, pursuant to Section 2.2-3711 (A)(7) of the Code of Virginia. The motion **passed 7-0**: Mr. Center, Ms. Hone, Mr. Moon, Mr. Raney, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher and Mrs. Kory were not present for the vote; Mr. Gibson and Mrs. Smith were absent; with the Providence district seat vacant.

Vice Chairman Wilson convened the closed meeting at 6:35 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/National Anthem – Kilmer Middle School Symphonic Orchestra**

Vice Chairman Wilson convened the meeting at 7:10 p.m. with the following members present:

Elizabeth T. Bradsher (Springfield; arr. 9:18)	James L. Raney (At Large)
Brad Center (Lee)	Kathy L. Smith (Sully; ABSENT)
Stuart D. Gibson (Hunter Mill; ABSENT)	Daniel G. Storck (Mt. Vernon)
Martina A. Hone (At Large)	Jane K. Strauss (Dranesville)
Kaye Kory (Mason; arr. 7:05)	Tessie Wilson (Braddock)
Ilryong Moon (At Large)	Vacant (Providence)

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

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 Shawn Ghuman was present.

Vice Chairman Wilson thanked the members of the Kilmer Middle School Symphonic Orchestra under the direction of Melissa Brown for their performance of the national anthem.

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2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mrs. Strauss moved, and Mr. Storck 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 November 5, 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 8-0**: Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was not present for the vote; Mr. Gibson and Mrs. Smith were absent; with the Providence district seat vacant.

2.03 Announcements (Exhibit B)

Vice Chairman Wilson announced that Chairman Smith and Mr. Gibson were out of town and would not be attending tonight's meeting. She recognized and congratulated newly-elected Providence district School Board member Patty Reed and 38th district State delegate Kaye Kory. Mr. Ghuman announced that November 11, 2009, was Veterans' Day; November 15-21, 2009, was American Education Week; and November 2009 was National Adoption Awareness Month.

2.04 Recognition of School Psychology Awareness Week (Exhibit C)

Mr. Raney recognized that November 9-13, 2009, was School Psychology Awareness Week. He congratulated Wendy Randolph, the Virginia School Psychologist of the Year, and Peggy Moore, the Fairfax County School Psychologist of the Year, and invited them to join the Board for photographs. He then invited the school psychologists in the audience to join the Board for photographs.

2.05 Recognition of National Career Development Month (Exhibit D)

Mr. Storck recognized November 2009 as National Career Development Month and invited the career center specialists present to join the Board for photographs.

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3. PRESENTATIONS TO SCHOOL BOARD

3.01 Citizen Participation (Exhibit E)

Two speakers addressed the Board in the time reserved for public comment. Rob Mullins addressed Agenda Item No. 6.01 FY 2010 Mid-Year Budget Review; and Filory Correa-Dock addressed the Immersion Program.

3.02 Student Achievement Goals 1.1.4. – Social Studies and 1.4. – Understand the Interrelationship and Interdependence of the Countries and Cultures of the World (Exhibit F)

Peter Noonan, assistant superintendent for Instructional Services, reviewed a PowerPoint presentation, focusing on the increases achieved by all sub-groups and at all grade levels on the social studies SOL tests, at both the proficiency and advanced levels. The fifth grade Global Awareness and Technology Project was highlighted as part of the elementary Countries and Cultures performance measure, incorporating quality of thought, expression, and research.

Discussion and questions included: what contributed to the increases achieved by all subgroups, and the response that improvements were attributable to increased use of e-CART, refined best practices in teaching and learning, timely intervention with students who were not succeeding, and collaboration between general education teachers and specialists; concern that, although all groups showed improvement, the gap in achievement for subgroups remained in the same proportion as baseline data and was not narrowing; the question of whether the SOL tests aligned with the reasonable interpretations approved by the Board, and the response that the 2008 SOL revision included more globalization; the question whether the performance bands would effectively measure performance as SOLs were revised on a seven-year cycle, and the expectation that they would transcend SOL revisions as well as content and curriculum changes; the question whether students in lower grades who had passed the SOL were allowed to improve their scores by retaking the exam, and the response that retesting to increase scores that were not barriers to graduation or promotion were too costly to be allowed; the question about alternative assessments and the response that in social studies, only special education students were eligible to take the Virginia Grade Level Alternative (VGLA) or the Virginia Alternate Assessment Program (VAAP), and less than 1.5 percent of the more than 12,200 sixth grade students took one of the two alternatives; questions were posed regarding the implementation of the state-mandated economics and personal finance course, and the responses that the course was an unfunded mandate, was a one-credit course, and was being considered for implementation online, as a regular class, or in summer school; the question of whether charging fees for AP or IB exams would impact the goal to have at least 90 percent of all students take one or more AP or IB courses, and the response that it would be difficult to determine that because budget

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reductions resulting in fewer sections or elimination of courses would also affect the number of enrolled students; and kudos for the pilot global awareness project.

3.03 Student Representative Matters

The Student Representative presented informational items.

4. ACTION ITEMS

- 4.01 Student Achievement Goal 1.2. Communicate in At Least Two Languages -** Accept the monitoring report on the current progress toward attaining Student Achievement Goal 1.2. Communicate in At Least Two Languages (IS; presented as new business 10/22/09; Exhibit G)

Mr. Center moved, and Ms. Hone seconded, to accept the monitoring report on the current progress toward attaining Student Achievement Goal 1.2. Communicate in At Least Two Languages.

Comments included this monitoring report covered progress that had been made on Goal 1.2. and was separate from budget considerations for associated programs, and communicating in two languages was integral to our students being competitive in the global workforce.

The motion to accept the monitoring report on the current progress toward attaining Student Achievement Goal 1.2. Communicate in At Least Two Languages passed 8-0: Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was not present for the vote; Mr. Gibson and Mrs. Smith were absent; with the Providence district seat vacant.

- 4.02 Exchange of Real Property -** Authorization of actions necessary to complete the exchange of real property with the Fairfax County Park Authority for the South County Middle School, approved by the School Board at its June 19, 2008, meeting (FTS; presented as new business 10/22/09; Exhibit H)

Mr. Storck moved, and Ms. Hone seconded, that the School Board authorize and direct the Division Superintendent and Chief Operating Officer, either of whom is authorized to act individually on behalf of the School Board, to take all actions, with the advice of the School Board's Attorney, which such officials deemed to be appropriate or necessary in order to negotiate and complete the exchange with the Fairfax County Park Authority of the Existing South County Middle School Property and the Existing Park Authority Property, both as defined in this agenda item, including but not limited to, executing on behalf of the School Board all documents related to the transaction (including, without limitation, the Deed of Exchange), securing the statutorily required title insurance, finalizing, signing,

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delivering, and recording the Deed of Exchange and delivering such further assurances as may be required; and that all such actions taken by the Division Superintendent, Chief Operating Officer and School Board Attorney in connection with this matter are hereby ratified and confirmed.

Comments included: the exchange placed the site for the middle school adjacent to South County Secondary School, allowing for collocation of fields with availability for both school and community use; the Park Authority land included a pond that could not be developed but was ideal for science curriculum; the Memorandum of Understanding should include the right of FCPS to utilize the adjacent lands without having to go through the effort that had been required for this exchange; and gratitude to staff, the Park Authority, and U.S. Representative Gerry Connolly for their efforts to accomplish this exchange.

The motion that the School Board authorize and direct the Division Superintendent and Chief Operating Officer, either of whom is authorized to act individually on behalf of the School Board, to take all actions, with the advice of the School Board's Attorney, which such officials deemed to be appropriate or necessary in order to negotiate and complete the exchange with the Fairfax County Park Authority of the Existing South County Middle School Property and the Existing Park Authority Property, both as defined in this agenda Item, including but not limited to, executing on behalf of the School Board all documents related to the transaction (including, without limitation, the Deed of Exchange), securing the statutorily required title insurance, finalizing, signing, delivering, and recording the Deed of Exchange and delivering such further assurances as may be required; and that all such actions taken by the Division Superintendent, Chief Operating Officer and School Board Attorney in connection with this matter are hereby ratified and confirmed **passed 8-0**: Mr. Center, Ms. Hone, Mrs. Kory, Mr. Moon, Mr. Raney, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher was not present for the vote; Mr. Gibson and Mrs. Smith were absent; with the Providence district seat vacant.

4.03 Confirmation of Action Taken in Closed Meeting

Mr. Storck moved, and Mr. Center seconded, to expel a student for conviction of certain crimes in the community. The motion **passed 7-0**: Mr. Center, Ms. Hone, Mr. Moon, Mr. Raney, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher and Mrs. Kory were not present for the vote; Mr. Gibson and Mrs. Smith were absent; with the Providence district seat vacant.

Mrs. Strauss moved, and Mr. Moon seconded, to approve the settlement of L.H. vs. Fairfax County School Board, and related claims, on the terms described by counsel in closed meeting, and to authorize the Division Superintendent or his designee, on behalf of the School Board, to approve the final text of a written agreement to that effect, and to execute such agreement and other documents as may be necessary and appropriate to accomplish this mission. The motion

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passed 7-0: Mr. Center, Ms. Hone, Mr. Moon, Mr. Raney, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher and Mrs. Kory were not present for the vote; Mr. Gibson and Mrs. Smith were absent; with the Providence district seat vacant.

5. **CONSENT AGENDA**

- 5.01 **Minutes** – Approve the minutes of October 19, 2009, Operational Expectations work session and October 22, 2009, regular School Board meeting (SB; Exhibit I)
- 5.02 **Secondary Course Offerings** - Approve changes to the list of middle and high school course offerings for the 2010-2011 school year, as recommended by the Course review Committee and as detailed in the agenda item (IS; presented as new business on 10/22/09; Exhibit J)
- 5.03 **School Board Policy** - Adopt Policy 1365.4, Distribution of Materials (DCCO; presented as new business on 10/22/09; Exhibit K)
- 5.04 **Additional Appointments** - Appoint individuals to serve on committees as detailed in the agenda item (SB; Exhibit L)

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

[Clerk's note: Ms. Hone asked whether implementation of this policy would limit parent access to, and linkage with, schools and the response that the policy dealt with distribution of political material.]

6. **NEW BUSINESS**

- 6.01 **FY 2010 Midyear Budget Review** - Recommendation to approve revenue and expenditure changes reflected in the FY 2010 Midyear Budget Review, as detailed in the agenda item (FS; action scheduled 11/16/09; Exhibit M)

Chief Financial Officer Susan Quinn provided a brief overview of the FY 2010 Midyear Budget Review. Comments included: the need to increase Board of Supervisors' awareness of the school system's dire condition; enrollment was projected to increase by 2,000-3,000 students for next year in FCPS; and the \$24 million carryover could be set aside but not used to prepay expenses.

7. **SUPERINTENDENT MATTERS**

The Superintendent presented informational items.

8. **REPORTS** (Exhibit N)

October 31, 2009 - Budget - Jane Strauss, Budget Chairman
FY 2011 Budget Priorities

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November 5, 2009 - Linkage - Dan Storck, Linkage Chairman

Continued Community Engagement Dialogue Planning; Comprehensive Communications Plan; Linkage Committee Name Change; Meeting with Student Groups

9. BOARD MATTERS

The Board Members made brief comments.

10. ADJOURNMENT

The meeting was adjourned at 9:43 p.m.

11. DEBRIEF

The Board debriefed tonight's meeting.