

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 18

April 22, 2010

1. **CLOSED MEETING**

Mr. Gibson moved, and Mr. Center seconded, that the Board go into closed meeting to 1) discuss and consider disciplinary matters concerning students pursuant to VA Code Section 2.2-3711(A)(2); and 2) consult with legal counsel regarding litigation involving an employment dispute currently pending in the U.S. District Court for the Eastern District of Virginia, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the School Board, pursuant to VA Code Section 2.2-3711(A)(7). The motion passed 10-0: Ms. Bradsher, Mr. Center, Mr. Gibson, Mr. Moon, Mr. Raney, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Evans and Ms. Hone were not present for the vote.

Chairman Smith convened the closed meeting at 6 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 – Springfield Estates Elementary School String Ensemble

Chairman Smith convened the meeting at 7 p.m. with the following members present:

Elizabeth T. Bradsher (Springfield)
Brad Center (Lee)
Sandra S. Evans (Mason; arr 6:02)
Stuart D. Gibson (Hunter Mill)
Martina A. Hone (At Large; arr 6:15)
Ilryong Moon (At Large)

James L. Raney (At Large)
Patricia S. Reed (Providence)
Kathy L. Smith (Sully)
Daniel G. Storck (Mt. Vernon)
Jane K. Strauss (Dranesville)
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 Yvette Rhodes; and certain other members of staff. Student Representative Shawn Ghuman was present.

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Chairman Smith thanked the members of the Springfield Estates Elementary School String Ensemble under the direction of Sheryl Navarette for their performance of the national anthem.

2.02 Certification of Closed Meeting Compliance (Exhibit A)

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 22, 2010, 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 11-0-1**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Mr. Moon, Mr. Raney, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Hone abstained.

2.03 Announcements (Exhibit B)

Ms. Bradsher announced Teacher Appreciation Week was May 3-7, 2010, and Mr. Ghuman announced that May was Asian- and Pacific-American Heritage Month.

[Clerk's note: Later in the evening, Mr. Center thanked the Board and the Leadership Team for their support and condolences during the recent passing of his brother, and thanked the Lee District community and schools for their condolences during his bereavement.]

2.04 Recognition of Better Hearing and Speech Month (Exhibit C)

Mr. Raney recognized May as Better Hearing and Speech Month and invited the hearing and speech specialists present to join the Board for photographs.

2.05 Recognition of Child Nutrition Employee Week (Exhibit D)

Ms. Hone recognized Child Nutrition Employee Week, May 3-7, 2010, and invited the child nutrition employees present to join the Board for photographs.

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2.06 Recognition of Title I Distinguished School Awards (Exhibit E)

Ms. Evans recognized three Fairfax County schools as recipients of 2010 Title I Distinguished School awards: Parklawn Elementary School as one of only two schools in Virginia to be recognized under the National Title I Distinguished Schools program; Belvedere Elementary School and Pine Spring Elementary School had been named Title I Distinguished Schools by the Virginia Board of Education. Ms. Evans invited representatives from each school to join the Board for presentation of a certificate and photographs.

2.07 Resolution Supporting the Countywide Initiative to Reduce Underage Drinking (Exhibit F)

Mr. Moon read a resolution "Supporting the Countywide Initiative to Reduce Underage Drinking."

Mr. Moon moved, and Mr. Storck seconded, to adopt the resolution Supporting the Countywide Initiative to Reduce Underage Drinking. The motion **passed unanimously.**

Mr. Moon invited members of the Unified Prevention Coalition in the audience to join the Board for presentation of the resolution and photographs.

2.08 Resolution Naming the Track at Woodson High School (Exhibit G)

Mrs. Wilson read a resolution naming the track at Woodson High School "The Craig Davis Track."

Mrs. Wilson moved, and Mrs. Reed seconded, to adopt the resolution naming the track at Woodson High School "The Craig Davis Track." The motion **passed unanimously.**

Mrs. Wilson invited Mr. Davis and his family and friends to join the Board for presentation of the resolution and photographs.

2.09 Support Employees of the Year Recognition (Exhibit H)

Chairman Smith said that she 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. Sixteen nominees and three finalists were recognized and photographs were taken with the Board.

Mr. Storck read the resolution of commendation for John Adams, school-based support employee of the year.

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Mr. Storck moved, and Mrs. Wilson seconded, to adopt the Resolution of Commendation for John Adams. The motion **passed unanimously.**

Mrs. Strauss read the resolution of commendation for Delores Herndon, non-school-based support employee of the year.

Mrs. Strauss moved, and Ms. Hone seconded, to adopt the Resolution of Commendation for Delores Herndon. The motion **passed unanimously.**

Mr. Storck and Mrs. Strauss presented the resolutions to Mr. Adams and Mrs. Herndon, respectively, and photographs were taken. Mr. Adams and Mrs. Herndon made brief remarks.

3. PRESENTATIONS TO SCHOOL BOARD

3.01 **Citizen Participation** (Exhibit I)

There were no speakers scheduled to address the Board in the time reserved for public comment.

3.02 **Student Representative Matters**

The Student Representative presented informational items.

4. ACTION ITEMS

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

Mr. Gibson moved, and Mrs. Wilson seconded, to deny the school assignment appeal of a student who violated school rules, and to confirm the disciplinary decision of the Division Superintendent. The motion **passed 10-0-1**: Ms. Bradsher, Mr. Center, Mr. Gibson, Mr. Moon, Mr. Raney, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Evans abstained; Ms. Hone was not present for the vote.

Having served as chairman of a three-member committee, along with Ms. Bradsher and Mrs. Smith, Mrs. Strauss moved, and Ms. Bradsher seconded, to expel four students—one for possession and distribution of a controlled substance at school, one for improperly touching another student at school, one for sexual assault of another student at school, and one for numerous acts of misconduct at school. The motion **passed unanimously.**

Mrs. Strauss moved, and Mrs. Reed seconded, that the School Board approve the settlement of certain litigation involving an employment dispute, currently pending in the U.S. District Court for the Eastern District of Virginia, on the terms

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set forth in a written Settlement Agreement, and that the School Board authorize the Division Superintendent, or his designee to execute the Settlement Agreement on behalf of the School Board and to take such further actions as may be required by the Settlement Agreement. The motion **passed 11-0**; Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Mr. Moon, Mr. Raney, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Hone was not present for the vote.

5. CONSENT AGENDA

- 5.01 **Minutes** - Approve the minutes of April 7, 2010, regular School Board meeting (SB; Exhibit J)
- 5.02 **Monthly Separation Report** - Confirm the separations for the period beginning March 1, 2010, and ending March 31, 2010, as detailed in the agenda item (HR; Exhibit K)
- 5.03 **Quarterly Separation Report** - Confirm the appointments and separations for the period beginning January 1, 2010, and ending March 31, 2010 (HR; Exhibit L)
- 5.04 **Award of Contract** - Award the contract for the visitor side bleacher replacement at Annandale High School to the lowest responsive and responsible bidder, Grandstand Design Enterprises, Inc., in the amount of \$275,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 4/7/10, Exhibit M)

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

6. NEW BUSINESS

- 6.01 **Regulation 2601, Student Responsibilities and Rights** - Recommendation to adopt Regulation 2601.24P. *Student Responsibilities and Rights* (SS; work session held 4/5/10, action scheduled 5/6/10; Exhibit N)

Discussion included: clarification that adoption of Regulation 2601.24P, *Student Responsibilities and Rights*, would not preclude the Board from making future changes to Policy 2611, Procedures for Hearings and Appeals to the School Board; affirmative response; although Policy 2611 was not on tonight's agenda, recommendations regarding Policy 2611 could be brought to the Board for discussion and possible scheduling as an agenda item at a future Board meeting.

- 6.02 **School Board Policy** - Recommendation to adopt Policy 8335.2, Wireless Telecommunications Facilities, as reviewed and discussed at the Policy work session (FTS; work session held 4/5/10, action scheduled 5/6/10; Exhibit O)

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Discussion included: clarification that adoption of Policy 8335.2, Wireless Telecommunications Facilities, was a separate matter from the award of a contract to expand the FCPS monopole program; affirmative response; proffers concerning Internet access would be negotiated with a contractor and would not require a policy change.

- 6.03 Award of Contract** - Recommendation to award the contract for the exterior wall replacement at Burke 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 for 5/6/10; Exhibit P)

There was no discussion of this item.

- 6.04 Award of Contract** - Recommendation to award the contract for the running track replacement at Centreville 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 5/6/10; Exhibit Q)

There was no discussion of this item.

- 6.05 Award of Contract** - Recommendation to authorize staff to negotiate a contract for the baseball field lighting project at Sandburg Middle School with the top-ranked offeror and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; action scheduled 5/6/10; Exhibit R)

There was no discussion of this item.

- 6.06 Conveyance of Drainage Easement** - Recommendation to accept compensation in the amount of \$6,717 for conveyance of the easement at George C. Marshall High School to the Commonwealth of Virginia, Department of Transportation ("VDOT"), and authorize the Chief Operating Officer to execute on behalf of the School Board and deliver to VDOT, in exchange for such compensation, the deed and any necessary related documents, all as approved by the School Board counsel, to accomplish such conveyances (FTS; action scheduled 5/6/10; Exhibit S)

There was no discussion of this item.

7. SUPERINTENDENT MATTERS

The Superintendent presented informational items.

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8. REPORTS (Exhibit T)

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Audit Committee - James Raney, Chairman

Forum on Board Topics - Kathy Smith, Chairman

9. BOARD MATTERS

The Board Members made brief comments.

10. ADJOURNMENT

The meeting was adjourned at 9:05 p.m.

11. DEBRIEF

The Board debriefed tonight's meeting.