

MINUTES

Fairfax County School Board Luther Jackson Middle School

Regular Meeting No. 21

June 10, 2010

1. **CLOSED MEETING**

Mr. Gibson moved, and Mr. Raney seconded, that the Board go into closed meeting to (1) to discuss and consider disciplinary matters concerning students pursuant to Section 2.2-3711(A)(2) of the Code of Virginia; (2) to protect the privacy of individuals in personal matters not related to public business pursuant to Section 2.2-3711(A)(4) of the Code of Virginia; (3) to consult with legal counsel regarding litigation against school officials currently pending in the Fairfax County Circuit Court pursuant to Section 2.2-3711(A)(7) of the Code of Virginia; and (4) to consult with legal counsel regarding certain requirements under the Virginia Freedom of Information Act pursuant to Section 2.2-3711(A)(7) of the Code of Virginia. The motion passed unanimously.

Chairman Smith convened the closed meeting at 5:40 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 – Langston Hughes Middle School Chamber Orchestra

Chairman Smith convened the meeting at 7:07 p.m. with the following members present:

Elizabeth T. Bradsher (Springfield)	James L. Raney (At Large)
Brad Center (Lee)	Patricia S. Reed (Providence; arr. 5:41)
Sandra S. Evans (Mason)	Kathy L. Smith (Sully)
Stuart D. Gibson (Hunter Mill)	Daniel G. Storck (Mt. Vernon)
Martina A. Hone (At Large)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large; dep. 6:45; arr. 8:20)	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.

Chairman Smith thanked the members of the Langston Hughes Middle School Chamber Orchestra under the direction of Jessica Savage for their performance of the national anthem, and the members of the Sandburg Middle School String Ensemble, and their conductor Latoya Lamons-Slocumb, for performing at the Principal of the Year reception earlier.

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2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mr. Gibson 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 June 10, 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 10-0-1: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Raney, Mrs. Reed, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mr. Storck abstained; Mr. Moon was not present for the vote.

2.03 Announcements

Chairman Smith announced that Mr. Moon was attending the Davis Center graduation ceremony, and would be arriving later.

2.04 Resolution Honoring Shawn Ghuman (Exhibit B)

Mrs. Strauss read a resolution honoring Shawn Ghuman, Student Representative to the School Board for 2009-2010 school year.

Mrs. Strauss moved, and Ms. Bradsher seconded, to adopt the resolution honoring Shawn Ghuman. The motion passed 11-0: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Raney, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mr. Moon was not present for the vote.

Chairman Smith, on behalf of the Board, thanked Mr. Ghuman for his year of service as the student representative and presented a gift and framed copy of the resolution. Mr. Ghuman's family joined him and the Board members for photographs.

Mr. Ghuman thanked the Board members for their guidance to him as the student representative and recommended that the Board continue its presence and interaction with the students.

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2.05 Laura Ashley Piper Scholarship Recipient (Exhibit C)

Mr. Gibson explained the history of the Piper Scholarship and then read the resolution naming AnnMarie O'Connell Irwin, from Madison High School, as the 2010 Laura Ashley Piper Scholarship recipient.

Mr. Gibson moved, Mrs. Wilson seconded, to adopt the resolution naming AnnMarie O'Connell Irwin the 2010 Laura Ashley Piper Scholarship recipient. The motion **passed 11-0**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Raney, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mr. Moon was not present for the vote.

Mr. Gibson presented Ms. Irwin with a check for \$1,000 and a framed copy of the resolution and invited the Irwin family and friends to join the Board for photographs.

2.06 2010 School Board Character Award (Exhibit D)

Student Representative Shawn Ghuman explained the history of the School Board Character Award, recognized K.E. Scarry, a senior at Oakton High School, as the winner of the 2010 School Board Character Award, and read a summary of her accomplishments. Mr. Ghuman presented Ms. Scarry with a plaque and a \$500 check and invited the Scarry family and friends to join the Board for photographs.

2.07 Apple Federal Credit Union Education Foundation – Great Beginnings Grant (Exhibit E)

Dr. Dale and Assistant Superintendent for Professional Learning and Accountability Terri Breden recognized the tremendous contributions from the Apple Federal Credit Union (AFCU) Education Foundation in support of Fairfax County Public Schools; the Education Foundation, over the past few years, had contributed funds for the Board's Piper Scholarship and Character Award; for the second consecutive year the Education Foundation had awarded FCPS a \$175,000 grant to continue the new teacher induction program *Great Beginnings: The Next Generation*. Dr. Dale invited Mike Engley, Executive Director of the AFCU Education Foundation, and Larry Kelly, CEO of AFCU, to join him for photos and presentation of the \$175,000 check.

2.08 Principal of the Year Recognition (Exhibit F)

Chairman Smith noted that the Board was honored to pay tribute to the achievements and contributions of the outstanding principals, and she thanked them on behalf of the Board for their dedication to the students of Fairfax County. As members of the Leadership Team recognized the nominees and finalists for the Nancy F. Sprague Outstanding First Year Principal and FCPS 2010 Principal of the Year, photographs were taken with Board members, family, and friends.

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The Nancy F. Sprague Leadership Award recognizing the Outstanding First Year Principal was presented to Providence Elementary School principal Jesse Kraft. Mr. North introduced the FCPS 2010 Principal of the Year, August Frattali from Rachel Carson Middle School.

Mr. Gibson read the resolution of commendation for Mr. Frattali.

Mr. Gibson moved, and Mrs. Strauss seconded, to adopt the Resolution of Commendation for Mr. Frattali. The motion **passed unanimously.**

Mr. Frattali accepted the commendation, expressed his appreciation, and made brief remarks.

3. PRESENTATIONS TO SCHOOL BOARD

3.01 Citizen Participation (Exhibit G)

One speaker addressed the Board in the time reserved for public comment. Virginia Fitz Shea addressed Agenda Item No. 4.01, Early Release Dates for 2010-2011 School Calendar.

3.02 Student Representative Matters

Mr. Ghuman thanked the School Board members for the opportunity to serve as the student representative for the past year; it had been an incredible experience for him, and he hoped one day to return as an elected Board member; he also thanked the School Board Office staff for their support.

4. ACTION ITEMS

4.01 Early Release Days (Revision to 2010-2011 School Calendar) – Approve two early release days for all students and for FCPS employees, where program operations permit, on December 22, 2010, and May 27, 2011; further move that to the extent these early release days impact a given school's compliance with the daily or weekly instructional hours requirements of Policy 3415, the requirements of that policy are suspended for that day or week; provided that all schools must continue to comply with state requirements for total instructional hours or days in the school term. (SB; presented as new business 5/20/10, Exhibit H)

[Clerk's note: Chairman Smith turned the gavel over to Vice Chairman Wilson.]

Mrs. Smith moved, and Mrs. Reed seconded, that the School Board approve two early release days for all students and for FCPS employees, where program operations permit, on December 22, 2010, and May 27, 2011; further move that to the extent these early release days impact a given school's compliance with the daily or weekly instructional hours requirements of Policy 3415, the

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requirements of that policy are suspended for that day or week; provided that all schools must continue to comply with state requirements for total instructional hours or days in the school term.

Chairman Smith noted that the Board had been unable to give employees any salary increases for the past two years, and these two early release days were intended to reflect the Board's appreciation for everyone's hard work. In response to a question about the anticipated change in state requirements that would give local school boards more control over calendar issues, Dr. Dale confirmed that the motion was crafted so that FCPS would remain in compliance with any state laws.

The motion to approve two early release days for all students and for FCPS employees, where program operations permit, on December 22, 2010, and May 27, 2011; further move that to the extent these early release days impact a given school's compliance with the daily or weekly instructional hours requirements of Policy 3415, the requirements of that policy are suspended for that day or week; provided that all schools must continue to comply with state requirements for total instructional hours or days in the school term **passed 11-1**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Moon, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mr. Raney voted "nay."

[Clerk's note: Vice Chairman Wilson returned the gavel to Chairman Smith.]

- 4.02 Award of Contract** – Award the contract for the installation of synthetic turf fields at Herndon High School to Atlas Tracks, Inc., in the amount of \$1,142,490 and authorize the Division Superintendent or his designee to execute the contract on behalf of the School Board; further move that the School Board enter into an Agreement with the Contributing Parties memorializing the rights and responsibilities of the parties to the Agreement and authorize the Division Superintendent or his designee to execute the Agreement on behalf of the School Board (FTS; presented as new business 5/20/10; Exhibit I)

Mrs. Strauss moved, and Ms. Bradsher seconded, that the School Board award the contract for the installation of synthetic turf fields at Herndon High School to Atlas Tracks, Inc., in the amount of \$1,142,490 and authorize the Division Superintendent or his designee to execute the contract on behalf of the School Board; further move that the School Board enter into an Agreement with the Contributing Parties memorializing the rights and responsibilities of the parties to the Agreement and authorize the Division Superintendent or his designee to execute the Agreement on behalf of the School Board.

Discussion included: Chief Operating Officer Dean Tistadt explained that there were currently eight turf fields at various school sites, and that no FCPS funds from the operating budget or the capital budget had been used to install the turf fields; the funds came from a variety of sources, including the Fairfax County Park Authority, booster clubs, youth groups, and generous community members;

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these same groups established sinking funds so they could be used in the future for required maintenance of the fields; a recent analysis from FCPS and county recreation staff had concluded that the best return on investment was to install turf on high school stadium and practice fields simultaneously, as was being done at Herndon HS and had been done at Marshall HS.

The motion that the School Board award the contract for the installation of synthetic turf fields at Herndon High School to Atlas Tracks, Inc., in the amount of \$1,142,490 and authorize the Division Superintendent or his designee to execute the contract on behalf of the School Board; further move that the School Board enter into an Agreement with the Contributing Parties memorializing the rights and responsibilities of the parties to the Agreement and authorize the Division Superintendent or his designee to execute the Agreement on behalf of the School Board **passed unanimously.**

4.03 Confirmation of Action Taken in Closed Meeting

Mr. Storck moved, and Mrs. Wilson seconded, to expel a student for possession of illegal drugs with intent to distribute at school. The motion **passed unanimously.**

Mr. Center moved, and Mrs. Reed seconded, to expel a student for possession and distribution of a controlled substance at school. The motion **passed unanimously.**

Mr. Storck moved, and Ms. Bradsher seconded, to expel a student for participation in gang-related activities at school. The motion **passed unanimously.**

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 as modified in closed meeting. The motion **passed unanimously.**

Having served as chairman of a three-member committee, along with Mr. Center and Ms. Evans, Mr. Moon moved, and Ms. Evans seconded, to expel two students 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. Gibson and Ms. Hone, Mr. Raney moved, and Mr. Gibson seconded, to expel a student for possession and attempted distribution of illegal drugs at school. The motion **passed unanimously.**

Mr. Gibson moved, and Mr. Raney seconded, to excuse from attendance at school certain students identified in closed meeting pursuant to Section 22.1-254 (B)(1) of the *Code of Virginia*. The motion **passed unanimously.**

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5. CONSENT AGENDA

- 5.01 Minutes** – Approve the minutes of May 20, 2010, regular School Board meeting (SB; Exhibit J)
- 5.02 Waiver of Verified Credits (SOL)** - Approve the request for a waiver of verified credit requirements for a student identified to School Board members. (IS; action scheduled 6/10/10; Exhibit K)
- 5.03 Award of Contract** - Award the contract for the automatic temperature control system replacement at Waples Mill Elementary School to Boland Trane Services, Inc., in the amount of \$383,435, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 5/20/10; Exhibit L)
- 5.04 Award of Contract** - Award the contract for the automatic temperature control system replacement at Aldrin Elementary School to Boland Trane Services, Inc., in the amount of \$464,516, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 5/20/10; Exhibit M)
- 5.05 Award of Contract** - Award the contract for the automatic temperature control system replacements at Armstrong and Bonnie Brae Elementary Schools to Siemens Industry Inc., in the amount of \$565,000, and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 5/20/10; Exhibit N)
- 5.06 Award of Contract** - Award the contract for Compactor Refuse Disposal Services to the lowest responsive and responsible bidder, Con-Serv Industries, Incorporated and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 5/20/10; Exhibit O)

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

6. NEW BUSINESS

- 6.01 Appointments to Citizen Advisory Committees** - Recommendation to appoint individuals to serve for a two-year term ending June 30, 2012, on the Adult and Community Education, Advanced Academic Programs, Career and Technical Education, Human Relations, Minority Student Achievement Oversight, School Health, and Students with Disabilities Advisory Committees, as listed in the agenda item (SB; action scheduled on 6/24/10; Exhibit P)

There was no discussion of this item.

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- 6.02 Amendment 16 to the ERFC Benefit Plan** - Recommendation to approve Amendment 16 to the ERFC Benefit Plan (ERFC and ERFC 2001) for the purpose of simplifying administration and clarifying the application of certain administrative rules without changing benefits (HR; action scheduled 6/24/10; Exhibit Q)

There was no discussion of this item.

- 6.03 Appointments to the ERFC Board of Trustees** - Recommendation to reappoint Richard Moniuszko, Kevin North, and Susan Quinn to the ERFC Board of Trustees for a one-year term, all three terms beginning July 1, 2010, and ending June 30, 2011 (HR; action scheduled 6/24/10; Exhibit R)

There was no discussion of this item.

- 6.04 Reappointment of Individual Trustee to ERFC** - Recommendation to approve the reappointment of Nitin Chittal to the ERFC Board of Trustees for a one-year term beginning July 1, 2010 (HR; action scheduled 6/24/10; Exhibit S)

There was no discussion of this item.

- 6.05 VRS Resolution** - Recommendation to accept the VRS resolution as detailed in the agenda item (HR; action scheduled 6/24/10; Exhibit T)

There was no discussion of this item.

- 6.06 Award of Contract** - Recommendation to award a contract for the relocation of a 12-classroom modular building and the addition of a 2-classroom modular building at Annandale 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 6/24/10; Exhibit U)

There was no discussion of this item.

- 6.07 Award of Contract** - Recommendation to award a contract for the relocation of the 10-classroom modular building to Powell 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 6/24/10; Exhibit V)

There was no discussion of this item.

- 6.08 Southwestern Regional Planning Study** - Recommendations contained in agenda item (FTS; work session held 5/10/10; public hearings scheduled

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6/28/10 and 6/29/10; action scheduled 7/8/10; work session scheduled June 14; Exhibit W)

Chairman Smith noted that the Board had scheduled a work session on June 14 to discuss the Southwestern Regional Study and then would continue with a bus tour to the Clifton Elementary School site and the Liberty Middle School site, and the public was welcome to join the Board members at those two schools for the tour; there was a public hearing scheduled for June 28, and the Board would take action on this issue on July 8. Chief Operating Officer Dean Tistadt reviewed a PowerPoint presentation, noting that the Board had recently developed a new community engagement process, which had involved a SW ad-hoc committee of approximately 50 citizens studying the overcrowded situation impacting 28 schools in that geographic area; the staff recommendation involved a number of options for the Board to consider, and taking the site tour on Monday was an important step in providing more information.

Discussion included: the Board had to decide whether to close Clifton or renovate Clifton as a first step in the process of solving the overcrowding situation in the Southwestern area, which would include a boundary study; there were some unique challenges involved in renovating Clifton; there were over 1,200 more students than there were available seats among the 28 affected schools, so it was essential to understand all the available options and impacts; the topic of closing a school or changing boundaries always was an emotional one for the community, and it was important to have a respectful dialogue as the Board and the community worked through the process.

7. **SUPERINTENDENT MATTERS**

The Superintendent presented informational items.

8. **REPORTS** (Exhibit X)

May 26, 2010 - Instruction and Special Services - Kathy Smith, Chairman

Annual reports from: Minority Student Achievement Oversight Advisory Committee, Advisory Committee for Students with Disabilities, and Advanced Academic Programs Advisory Committee

May 27, 2010 - Instruction - Kathy Smith, Chairman

Annual reports from: Adult & Community Education Advisory Committee, Foundation for Technical Education (FATE), and Career and Technical Education Advisory Committee

June 3, 2010 - Special Services, Human Resources, and Instruction - Kathy Smith, Chairman

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Annual reports from: Human Relations Advisory Committee, School Health Advisory Committee, FECEP/Head Start and Title I Advisory Committees

June 10, 2010 - Linkage - Dan Storck, Chairman

9. BOARD MATTERS

The Board Members made brief comments.

10. ADJOURNMENT

The meeting was adjourned at 10:15 p.m.

11. DEBRIEF

The Board did not debrief tonight's meeting.

Chairman of the Board

Clerk of the Board