

# MINUTES

## Fairfax County School Board

### Luther Jackson Middle School

Regular Meeting No. 1

July 8, 2010

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

Mr. Raney moved, and Ms. Evans 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 discuss and consider the performance of a specific public employee, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia. The motion passed 9-0: Mr. Center, Ms. Evans, Mr. Gibson, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher and Ms. Hone were not present for the vote; Mrs. Reed was absent.

Chairman Smith convened the closed meeting at 6:25 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 Smith convened the meeting at 7:02 p.m. with the following members present:

Elizabeth T. Bradsher (Springfield; arr. 6:24)	James L. Raney (At Large)
Brad Center (Lee)	Patricia S. Reed (Providence; ABSENT)
Sandra S. Evans (Mason)	Kathy L. Smith (Sully)
Stuart D. Gibson (Hunter Mill)	Daniel G. Storck (Mt. Vernon)
Martina A. Hone (At Large; arr. 6:55)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Tessie Wilson (Braddock)

Also present were 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 Keegan Cotton was present.

##### 2.02 **Certification of Closed Meeting Compliance (Exhibit A)**

Mrs. Strauss moved, and Mr. Gibson 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 8, 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

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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, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Hone abstained; and Mrs. Reed was absent.

### 2.03 Annual School Board Organizational Meeting (Exhibit B)

Chairman Smith welcomed Keegan Cotton, the 2010-2011 student representative, to his first Board meeting.

Chairman Smith 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. She then turned the gavel over to Dr. Moniuszko to preside over the election of the chairman, and the floor was opened for nominations for chairman.

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

Mr. Storck moved, and Ms. Hone seconded, that Ilryong Moon be nominated as Chairman of the Fairfax County School Board.

Mr. Raney and Mr. Gibson both noted that Mrs. Smith had provided excellent leadership for the Board over the past year, especially through the challenging budget process. Mr. Storck and Ms. Hone noted Mr. Moon's commitment to ensure that all viewpoints were heard.

Dr. Moniuszko called for the vote for the Chairman candidates in the order in which they were nominated: Mrs. Smith received **seven "aye" votes** from Ms. Bradsher, Mr. Center, Mr. Gibson, Mr. Raney, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson; Mr. Moon received **four "aye" votes** from Ms. Evans, Ms. Hone, Mr. Moon, and Mr. Storck. Mrs. Reed was absent. Mrs. Smith, with **a majority of seven votes**, was elected the Chairman of the Fairfax County School Board.

Chairman Smith thanked her colleagues for their support and presented Mrs. Wilson with a gift in appreciation for her service as Vice Chairman of the Board for the past 18 months. Chairman Smith then opened the floor for nominations for vice chairman.

Mrs. Strauss moved, and Ms. Evans seconded, that Brad Center be nominated as Vice Chairman of the Fairfax County School Board.

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Board members commented about Mr. Center's ability to listen to all opinions and weigh all options when making decisions.

The motion that Brad Center be elected as Vice Chairman of the Fairfax County School Board **passed 11-0**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mrs. Reed was absent.

Mrs. Strauss moved, and Mr. Gibson seconded, that the School Board authorize organizational arrangements and appointments as follows: 1) Designate the following as regular business meeting dates: July 22, September 2 and 23, October 7 and 21, November 4 and 15 (Monday), December 2 and 16, 2010, and January 6 and 20, February 3 and 24, March 10 and 24, April 14 and 28, May 12 and 26, June 9 and 23, and July 14 and 28, 2011. 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 Yvette Rhodes 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, Mahmood Sheikh, Dennis Shelton, Shakeel Yusuf, Jerome Wilhelm, and Meir Zupovitz 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, John Lako, Valerie Wolfe, and Judith Hollar 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,

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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 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 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 and litigation services. Retain Michael Salvesson and the firm of Littler Mendelsohn to provide workers compensation services; 14) Organize liaisons and committees to support the Board's work. The motion **passed 11-0**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mrs. Reed was absent.

### **2.04 Announcements**

Chairman Smith announced that Dr. Dale and Mrs. Reed were out of town and would not be attending tonight's meeting.

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

#### **3.01 Spotlight on Learning - ESOL Cross-Curricular Research Project at Lee High School (Exhibit C)**

#### **3.02 Citizen Participation (Exhibit D)**

One speaker addressed the Board in the time reserved for public comment. Mr. Steve Greenburg, President of the Fairfax County Federation of Teachers, addressed Agenda Item 6.03, School Board Liaisons and Committee Chairmanships.

#### **3.03 Student Representative Matters**

Mr. Cotton said he was honored to represent the students of FCPS, and looked forward to working with Board members over the next year.

### **4. ACTION ITEMS**

#### **4.01 2010 Passages Monitoring Report – Accept the Passages Monitoring Report, as detailed in the agenda item (Exhibit E)**

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Mr. Center moved, Ms.Hone seconded, that the School Board accept the Passages Monitoring Report, as detailed in the agenda item.

The Board commended the staff for the report, which gave a comprehensive view of student achievement from kindergarten through grade 12.

The motion to accept the Passages Monitoring Report, as detailed in the agenda item, **passed 11-0**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mrs. Reed was absent.

- 4.02 Clifton Elementary School Facilities Issues** – Approve closing Clifton Elementary School, with the specific closure date to be determined by the Board after the conclusion of the Southwestern boundary study (FTS; presented as new business 6/10/10, work sessions held 6/14/10 and 6/29/10; public hearing held 6/28/10; Exhibit F)

Ms. Bradsher moved, and Mr. Gibson seconded, that the School Board approve closing Clifton Elementary School, with the specific closure date to be determined by the Board after the conclusion of the Southwestern boundary study.

Ms. Hone moved, and Mr. Raney seconded, to postpone the School Board's consideration of closing and renovating Clifton Elementary School until no later than October 2013.

Discussion on the motion to postpone included: the Board had committed to having an independent evaluation of the school renovation queue performed every five years; the last study had been done in 2008, and the next review was scheduled for 2013; the motion to postpone would allow more time for validation of staff's enrollment projections for Clifton while supporting the community's request that Clifton Elementary be removed from the renovation queue, and would confirm that, until the renovation queue review in 2013, no capital funds would be spent on Clifton; request for an explanation of the methodology used by staff to generate student enrollment projections; response that several factors were considered by the facilities planning staff in projecting enrollment, including birth rate by zip code, kindergarten, 1<sup>st</sup>, and 2<sup>nd</sup> grade enrollment, the number of students that left Clifton to attend an Advanced Academic Center, the comprehensive plan and zoning requirements, housing sales, and transiency; while countywide student enrollment at the elementary level had increased approximately 5.8% over the past few years, Clifton Elementary enrollment had decreased approximately 9.5% over the same time period; in projecting enrollment for Clifton, staff had noted both a low birth rate and a low transient rate, and confirmed that a number of Clifton students currently attended the Willow Springs Advanced Academic Center; the current enrollment for Clifton was 369, with a projection of 298 students by 2015; the last independent

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evaluation of the condition of elementary schools had been performed in 1999-2000 by the consulting firm Peck & Peck, which had used multiple criteria in ranking schools in three categories—adequate, marginal, and inadequate, and at that time Clifton Elementary had been one of those schools included in the study and it had been ranked marginal and almost close to inadequate; the motion to postpone would result in a delay of another eight or nine years before any capital funds would be spent on the school; Clifton's current suppression system was similar to the one at Dogwood Elementary, which was destroyed by an electrical fire in 2000, two years prior to scheduled renovation; final test results regarding water quantity and quality related to the existing wells at Clifton Elementary had not been received yet; the Southwestern Regional Planning Ad Hoc Study Committee had spent hundreds of hours studying the issues, and the Board appreciated the report from those community members who had served on the committee; question about next steps if Clifton were closed, and the response that a boundary study to address the overcrowding in multiple schools near the Route 29 corridor was scheduled for fall 2010, and that the five schools closest to Clifton were all under capacity; depending on the boundary study results, students could start moving out of Clifton no earlier than the 2011-2012 school year; the possibility of building a new elementary school on the Liberty Middle School site would be a consideration during the boundary study; clarification that current unspent bond funds could be used for design and planning work for the ultimate renovation of a building, but capital funds for major capital projects were not spent without voter approval.

The motion to postpone the School Board's consideration of closing and renovating Clifton Elementary School until no later than October 2013 **failed 4-7**: Ms. Evans, Ms. Hone, Mr. Moon, and Mr. Raney voted "aye"; Ms. Bradsher, Mr. Center, Mr. Gibson, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "nay"; Mrs. Reed was absent.

Discussion on the main motion included: confirmation of the current timeline for the Southwestern boundary study: September 2010 for Board approval of the scope, October 2010 for the start of the community meetings, and February 2011 for Board approval of the boundaries, with the closing of Clifton Elementary to occur no earlier than the 2011-2012 school year, and possibly not before the 2012-2013 school year, depending on the results of the boundary study; the Board had limited capital funds and made decisions based on the most effective use of those funds to benefit all FCPS students; currently the state did not provide capital funding, and the Board of Supervisors provided FCPS \$155 million annually in capital funds, although that amount was not guaranteed indefinitely, and in comparison, Montgomery County spent \$250 million annually on capital projects; renovating Clifton would cost approximately \$10-12 million and if the funds were not spent on Clifton, those schools currently in the renovation queue would advance; the decision to close a school was difficult for Board members and the community, but the Board was committed to providing an excellent education for every student.

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The motion that the School Board approve closing Clifton Elementary School, with the specific closure date to be determined by the Board after the conclusion of the Southwestern boundary study **passed 9-2**: Ms. Bradsher, Mr. Center, Mr. Gibson, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted “aye”; Ms. Evans and Ms. Hone voted “nay”; Mrs. Reed was absent.

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

Mrs. Strauss moved, and Mr. Center seconded, to expel two students for violation of the probationary conditions of a school assignment. The motion **passed 10-0**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted “aye”; Ms. Hone was not present for the vote; Mrs. Reed was absent.

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**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted “aye”; Ms. Hone was not present for the vote; Mrs. Reed was absent.

Having served as chairman of a three-member committee, along with Mr. Center and Mr. Moon, Ms. Evans moved, and Mr. Moon seconded, to expel four students—one for violation of the probationary conditions of a school assignment; one for assault on another student on school grounds; and two for possession and distribution of certain drugs at school. The motion **passed unanimously**.

## **5. CONSENT AGENDA**

- 5.01 Minutes** – Approve the minutes of June 24, regular School Board meeting (SB; Exhibit G)
- 5.02 Additional Appointments** – Appoint individuals to serve on committees as detailed in the agenda item (SB; Exhibit H)
- 5.03 Thomas Jefferson High School for Science and Technology – Regional School Designation** - Accept the Virginia Department of Education designation of Fairfax County Public Schools as the Governor’s Regional School for Science and Technology in Northern Virginia for 2010-2011. (Cluster III; presented as new business 6/24/10; Exhibit I)
- 5.04 Award of Contract** - Award a contract for the renovation of Lake Anne Elementary School to Taft Construction Corporation in the amount of \$8,664,000

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and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 6/24/10; Exhibit J)

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 FY 2010 Final Budget Review** – Recommendation that the School Board approve the revenue and expenditure adjustments as detailed in the agenda item. (Exhibit K)

Chief Financial Officer Susan Quinn reviewed the agenda item, and noted that the Board would be presented with the FY 2012 Fiscal Forecast at the July 19 work session.

Request that the Chairman and the Superintendent send a letter to our U.S. Senators encouraging them to support passage of pending supplemental legislation that included \$10 billion for the Education Jobs Fund.

- 6.02 Advisory Committee Charges for 2010-2011** - Recommendation to approve the charges for 2010-2011 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 Student Achievement Oversight, and School Health, as detailed in the agenda item (SB; action scheduled 7/22/10; Exhibit L).

There was no discussion of this item.

- 6.03 School Board Liaisons and Committee Chairmanships** - Recommendation to confirm committee liaisons and chairmanships, as listed in the agenda item (SB; action scheduled 7/22/10; Exhibit M).

There was no discussion of this item.

- 6.04 Virginia School Boards Association Delegate and Alternate** - Recommendation to appoint a delegate and an alternate to the Virginia School Boards Association 2010 Annual Conference (SB; action scheduled 7/22/10; Exhibit N).

There was no discussion of this item.

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- 6.05 FY 2011 Annual Audit Plan** - Recommendation to approve the FY 2011 Audit Plan, as detailed in the agenda item (S; action scheduled 7/22/10; Exhibit O).

There was no discussion of this item.

- 6.06 Award of Contract** - Recommendation to award a contract for the new construction of the Lacey 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 7/22/10; Exhibit P).

There was no discussion of this item.

- 6.07 Award of Contracts** - Recommendation to authorize staff to negotiate professional services contracts with selected firms for HVAC commissioning services and authorize the Division Superintendent, or his designee, to award the contracts on behalf of the School Board (FTS; action scheduled 7/22/10; Exhibit Q).

There was no discussion of this item.

### 7. **SUPERINTENDENT MATTERS**

The Deputy Superintendent presented informational items.

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

#### **July 6, 2010**

**Board of Supervisors and School Board Joint Meeting** - Kathy Smith, Chairman

#### **July 8, 2010**

**Linkage Committee** - Dan Storck, Chairman

**Forum on Board Topics** - Kathy Smith, Chairman

### 9. **BOARD MATTERS**

The Board Members made brief comments.

### 10. **ADJOURNMENT**

The meeting was adjourned at 9:58 p.m.

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**11. DEBRIEF**

The Board debriefed tonight's meeting.