

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 4

September 23, 2010

1. **MEETING OPENING**

*[NOTE: EACH AGENDA ITEM IS AVAILABLE ON MP3 AUDIO FILES AT
<http://www.boarddocs.com/vsba/Fairfax/Board.nsf/Public?OpenFrameSet>]*

1.01 **Call to Order/Pledge of Allegiance/Moment of Silence/National Anthem – Thomas Jefferson High School for Science and Technology Choir**

Chairman Smith convened the meeting at 8:02 p.m. with the following members present:

Elizabeth T. Bradsher (Springfield)	James L. Raney (At Large)
Brad Center (Lee)	Patricia S. Reed (Providence)
Sandra S. Evans (Mason)	Kathy L. Smith (Sully)
Stuart D. Gibson (Hunter Mill)	Daniel G. Storck (Mt. Vernon; arr. 8:05)
Martina A. Hone (At Large)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	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 Keegan Cotton was present.

Chairman Smith thanked the members of the Thomas Jefferson High School for Science and Technology Choir under the direction of Molly Khatcheressian for their performance of the national anthem.

1.02 **Announcements (Exhibit A)**

Chairman Smith announced that Agenda Item 3.04, School Board Community Engagement and Communications Plan, had been rescheduled to October 7, 2010. Mr. Cotton announced that October 3-9, 2010, was Fire Prevention Week, and Chairman Smith expressed condolences for the Fairfax County family members whose lives were claimed by the recent fire in the Lorton community.

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2. PRESENTATIONS TO SCHOOL BOARD

2.01 2010 Opening of School Report (Exhibit B)

Superintendent Dale reviewed a PowerPoint presentation on the opening of the 2010-2011 school year; the priorities for the school division continued to be for high student achievement, with all schools building Professional Learning Communities that employed best practices to raise the bar for all students and close achievement gaps; that 99 percent of Fairfax County public schools had earned full accreditation from the Virginia Board of Education based on the 2009-2010 Standards of Learning (SOL) tests, with approximately 50 percent of those SOL tests earning passed advanced, and the achievement gap had narrowed in mathematics; projected student enrollment was 175,296, which included a projected increase of 2,000 students and over 1,000 new teachers had been hired; construction had started for a new elementary school at the Lacey site and a middle school in South County, and through the funding support of the Fairfax County Park Authority, the Board of Supervisors, and the various sports clubs, artificial turf fields had been installed at Herndon High School and Westfield High School.

Discussion included: question whether there had been a decline in student enrollment in Advanced Placement (AP) and International Baccalaureate (IB) courses since the implementation AP/IB test fees this fiscal year, with a response that the AP/IB test data would be tracked by individual school for any changes once it was available in spring 2011; there had been a record number of applicants at the high school level for the free and reduced meal program, which would correlate with student eligibility for the reduction or waiver of fees; staff would monitor the impact of the fee structure on athletics in the fall; request for trend data on number of students receiving free and reduced meals and number of ESOL students when that data was available; question whether there would be a report on the impact of budget cuts to the summer school program, particularly on the Young Scholars program, with the response that the testing data would be available in spring 2011, but that definite comparative data might not be available since the effects of cuts to educational programs were long-term; confirmation that future monitoring reports on the student achievement goals would include detailed and contextual data on SOL performance and comparative data on the number of FCPS students who had earned high-level scores on AP/IB tests; and commendations for FCPS teachers, transportation staff, and the cluster assistant superintendents for their creativity, flexibility, and efficiency in contributing to a successful opening of schools.

2.02 Citizen Participation (Exhibit C)

Two speakers addressed the Board in the time reserved for public comment. Elizabeth Schultz addressed Agenda Item No. 3.01, Southwestern Boundary Study and Edver Bourne addressed the student achievement gap.

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2.03 Student Representative Matters

The Student Representative presented informational items.

3. ACTION ITEMS

- 3.01 Southwestern Boundary Study** - Accept the scope, objectives, and parameters for the Southwestern Boundary Study, as detailed in the agenda item (FTS; presented as new business 9/2/10, work session held 9/13/10; Exhibit D)

Mrs. Wilson moved, and Ms. Bradsher seconded, that the School Board accept the scope, objectives, and parameters for the Southwestern Boundary Study.

Comments included: the boundary study had begun last year with the formation of the Southwestern Regional Planning Study Committee, an ad hoc citizen planning committee, and represented a new way of conducting boundary studies from a regional perspective; there had been a significant amount of community involvement throughout the process; facilities staff would present scenarios to relieve the capacity issues involved at several community meetings scheduled October 25 and 26, 2010; the Board looked forward to the community participating in this comprehensive process.

The motion to accept the scope, objectives, and parameters for the Southwestern Boundary Study **passed unanimously.**

- 3.02 Facilities Planning Advisory Council** - Appoint 13 individuals to the Facilities Planning Advisory Council, as detailed in the agenda item, and appoint the Chairman of the Comprehensive Planning Development Committee as the School Board liaison to the Facilities Planning Advisory Council (FTS; presented as new business 9/2/10, work session held 9/13/10; Exhibit E)

Ms. Bradsher moved, and Mrs. Wilson seconded, that the School Board appoint 13 individuals to the Facilities Planning Advisory Council, as detailed in the agenda item, and appoint the Chairman of the Comprehensive Planning Development Committee as the School Board liaison to the Facilities Planning Advisory Council.

Comments included: the School Board's Comprehensive Planning Development Committee had developed and recommended the structure for the Facilities Planning Advisory Council (FPAC) before Board approval; more than 50 community members had applied for FPAC membership; the recommended appointees to the FPAC had a broad range of expertise; commendation for Ms. Bradsher and Dr. Raney for their review and recommendation of an excellent slate of candidates for FPAC; FPAC would now provide a community perspective in the facilities planning process.

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The motion that the School Board appoint 13 individuals to the Facilities Planning Advisory Council, as detailed in the agenda item, and appoint the Chairman of the Comprehensive Planning Development Committee as the School Board liaison to the Facilities Planning Advisory Council **passed unanimously.**

- 3.03 Linkage Committee Name Change** – Approve the Linkage Committee name change to Public Engagement Committee, effective September 24, 2010 (SB; presented as new business 9/2/10; Exhibit F)

Mr. Storck moved, and Ms. Bradsher seconded, that the School Board approve the Linkage Committee name change to Public Engagement Committee, effective September 24, 2010.

Comment that the members of the Linkage Committee had recommended that the name, Public Engagement Committee, better reflected the goals of the committee.

The motion that the School Board approve the Linkage Committee name change to Public Engagement Committee, effective September 24, 2010, **passed 11-1:** Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Moon, Dr. Raney, Mrs. Reed, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted “aye”; Mrs. Smith voted “nay.”

- 3.04 2010-2011 School Board Community Engagement and Communications Plan** – Approve the 2010-2011 School Board Community Engagement and Communications Plan, as detailed in the agenda item (SB; presented as new business 7/22/10, work sessions held 8/19/10 and 9/13/10; Exhibit G)

Chairman Smith stated that this agenda item had been rescheduled for the October 7, 2010, Board meeting.

4. CONSENT AGENDA

- 4.01 Minutes** – Approve the minutes of September 2, 2010, regular School Board meeting (SB; Exhibit H)
- 4.02 Monthly Separation Report** - Confirm the separations for the period beginning July 1, 2010, and ending July 31, 2010; and for the period beginning August 1, 2010, and ending August 31, 2010, as detailed in the agenda item (HR; Exhibit I)
- 4.03 School Board Policy 1801.6, Conflict of Interest and Statement of Economic Interest—School Board Members and the Superintendent of Schools** - Adopt Policy 1801.6, Conflict of Interest and Statement of Economic Interest—School Board Members and Superintendent of Schools, as detailed in the agenda item (SB; presented as new business 9/2/10; Exhibit J)
- 4.04 Challenged Materials Interdepartmental Review Committee** - Appoint individuals to serve a one-year term on the Challenged Materials

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Interdepartmental Review Committee, as detailed in the agenda item (IS; presented as new business 9/2/10; Exhibit K)

4.05 Award of Contract - Award a contract for the renovation of Graham Road Elementary School at Devonshire Center to Keller Brothers, Inc. in the amount of \$10,491,000 and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 9/2/10; Exhibit L)

4.06 Additional Appointments - Appoint individuals to serve on committees as detailed in the agenda item (SB; Exhibit M)

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

5. NEW BUSINESS

5.01 Award of Contract - Recommendation to award a contract for the renovation of Oakton 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 10/7/10; Exhibit N)

There was no discussion of this item.

5.02 Award of Contracts - Recommendation to award the annual contract for the lease/purchase of classroom trailers to the lowest responsive and responsible bidder and authorize the Division Superintendent, or his designee, to execute one or more contracts as requirements become known (FTS; actions scheduled 10/7/10; Exhibit O)

There was no discussion of this item.

6. SUPERINTENDENT MATTERS

The Superintendent presented informational items.

7. REPORTS (Exhibit P)

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Comprehensive Planning Development Committee - Elizabeth Bradsher, Chairman

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September 13, 2010 - Stu Gibson and Patty Reed, Meeting Managers

Governance - Brad Center, Chairman

Operational Expectations

Budget - Tessie Wilson, Chairman

Facilities

Comprehensive Planning Development Committee - Elizabeth Bradsher, Chairman

Legislation

Linkage - Dan Storck, Chairman

September 15, 2010

Governance - Brad Center, Chairman

8. BOARD MATTERS

The Board Members made brief comments.

9. CLOSED MEETING

9.01 Closed Meeting

Mrs. Wilson moved, and Mrs. Reed seconded, that the Board go into closed meeting: (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 discuss and consider the employment and performance of specific public employees, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia; (4) to consult with legal counsel regarding a contract between the School Board and the City of Fairfax, pertaining to the Eleven Oaks property, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia; and (5) to consult with legal counsel regarding litigation against the School Board, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia. The motion **passed unanimously.**

Chairman Smith convened the closed meeting at 9:50 p.m.

9.02 Certification of Closed Meeting Compliance

[Clerk's note: Following the closed meeting, the School Board reconvened in open meeting at approximately 11:45 p.m. and confirmed six specific closed meeting actions regarding personnel and student issues. Because of the lateness of the hour, the School Board inadvertently neglected to take a roll call vote, certifying the closed meeting. The next morning, recognizing this, the Clerk polled all Board members, and each confirmed his or her certification. The School Board is expected to confirm formally the certification of the September 23 closed meeting at its next scheduled meeting on October 7, 2010.]

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9.03 Confirmation of Action Taken in Closed Meeting

Mr. Center moved, and Ms. Evans seconded, that a teacher be dismissed from employment, based on the transcripts, exhibits, and unanimous fact-finding panel recommendation provided to the Board.

Before the vote, Dr. Raney made the following statement: "In my judgment, the investigations conducted by both the Fairfax County Department of Family Services Child Protective Services and the Fairfax County Public Schools were faulty, incomplete, and inadequate to justify their conclusions. For these reasons, I intend to vote "No" on the motion to fire the teacher"; and Ms. Hone commented that although no investigation was perfect, there were compelling facts to support the motion.

The motion that a teacher be dismissed from employment, based on the transcripts, exhibits, and unanimous fact-finding panel recommendation provided to the Board **passed 10-1-1**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Moon, Mrs. Reed, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voted "aye"; Dr. Raney voted "nay"; Mr. Storck abstained.

Mrs. Hone moved, and Mrs. Wilson seconded, to permit an employee to have a fact-finding panel to consider a recommendation for dismissal. The motion **passed unanimously.**

Mrs. Strauss moved, and Mr. Storck 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 unanimously.**

Having served as chairman of a three-member committee, along with Ms. Bradsher and Mrs. Reed, Mrs. Smith moved, and Ms. Bradsher seconded, to expel a student for possession of a weapon at school and threats to harm school officials. The motion **passed unanimously.**

Having served as chairman of a three-member committee, along with Mr. Gibson and Mrs. Wilson, Ms. Evans moved, and Mrs. Wilson seconded, to expel a student for conviction of certain crimes in the community. The motion **passed unanimously.**

Mr. Gibson moved, and Mr. Moon 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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10. ADJOURNMENT

The meeting was adjourned at 11:48 p.m.

11. DEBRIEF

The Board debriefed tonight's meeting.