

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 11

January 6, 2011

1. **CLOSED MEETING**

Mr. Moon moved, and Mr. Gibson 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 the performance and employment of a specific public employee pursuant to Section 2.2-3711(A)(1) of the Code of Virginia; (4) to consult with legal counsel regarding probable litigation where such consultation in open meeting would adversely affect the negotiating posture of the School Board pursuant to Section 2.2-3711(A)(7) of the Code of Virginia; and (5) to consult with legal counsel for the provision of legal advice pertaining to (a) the Americans with Disabilities Act, (b) the Virginia Freedom of Information Act and (c) Virginia Code provisions pertaining to smoking pursuant to Section 2.2-3711(A)(7) of the Code of Virginia. The motion **passed 9-0**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Mr. Moon, Dr. Raney, Mrs. Reed, Mrs. Smith, and Mrs. Wilson voted "aye"; Ms. Hone, Mr. Storck, and Mrs. Strauss were not present for the vote.

Chairman Smith convened the closed meeting at 5:35 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 – Longfellow Middle School String

Chairman Smith convened the meeting at 7:03 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. 7:47)
Martina A. Hone (At Large; arr. 5:36)	Jane K. Strauss (Dranesville; arr. 5:36)
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 Pat Charbonneau; and certain other members of staff. Student Representative Keegan Cotton was present.

Chairman Smith thanked the members of the Longfellow Middle School String Ensemble for their performance of the national anthem under the direction of J.D. Anderson, who was standing in for their director, Susan Kervick.

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 January 6, 2011, 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**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Ms. Hone, Mr. Moon, Dr. Raney, Mrs. Reed, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mr. Storck was not present for the vote.

2.03 Announcements (Exhibit B)

Chairman Smith announced that Mr. Storck would be arriving late and welcomed a member of Boy Scout Troop 577 who was working on his Citizenship in the Community merit badge. Mr. Cotton announced that January was VSBA Bullying Prevention Month and National Mentoring Month.

2.04 Recognition of Eileen Grattan (Exhibit C)

Mrs. Wilson recognized Eileen Grattan on the occasion of her retirement for her years of service to FCPS. Mrs. Wilson presented a gift, and photographs were taken of Ms. Grattan, her family, and friends with Board members.

3. PRESENTATIONS TO SCHOOL BOARD

3.01 FY 2012 Proposed Budget (Exhibit D)

Dr. Dale presented his FY 2012 Proposed Budget; highlighted both student and school system achievements and the continued and anticipated growth in the total number of students enrolled in FCPS, now the 11th largest school district in the country; reductions and cost avoidances from FY 2009 to FY 2011 totaled more than \$465 million, including the elimination of over 1,400 positions; the transfer request was increased from the FY 2011 Approved Budget by three percent; and funding for employee compensation increases, a Board priority, was included in the proposed budget.

In response to a request, staff would provide the Board with the changes from the FY 2009 Approved Budget through the FY 2012 Proposed Budget in the total budgeted amount, the county transfer dollar amount, and student enrollment for each of those years.

3.02 Citizen Participation (Exhibit E)

Eight speakers addressed the Board in the time reserved for public comment. Ed Linz and Steven L. Greenburg addressed Agenda Item No. 4.01; Gregory Brandon addressed Agenda Item No. 4.02; Angelo Stevens, Jan Chapman, and Emily Lloyd addressed Andrew Stevens' service dog; Melissa Reff addressed rights for children with epilepsy; and Dana Douglas addressed epilepsy awareness.

3.03 Student Representative Matters

There were no Student Representative matters.

4. ACTION ITEMS

4.01 Student Achievement Goals 1.1.2. Math, 1.1.3., Science, 1.5. Technology - Accept the monitoring report on the current progress toward attaining Student Achievement Goals 1.1.2. Math, 1.1.3. Science, and 1.5. Technology (IS; presented as new business 12/2/10; Exhibit F)

Mr. Center moved, and Mrs. Strauss seconded, to accept the monitoring report on the current progress toward attaining Student Achievement Goals 1.1.2. Math, 1.1.3. Science, and 1.5. Technology.

Comments included the following: the gain in math scores was extraordinary; concern that future reports include prior year data, and the response that revised reasonable interpretations and indicators would be provided to the Board to address that issue; and concern about the overall performance and appropriate measures to be used in science and about lower performance in all three areas for some subgroups.

The motion to accept the monitoring report on the current progress toward attaining Student Achievement Goals 1.1.2. Math, 1.1.3. Science, and 1.5. Technology **passed 11-1**: Ms. Bradsher, Mr. Center, Ms. Evans, Mr. Gibson, Mr. Moon, Dr. Raney, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Hone voted "nay."

4.02 School Board Policy 3415, Length of School Day for Students - Adopt Policy 3415, Length of School Day for Students, as detailed in the agenda item (IS; presented as new business 12/2/10; Exhibit G)

Mr. Storck moved, and Mrs. Wilson seconded, to adopt Policy 3415, Length of School Day for Students, as detailed in the agenda item.

Comments and discussion included the following: a survey to assess parental interest in a school start date prior to Labor Day would be conducted; the change to this policy addressed current policy inconsistencies, such as granting early release prior to a holiday in the same week as an early Monday closing; confirmation that Board changes to the school calendar would continue to require a Board vote; and concern expressed that any change to the length of the school day should require Board approval.

The motion to adopt Policy 3415, Length of School Day for Students, as detailed in the agenda item, **passed 10-2**: Ms. Bradsher, Mr. Center, Mr. Gibson, Mr. Moon, Dr. Raney, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Evans and Ms. Hone voted "nay."

4.03 Confirmation of Action Taken in Closed Meeting

Having served as chairman of a three-member committee, along with Mr. Center and Ms. Hone, Mr. Storck moved, and Ms. Hone seconded, to expel a student for possessing and distributing illegal drugs at school. The motion **passed 2-1**: Mr. Center and Ms. Hone voted "aye"; Mr. Storck voted "nay."

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 violating the probationary conditions of a school assignment. The motion **passed unanimously**.

Having served as chairman of a three-member committee, along with Ms. Hone and Mrs. Strauss, Ms. Evans moved, and Ms. Hone seconded, to expel a student for possessing and distributing an imitation controlled substance at school. The motion **passed unanimously**.

Having served as chairman of a three-member committee, along with Dr. Raney and Mr. Storck, Mr. Center moved, and Dr. Raney seconded, to expel four students—one for possessing and distributing an imitation controlled substance at school and facilitating distribution of illegal drugs at school; one for possessing and distributing an imitation controlled substance and illegal drugs at school; one for possessing, using, and distributing an illegal substance at school; and one for violating the probationary conditions of a school assignment. The motion **passed unanimously**.

Having served as chairman of a three-member committee, along with Mrs. Reed and Mrs. Smith, Ms. Bradsher moved, and Mrs. Reed seconded, to expel a student for possessing and distributing illegal drugs at school. The motion **passed unanimously**.

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

Mr. Gibson moved, and Mrs. Strauss seconded, to deny a request for reinstatement of a dismissed teacher, and authorize the Chairman to communicate the Board's decision to the employee. The motion **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"; Dr. Raney voted "nay."

5. **CONSENT AGENDA**

- 5.01 **Minutes** – Approve the minutes of December 2, 2010, regular School Board meeting (SB; Exhibit H)
- 5.02 **Monthly Separation Report** - Confirm the separations for the period beginning November 1, 2010, and ending November 30, 2010, as detailed in the agenda item (HR; Exhibit I)
- 5.03 **Amendment 17 to the Educational Employees of Fairfax County Defined Benefit Plan (ERFC and ERFC 2001)** - Approve Amendment 17 to the ERFC and ERFC 2001 for the purposes of (1) incorporating rules required by recent amendments to the Internal Revenue Code, (2) conforming to anticipated administrative changes connected with the completion of PensionGold, and (3) clarifying and conforming to certain administrative rules, with no anticipated material effect on the benefits payable under the Plan, as detailed in the agenda item (HR; presented as new business 12/2/10; Exhibit J)
- 5.04 **Proposed Restatements of the Educational Employees of Fairfax County Defined Benefit Plan (ERFC and ERFC 2001)** - Approve proposed restated plan documents for ERFC and ERFC 2001 for submission to the Internal Revenue Service with the application for a current determination letter, as detailed in the agenda item (HR; presented as new business 12/2/10; Exhibit K)
- 5.05 **School Board Policy 8614, Video Surveillance** - Adopt Policy 8614, Video Surveillance, as detailed in the agenda item (FTS; presented as new business 12/2/10; Exhibit L)
- 5.06 **Award of Contract** - Award the contract for the locker refinishing, refurbishing, and installation contract to Red Hill Distributors, Inc., and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 12/2/10; Exhibit M)
- 5.07 **Award of Contract** – Award the contract for the carpet and floor tile installation and replacement contract to Carpet Experts, Inc., and authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; presented as new business 12/2/10; Exhibit N)
- 5.08 **Award of Contract** – Award contracts for (1) provision of physical examinations for school bus drivers, medical examinations as part of applications for disability retirement, and occupational safety and health to INOVA, and (2) provision of alcohol and drug testing for employees in positions requiring CDLs, employees under reasonable suspicion, and students involved in extracurricular athletic programs who are under reasonable suspicion to FirstLab, effective January 1, 2011, through December 31, 2016, as detailed in the agenda item (HR; presented as new business 12/2/10; Exhibit O)
- 5.09 **Additional Appointments** - Appoint individuals to serve on committees, as detailed in the agenda item (Exhibit P)

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 11

6

January 6, 2011

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

6. NEW BUSINESS

- 6.01 School Board Policy** - Recommendation to adopt Policy 1400, Charter Schools, as detailed in the agenda item (S; work session held 12/6/10, action scheduled 1/20/11; Exhibit Q)

There was no discussion of this item.

- 6.02 Sale of House** - Recommendation to authorize the Division Superintendent, or his designee, to sign all documents associated with the sale of the house on Lot Two (7001 Springville Court, Springfield, Virginia 22150) of Spring Village Estates (IS; action scheduled 1/20/11; Exhibit R)

There was no discussion of this item.

- 6.03 Acceleration of Renovation Design Work for 11 Schools and Additional Architectural Design Contracts** - Recommendation to authorize acceleration of the design of 11 renovation projects and authorize staff to negotiate professional services contracts with eight selected firms for the architectural design of the accelerated renovation projects, and authorize the Division Superintendent, or his designee, to award the contracts on behalf of the School Board, as detailed in the agenda item (FTS; action scheduled 1/20/11; Exhibit S)

There was no discussion of this item.

- 6.04 Herndon Centre III Lease** - Recommendation to authorize the Division Superintendent or Chief Operating Officer, in consultation with legal counsel for the school system, to negotiate, execute and administer, on behalf of the School Board, a lease for ACE program space at the Herndon Centre III, including: (i) a letter of intent on substantially the same terms as described in the attachment, and (ii) any and all related lease documentation, all as reviewed and approved by legal counsel for the school system (FTS; action scheduled 1/20/11; Exhibit T)

There was no discussion of this item.

- 6.05 Award of Contract** - Recommendation to authorize staff to award multiple contracts for the Relocation of Trailers--Disassembling, Transporting and Assembling of Temporary Buildings (Trailers), and to authorize the Division Superintendent, or his designee, to execute the contract on behalf of the School Board (FTS; action scheduled 1/20/11; Exhibit U)

There was no discussion of this item.

7. SUPERINTENDENT MATTERS

FAIRFAX COUNTY SCHOOL BOARD

Regular Meeting No. 11

7

January 6, 2011

Dr. Dale presented Chief Operating Officer Dean Tistadt with the Virginia School Boards Association certificate that recognized FCPS as a Green Schools Division. He also presented other information matters.

8. **REPORTS** (Exhibit V)

December 6, 2010 - Martina Hone and Brad Center, Meeting Managers

Operational Expectations

Governance - Brad Center, Chairman

Policy

Budget - Tessie Wilson, Chairman

Public Engagement - Dan Storck, Chairman

December 8, 2010

Governance - Brad Center, Chairman

December 13, 2010

Public Engagement - Dan Storck, Chairman

December 21, 2010

Public Engagement - Dan Storck, Chairman

January 6, 2011

Public Engagement – Elizabeth Bradsher, Committee Member

9. **BOARD MATTERS**

The Board Members made brief comments.

10. **ADJOURNMENT**

The meeting was adjourned at 9:38 p.m.

11. **DEBRIEF**

The Board debriefed tonight's meeting.