

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 3

September 10, 2009

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**

Chairman Smith convened the meeting at 8:08 p.m. with the following members present:

| | |
|--|-------------------------------|
| Elizabeth T. Bradsher (Springfield) | James L. Raney (At Large) |
| Brad Center (Lee) | Kathy L. Smith (Sully) |
| Stuart D. Gibson (Hunter Mill; dep. 12:30 a.m.) | Daniel G. Storck (Mt. Vernon) |
| Martina A. Hone (At Large) | Jane K. Strauss (Dranesville) |
| Kaye Kory (Mason; arr. 8:40 p.m.; dep. 11:32 p.m.) | Tessie Wilson (Braddock) |
| Ilryong Moon (At Large) | Vacant (Providence) |

[Clerk's note: Effective June 18, 2009, Providence district member Phil Niedzielski-Eichner resigned; the seat will remain vacant until the November 2009 special election.]

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.

Chairman Smith thanked the members of the Spring Hill Elementary School Chamber Orchestra under the direction of Ruth Donahue for their performance of the national anthem.

1.02 **Announcements (Exhibit A)**

Chairman Smith welcomed two Boy Scouts who were in attendance; she announced that the Fairfax County Health Department had scheduled community meetings to inform the public about the influenza pandemic situation, and the details could be found on the Fairfax County government website. Mrs. Wilson announced that on August 28, 2009, the School Board members and the Leadership Team members had participated in the first "Rumble at Robinson" with the Leadership Team winning the basketball game, and the School Board winning the volleyball game, and that everyone had a great time. Mr. Ghuman announced that October was National Hispanic Heritage Month.

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2. PRESENTATIONS TO SCHOOL BOARD

2.01 Opening of Schools Report (Exhibit B)

Dr. Dale reviewed a powerpoint presentation on the opening of the 2009-2010 school year, noting that 100% of the 190 Fairfax County public schools had earned full accreditation from the Virginia Board of Education based on the 2008-2009 Standards of Learning (SOL) tests, with 46% of those SOLs earning pass advanced and all subgroups improving in English and Math; projected student enrollment was over 173,000 students, which included 1,168 newly-enrolled English for Speakers of Other Languages (ESOL) students; over 940 new teachers had been hired, and two new elementary schools—Laurel Hill and Lutie Lewis Coates—had opened their doors. Dr. Dale thanked the students, teachers, and administrators for all their efforts in achieving such impressive academic results, and he noted that differentiated instruction and targeted intervention for every child had contributed to these successes.

Discussion included: appreciation expressed to the transportation office for effectively dealing with a large number of bus-related issues and objectively assessing each case; the percent of students taking the Student Achievement Testing (SAT) had been decreasing, which followed a nationwide trend toward students taking the American College Testing (ACT) instead of the SAT; when the student achievement goal monitoring reports were presented in the fall, there would be more specific information about the best practices that had contributed to the achievement successes.

2.02 Influenza Pandemic Update (Exhibit C)

Kim Dockery, Assistant Superintendent, Special Services and Fred Ellis, Director, Office of Safety and Security, reviewed a powerpoint presentation on current H1N1 conditions, the collaboration on health issues between FCPS and the Fairfax County Health Department, vaccine update, education efforts, and emergency management issues; authorities had predicted that the seasonal flu would overlap with the H1N1 flu this fall; FCPS would be offering free seasonal flu shots to all employees.

Comments included: academic continuity would be possible through Blackboard's 24/7 website, but schools would be flexible in working with students and families who may not have access to technology; it was important for parents to be prepared to pick up a sick child at school, and detailed information would be communicated to parents.

2.03 Citizen Participation (Exhibit D)

Ten speakers addressed the Board in the time reserved for public comment. Sandy Evans, Caroline Hemenway, Kahan Dhillon, Patricia Velkoff, Kevin

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Reynolds, Janet Otersen, Leonard Bumbaca, Catherine Lorenze, Michele Menapace, and Robin Thurman addressed Agenda Item No. 3.02 Superintendent's Contract.

2.04 Student Representative Matters

The Student Representative presented informational items.

3. ACTION ITEMS

- 3.01 Revision of Student Achievement Goal 1. Academics** - Add the following sentence to the preamble statement for Student Achievement Goal 1. Academics: "Academic progress in the core disciplines will be measured to ensure that all students, regardless of race, poverty, language or disability, will graduate with the knowledge and skills necessary for college and/or employment, effectively eliminating achievement gaps." (SB; presented as new business 7/23/09; Exhibit E)

Ms. Hone moved, and Mr. Center seconded, to add the following sentence to the preamble statement for Student Achievement Goal 1. Academics: "Academic progress in the core disciplines will be measured to ensure that all students, regardless of race, poverty, language or disability, will graduate with the knowledge and skills necessary for college and/or employment, effectively eliminating achievement gaps."

Comments included the following: the language was already part of the Board's "Vision" statement and would confirm the Board's focus on closing the achievement gap; concern expressed that measuring academic progress would not guarantee success, and therefore the additional language was unnecessary.

The motion to add the following sentence to the preamble statement for Student Achievement Goal 1. Academics: "Academic progress in the core disciplines will be measured to ensure that all students, regardless of race, poverty, language or disability, will graduate with the knowledge and skills necessary for college and/or employment, effectively eliminating achievement gaps." passed 9-2: Mr. Center, Mr. Gibson, Ms. Hone, Mrs. Kory, Mr. Moon, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Bradsher and Mr. Raney voted "nay"; with the Providence district seat vacant.

- 3.02 Superintendent's Contract** - Renew the employment contract for Jack D. Dale, Division Superintendent, effective September 10, 2009, through June 30, 2013 (SB; presented as new business 7/23/09; Exhibit F)

Mr. Gibson moved, and Ms. Bradsher seconded, to renew the employment contract for Jack D. Dale, Division Superintendent, effective September 10, 2009, through June 30, 2013.

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Discussion and comments included the following: under the Board's strategic governance model, the student achievement goals and operational expectations monitoring reports were presented throughout the year and were the basis for the Superintendent's performance evaluation; over the past three years, over 1,000 pages of monitoring report data had been presented to the Board and the community, which were based on 55 Board-approved measures; student academic achievement in FCPS was at an all-time high as a result of Dr. Dale's leadership over the past five years, as FCPS continued to rank among the top school systems in the nation; a four year contract renewal would ensure that continuity of leadership; it was crucial that the Board and Dr. Dale continue to work together, with Leadership Team members, principals, teachers, parents, community members, and students, as everyone faced another grim budget year; the proposed contract contained no increase in salary or benefits; concern expressed about the community's confidence in the Board and the Superintendent, and that offering a three year contract would allow the current Board to consider any further renewal in 2011, instead of a newly-elected Board having that responsibility in 2012; there was community misunderstanding about the role of strategic governance that needed to be resolved, and a communications plan was needed; it was the School Board's responsibility to hire and evaluate the Superintendent and monitor the system's achievements, and offering Dr. Dale a four year contract renewal would recognize these achievements.

The motion to renew the employment contract for Jack D. Dale, Division Superintendent, effective September 10, 2009, through June 30, 2013, passed 7-3-1: Ms. Bradsher, Mr. Center, Mr. Gibson, Mr. Raney, Mrs. Smith, Mrs. Strauss, and Mrs. Wilson voted "aye"; Ms. Hone, Mrs. Kory, and Mr. Storck voted "nay"; Mr. Moon abstained; with the Providence district seat vacant.

4. CONSENT AGENDA

- 4.01 **Minutes** - Approve the minutes of July 13, 2009, Operational Expectations work session and July 23, 2009, regular School Board meeting (SB; Exhibit G)
- 4.02 **Challenged Materials Interdepartmental Review Committee** - Appoint individuals to serve a one-year term on the Challenged Materials Interdepartmental Review Committee, as listed in the agenda item (IS; presented as new business 7/23/09; Exhibit H)
- 4.03 **Family Life Education Curriculum Advisory Committee** - Appoint individuals to serve on the Family Life Education Curriculum Advisory Committee, as listed in the agenda item (IS; presented as new business 7/23/09; Exhibit I)
- 4.04 **Additional Appointments** - Appoint individuals to serve on committees as listed in the agenda item (SB; Exhibit J)

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

5. **NEW BUSINESS**

5.01 Governance Manual - Recommendation to approve the proposed revisions to the Strategic Governance Manual, Section 4: Board Roles and Responsibilities, Board Liaisons and Board Committees, pages 34 through 43, as detailed in the agenda item, and update the Strategic Governance Manual accordingly (SB; action scheduled 9/24/09; Exhibit K)

There was no discussion of this item.

5.02 School Board Policy - Recommendation to adopt Policy 2611, Procedures for Hearings and Appeals to School Board, as detailed in the agenda item (SB; action scheduled 9/24/09; Exhibit L)

There was no discussion of this item.

5.03 School Board Policy - Recommendation to adopt Policy 2232.3, Student Attendance at School, as detailed in the agenda item (SS; action scheduled 9/24/09; Exhibit M)

There was no discussion of this item.

6. **SUPERINTENDENT MATTERS**

The Superintendent presented informational items.

7. **REPORTS** (Exhibit N)

July 30, 2009 - Smart Services Task Force

Risk management, school security, recycling, legal services, community dialogue on budget; future topic would be social services – school services coordination, and SACC

August 3, 2009 - Comprehensive Planning Development Committee - Liz Bradsher, Chairman

Southwestern Community Engagement Process

August 28, 2009 - Linkage Committee - Dan Storck, Chairman

Community engagement

Legislative Update - State Legislative Liaison – Stu Gibson

Update on 2010-2011 budget cuts; Virginia Department of Education public hearing on September 30, 2009, at West Potomac High School

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8. **BOARD MATTERS**

The Board Members made brief comments.

9. **CLOSED MEETING**

Mrs. Wilson moved, and Mr. Gibson seconded, that the Board go into a closed meeting to 1) discuss and consider disciplinary matters concerning students pursuant to the Code of Virginia Section 2.2-3711(A)(2); 2) discuss and consider the performance, assignment, and resignation of specific public employees pursuant to the Code of Virginia Section 2.2-3711(A)(1); 3) discuss the award of a public contract for the lease of office space involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body pursuant to the Code of Virginia Section 2.2-3711(A)(29); and 4) protect the privacy of individuals in personal matters not related to public business pursuant to the Code of Virginia Section 2.2-3711(A)(4).

Chairman Smith convened the closed meeting at 11:32 p.m.

9.01 Certification of Closed Meeting Compliance (Exhibit O)

Ms. Hone moved, and Mr. Storck 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 September 10, 2009, 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 9-0**: Ms. Bradsher, Mr. Center, Ms. Hone, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted "aye"; Mr. Gibson and Mrs. Kory were not present for the vote; with the Providence district seat vacant.

9.02 Confirmation of Action Taken in Closed Meeting

Having served as chairman of a three-member committee, along with Mr. Gibson and Ms. Hone, Mrs. Wilson moved, and Ms. Hone seconded to expel two students—one for possession and distribution of a controlled or imitation controlled substance at school and one for sexually assaulting another student at school. The motion **passed unanimously**. [Clerk's Note: Although Mr. Gibson

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was absent for the public vote, he voted affirmatively when the three-member committee rendered their decision.]

Having served as chairman of a three-member committee, along with Ms. Bradsher and Mrs. Strauss, Mr. Storck moved, and Mrs. Strauss seconded, to expel two students—one for use of a weapon to assault another student at school and one for participation in a mob assault. The motion **passed unanimously.**

Having served as chairman of a three-member committee, along with Mr. Moon and Mr. Raney, Mr. Center moved, and Mr. Raney seconded, to expel two students—one for possession of a weapon at school and one for participation in a mob assault. The motion **passed unanimously.**

Ms. Hone moved, and Mr. Raney seconded, to excuse from attendance at school certain students identified in closed meeting pursuant to Code of Virginia Section 22.1-254(B)(1). The motion **passed 9-0:** Ms. Bradsher, Mr. Center, Ms. Hone, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted “aye”; Mr. Gibson and Mrs. Kory were not present for the vote; with the Providence district seat vacant.

Mrs. Wilson moved, and Mr. Moon seconded, that the School Board confirm the resignation of a specific employee, as discussed in closed meeting. The motion **passed 9-0:** Ms. Bradsher, Mr. Center, Ms. Hone, Mr. Moon, Mr. Raney, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mrs. Wilson voted “aye”; Mr. Gibson and Mrs. Kory were not present for the vote; with the Providence district seat vacant.

10. **ADJOURNMENT**

The meeting was adjourned at 12:40 a.m.

11. **DEBRIEF**

The Board did not debrief tonight's meeting.