

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 16

March 21, 2013

1. **CLOSED MEETING**

Ms. Hynes moved, and Ms. Derenak Kaufax 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; 2) consult with legal counsel regarding certain student disciplinary issues, pursuant to Virginia Code Section 2.2-3711(A)(7); 3) consult with legal counsel regarding Virginia public procurement issues in connection with the award of contract for the Gunston Elementary School wastewater treatment plant improvement project pursuant to Section 2.2-3711(A)(7) of the Code of Virginia. The motion **passed 11-0**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Mrs. Reed, Ms. Schultz, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted "aye"; Mr. Storck was not present for the vote.

Chairman Moon convened the closed meeting at 5:00 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>]***

2.01 Call to Order/Pledge of Allegiance/Moment of Silence/National Anthem – Robinson Pyramid Elementary Band Students

Chairman Moon convened the meeting at 7:00 p.m. with the following members present:

Tamara Derenak Kaufax (Lee)	Patricia S. Reed (Providence)
Sandra S. Evans (Mason)	Elizabeth L. Schultz (Springfield)
Patricia M. Hynes (Hunter Mill)	Kathy L. Smith (Sully)
Ryan L. McElveen (At Large)	Daniel G. Storck (Mt. Vernon; arr: 5:57)
Megan O. McLaughlin (Braddock)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Theodore J. Velkoff (At Large)

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. The Student Representative to the School Board Lucy A. Gunter was present.

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Chairman Moon thanked the members of the Robinson Pyramid Elementary Band Students under the direction of Kim Robinson for their performance of the national anthem.

2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mrs. Strauss moved, and Ms. Hynes 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 March 21, 2013, 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 9-0-1**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Mr. Moon, Mrs. Reed, Ms. Schultz, Mrs. Smith, and Mrs. Strauss voted "aye"; Mr. Storck abstained; Ms. McLaughlin and Mr. Velkoff were not present for the vote.

2.03 Announcements (Exhibit B)

Miss Gunter announced that April was Autism Awareness Month and Mathematics Awareness Month; Chairman Moon welcomed a boy scout who was in the audience.

2.04 Recognition of National Library Week (Exhibit C)

Mrs. Reed stated that National Library Week was April 14-20 and that April was School Library Month; she recognized school librarians and library staff and invited them to join the Board for photographs.

3. PRESENTATIONS TO SCHOOL BOARD

3.01 Citizen Participation (Exhibit D)

Two speakers addressed the Board in the time reserved for public comment. Steven Greenburg addressed Agenda Item No. 3.02, Introduction to Program for International Student Assessment (PISA); Tucker Conaboy addressed Agenda Item No. 4.02, Award of Contract – Wastewater Treatment Plant Improvements – Gunston Elementary School.

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3.02 Introduction to Program for International Student Assessment (PISA) (Exhibit E)

Dr. Dale reviewed a PowerPoint presentation on the Program for International Student Assessment (PISA) Pilot Program; joining Dr. Dale for the presentation were Assistant Superintendent of the Department of Professional Learning and Accountability Terri Breeden, Oakton High School principal John Banbury, Oakton High School English Department chair Colleen Eddy, Herndon High School principal William Bates, and Herndon High School assistant principal Jim Hannon; the PISA, which was developed by the Organization for Economic Cooperation and Development (OECD), was an assessment designed for 15-year-old students to measure those students' applied knowledge and competencies in reading, mathematics, and science; students also answered a questionnaire about classroom management and relationship with the teacher; a total of 125 schools in Canada, United Kingdom, and the United States participated in the pilot, including 10 high schools from Fairfax County Public Schools: Chantilly, Falls Church, Hayfield Secondary, Herndon, Langley, Mount Vernon, Oakton, Lee, Thomas Jefferson High School for Science and Technology, and Woodson; the 10 FCPS schools voluntarily participated in the pilot and represented Fairfax County demographically and socioeconomically; CTB/McGraw-Hill identified 15-year-old students who were eligible to take the assessment; of those identified, approximately 690 FCPS students volunteered to take the test; those schools received school-level results comparable to the main PISA scales that could be used for international benchmarking; FCPS was asked to participate in the pilot program through its relationship with EdLeader21 network of school divisions; Alejandro Gomez Palma, an OECD analyst, and Valerie Greenhill, EdLeader21 chief learning officer, will be at the School Board's regular meeting on April 4, 2013, to present detailed information about PISA.

Discussion and comments included: commendations for the presentation; PISA offered a different model for assessing students and it was worth exploring whether the PISA could possibly replace the Virginia Standards of Learning (SOL) tests; question whether data collected could be disaggregated by subgroups, and negative response since the information was based on a socioeconomic scale and not on individual student data; concerns expressed that the data could not be disaggregated by subgroups; teacher-student relationships in the learning environment were important, and question whether teacher input had been sought regarding the PISA assessment results that showed most students indicating they had less positive relationships with their teachers, and response that future conversations with broader focus on relationship were needed; concerns expressed regarding the teacher workload and its effects on the teacher-student relationship; comment that the SOLs tested various skills and current instruction was focused on the SOLs, while the PISA assessed students' application of skills and knowledge across the curriculum areas; concern expressed about uncertainties with next steps and the possible future funding that would be required to support PISA; comments that the Board should

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examine policies and embrace change in order to ensure that students were prepared for the global economy.

3.03 Student Representative Matters

The Student Representative presented informational items.

4. ACTION ITEMS

- 4.01 Award of Contract - Blueprint for Change** – Approve a contract award to Children's National Medical Center in the amount of \$143,912.43 for the provision of consultant services (FS; presented as new business 3/7/13; Exhibit F)

Ms. Evans moved, and Mrs. Reed seconded, to approve a contract award to Children's National Medical Center in the amount of \$143,912.43 for the provision of consultant services.

Comments included: FCPS high school students got less sleep than they needed, which affected learning and health; on April 12, 2012, the Board set a goal to start high schools after 8:00 a.m., and on July 26, 2012, the Board approved an action plan from the Ad Hoc Committee for Later High School Start Times; and the benefits for the students outweighed the costs associated with creating later high school start times.

The motion to approve a contract award to Children's National Medical Center in the amount of \$143,912.43 for the provision of consultant services **passed 10-2**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Mrs. Reed, Ms. Schultz, Mr. Storck, and Mrs. Strauss voted "aye"; Mrs. Smith and Mr. Velkoff voted "nay."

- 4.02 Award of Contract** – Award the contract for the installation and commissioning of commercial grade, wastewater treatment plant improvements at Gunston Elementary School to the lowest responsive and responsible bidder, American Contracting & Environmental Services, Inc., in the amount of \$547,800, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute and administer the contract on behalf of the School Board (FTS; presented as new business 3/7/13; Exhibit G)

Ms. Hynes moved, and Ms. Schultz seconded, to award the contract for the installation and commissioning of commercial grade, wastewater treatment plant improvements at Gunston Elementary School to the lowest responsive and responsible bidder, American Contracting & Environmental Services, Inc., in the amount of \$547,800, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute and administer the contract on behalf of the School Board.

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Comment that Gunston Elementary School was in need of a wastewater system replacement before the start the 2013-2014 school year; concern that the contract award was not to the lowest bidder and more time was needed to review and respond to the Notice of Protest and Challenge.

The motion to award the contract for the installation and commissioning of commercial grade, wastewater treatment plant improvements at Gunston Elementary School to the lowest responsive and responsible bidder, American Contracting & Environmental Services, Inc., in the amount of \$547,800, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute and administer the contract on behalf of the School Board **passed 10-1-1**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Mr. Moon, Mrs. Reed, Ms. Schultz, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted "aye"; Mr. Storck voted "nay"; Ms. McLaughlin abstained.

Ms. Schultz moved, and Ms. Hynes seconded, that, in connection with the Gunston Elementary School Wastewater Treatment Plant Improvement project, the School Board shall also: (1) deny the "protest and challenge" of Caldwell and Santmyer, Inc.; (2) direct Division Counsel to issue the written decision on behalf of the Board; (3) determine that the contract award and the project are to proceed without delay in order to protect the public interest, particularly given the need to complete the project by August 30, 2013; and (4) authorize the Assistant Superintendent of Transportation and Facilities Services to decide any further challenge by Caldwell and Santmyer, Inc., to the finding of non-responsibility. The motion **passed 10-1-1**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Mr. Moon, Mrs. Reed, Ms. Schultz, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted "aye"; Mr. Storck voted "nay"; Ms. McLaughlin abstained.

4.03 Confirmation of Action Taken in Closed Meeting

Mr. Velkoff moved, and Mrs. Strauss seconded, to expel a student for being convicted of a serious crime that occurred in the community. The motion **passed 11-0-1**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Mrs. Reed, Ms. Schultz, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted "aye"; Mr. Storck abstained.

Mrs. Smith moved, and Ms. Evans seconded, to expel a student for being convicted of serious crimes that occurred in the community. The motion **passed 11-0-1**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Mrs. Reed, Ms. Schultz, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted "aye"; Mr. Storck abstained.

Mrs. Smith moved, and Mrs. Reed seconded, to expel a student for bringing illegal drugs and drug paraphernalia to school and for distributing illegal drugs at school. The motion **passed 9-1-2**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes,

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Mr. McElveen, Mr. Moon, Mrs. Reed, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. Schultz voted "nay"; Ms. McLaughlin and Mr. Storck abstained.

Mrs. Strauss moved, and Mr. Velkoff seconded, to deny the school reassignment appeal of a student who brought illegal drugs, drug paraphernalia and a weapon to school and to confirm the disciplinary decision of the Division Superintendent. The motion **passed 10-0-2**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Mr. Moon, Mrs. Reed, Ms. Schultz, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. McLaughlin and Mr. Storck abstained.

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

Having served as chairman of a three-member committee, along with Ms. McLaughlin and Mr. Moon, Ms. Derenak Kaufax moved, and Mr. Moon seconded, to expel a student for bringing controlled substances to school and distributing controlled substances at school. The motion **passed 2-1**: Ms. Derenak Kaufax and Mr. Moon voted "aye"; Ms. McLaughlin voted "nay."

Having served as chairman of a three-member committee, along with Mrs. Smith and Mrs. Strauss, Mrs. Reed moved, and Mrs. Smith seconded, to expel a student for bringing illegal drugs, a controlled substance, and drug paraphernalia to school, and for intending to distribute a controlled substance or imitation controlled substance at school. The motion **passed unanimously**.

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

Mrs. Strauss moved, and Ms. Evans seconded, to discuss, consider, and interview candidates for employment as Division Superintendent at one or more undisclosed locations, within the period April 2 – 5, 2013, pursuant to Sections 2.2-3712 and 3711(A)(1) of the Code of Virginia. The motion **passed unanimously**.

Mr. Moon announced that the School Board community stakeholder committee for the Superintendent search, whose membership would be confirmed this evening by the Board, would hold its own closed meeting at an undisclosed location between April 2 and April 5 to discuss, consider, and interview prospective candidates for employment as the Division Superintendent, pursuant to Sections 2.2-3711(A)(1) and 2.2-3712(B) of the Code of Virginia. At the appropriate time, the stakeholder committee would make its own closed meeting

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motion and certification in accordance with the provisions of the Virginia Freedom of Information Act.

5. **CONSENT AGENDA**

- 5.01 **Minutes** – Approve the minutes of the February 11, 2013, Governance work session, and the March 7, 2013, regular School Board meeting (SB; Exhibit H)
- 5.02 **Monthly Report on Employee Separations** – Confirm the separations for the period beginning February 1, 2013, and ending February 28, 2013, as detailed in the agenda item (HR; Exhibit I)
- 5.03 **Award of Contracts** – Award a contract for the Wakefield Forest Elementary School re-roofing project to the lowest responsive and responsible bidder, Rayco Roof Services, Incorporated, in the amount of \$715,000; a contract for the Belle View Elementary School re-roofing project to the lowest responsive and responsible bidder, Interstate Corporation, in the amount of \$290,000; a contract for the Belvedere Elementary School re-roofing project to the lowest responsive and responsible bidder, Rayco Roof Services, Incorporated, in the amount of \$349,800; and a contract for the Irving Middle School re-roofing project to the lowest responsive and responsible bidder, Function Enterprises, Incorporated in the amount of \$348,348, and authorize the Division Superintendent or the Assistant Superintendent of Facilities and Transportation Services, to execute and administer the contracts on behalf of the School Board (FTS; presented as new business 3/7/13; Exhibit J)
- 5.04 **Additional Appointments** – Appoint individuals to serve on committees, as detailed in the agenda item (SB; Exhibit K)

Chairman Moon 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 **Award of Contract** – Recommendation to award the contract for the Thomas Jefferson High School for Science and Technology renovation project to the lowest responsive and responsible bidder, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute and administer the contract on behalf of the School Board (FTS; action scheduled 4/4/13; Exhibit L)

There was no discussion of this item.

7. **SUPERINTENDENT MATTERS**

The Superintendent presented informational items.

8. **REPORTS** (Exhibit M)

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Public Engagement - Tammy Derenak Kaufax, Committee Chairman

Audit - Jane Strauss, Committee Chairman

March 11, 2013

Operational Expectations

Governance

Division Superintendent Search

March 19, 2013

Community Budget Dialogue - Sandy Evans, Budget Committee Chairman

March 20, 2013

Special Services

9. BOARD MATTERS

The Board Members made brief comments.

10. Closed Meeting

10.01 Closed Meeting - [When required for matters permitted by law]

Mrs. Strauss moved, and Ms. Hynes seconded, that the Board will go into closed meeting to discuss and consider prospective candidates for employment as Division Superintendent, including the specifics of interviews, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia. The motion **passed unanimously.**

Chairman Moon convened the closed meeting at 10:30 p.m.

10.02 Certification of Closed Meeting Compliance (Exhibit N)

Mr. Velkoff moved, and Mrs. Smith 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 March 21, 2013, 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 motion **passed unanimously.**

10.03 Confirmation of Action Taken in Closed Meeting

There was no confirmation of action taken.

11. ADJOURNMENT

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The meeting was adjourned at 11:40 p.m.

12. **DEBRIEF**

The Board did not debrief tonight's meeting.