

# MINUTES

## Fairfax County School Board

### Luther Jackson Middle School

Regular Meeting No. 1

July 12, 2012

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

Mrs. Smith moved, and Ms. Schultz 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) 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; and (3) to consult with legal counsel regarding settlement of a student's personal injury claim against certain School Board employees, currently pending in the Circuit Court of Fairfax County, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia. The motion **passed 10-0**: Ms. Evans, Ms. Hynes, Mr. McElveen, Mr. Moon, Mrs. Reed, Ms. Schultz, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. Derenak Kaufax and Ms. McLaughlin were not present for the vote.

*[Clerk's note: Motion to go into closed meeting was made before the Forum work session held earlier in the evening.]*

Chairman Strauss convened the closed meeting at 5:08 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 –**

Chairman Strauss convened the meeting at 7:08 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)
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.

Chairman Strauss thanked Mr. McElveen, Mr. Moon, and Mr. Velkoff for their performance of the national anthem.

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

*[Clerk's note: The Board held a closed meeting earlier this evening and certified compliance immediately upon reconvening in public at the Forum work session, which preceded tonight's regular meeting.]*

Mr. Velkoff moved, and Ms. Schultz 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 12, 2012, 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 10-0**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Mr. Moon, Ms. Schultz, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. McLaughlin and Mrs. Reed were not present for the vote.

### **2.03 Announcements**

Chairman Strauss welcomed the 2012-2013 Student Representative Lucy Gunter and announced that "Award of Contract – Robinson Secondary School Sports Field Lighting Project" was removed from tonight's agenda because Board action was not required; the project received a low bid amount of \$214,900 and the Division Superintendent or Chief Operating Officer was authorized, on behalf of the School Board, to execute contracts less than \$250,000.

### **2.04 Annual School Board Organizational Meeting – Authorize organizational arrangements and appointments as detailed in the agenda item (SB; Exhibit B)**

Chairman Strauss 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 may elect 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 Superintendent Jack Dale to preside over the election of the chairman, and the floor was opened for nominations.

Mr. McElveen moved, and Mrs. Smith seconded, that Jane Strauss be nominated as chairman of the Fairfax County School Board.

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Ms. Hynes moved, and Mrs. Reed seconded, that Mr. Storck be nominated as chairman of the Fairfax County School Board.

Comments on Mrs. Strauss's chairman nomination included: under Mrs. Strauss's leadership the Board had vigorous and open dialogues; Mrs. Strauss commented that she was honored to continue to serve as chairman, if her colleagues supported her nomination.

Comments on Mr. Stork's chairman nomination included: Mr. Storck's previous experience as chairman and his ability to work together with all Board members despite differing points of view would be beneficial as the Board addressed many issues; Mr. Storck commented that the role of chairman was to build consensus among Board members to accomplish its goals and objectives, and he asked for his colleagues' support.

Dr. Dale called for the vote for the chairman candidates in the order in which they were nominated: Mrs. Strauss received **six "aye" votes** from Ms. Derenak Kaufax, Mr. McElveen, Mr. Moon, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff; Mr. Storck received **six "aye" votes** from Ms. Evans, Ms. Hynes, Ms. McLaughlin, Mrs. Reed, Ms. Schultz, and Mr. Storck. The motion **failed**.

Dr. Dale opened the floor for additional chairman nominations.

Ms. Hynes moved, and Mr. Velkoff seconded, that Mr. Moon be nominated as chairman of the Fairfax County School Board.

Mrs. Strauss withdrew her nomination from consideration. Hearing and seeing no objection, Dr. Dale announced that Mrs. Strauss' nomination was withdrawn.

Comments on Mr. Moon's chairman nomination included: Mr. Moon had served as a mentor to new Board members and his quiet leadership style and past experiences would be valuable, especially as the Board searched for a new Superintendent.

Dr. Dale called for the vote for the chairman candidates in the order in which they were nominated: Mr. Stork received **five "aye" votes** from Ms. Evans, Ms. McLaughlin, Mrs. Reed, Ms. Schultz, and Mr. Storck; Mr. Moon received **seven "aye" votes** from Ms. Derenak Kaufax, Ms. Hynes, Mr. McElveen, Mr. Moon, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff. Dr. Dale announced that Mr. Moon, with a **majority of seven votes**, was elected the chairman of the Fairfax County School Board.

Mrs. Strauss congratulated Chairman Moon and thanked Board members for their support over the past year.

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Chairman Moon thanked his colleagues for their support and opened the floor for vice chairman nominations.

Ms. Evans moved, and Ms. Schultz seconded, that Mr. Storck be nominated as vice chairman of the Fairfax County School Board.

Mrs. Smith moved, and Mrs. Strauss seconded, that Ms. Hynes be nominated as vice chairman of the Fairfax County School Board.

Discussion on Mr. Storck's vice chairman nomination included: the Board would benefit from Mr. Storck's leadership abilities; Mr. Storck noted his past experiences with the Superintendent search and looked forward to the opportunity to help the Board move forward.

Comments on Ms. Hynes' vice chairman nomination included: Ms. Hynes brought valuable experience as a former teacher and lawyer, and it was important to recognize the leadership capabilities of the new Board members; Ms. Hynes noted that she would bring a new voice to the Board and that her classroom experience would be helpful to the position of vice chairman; she thanked her colleagues for the nomination.

Chairman Moon called for the vote for the vice chairman candidates in the order in which they were nominated: Mr. Stork received **five "aye" votes** from Ms. Evans, Ms. McLaughlin, Mrs. Reed, Ms. Schultz, and Mr. Storck; Ms. Hynes received **seven "aye" votes** from Ms. Derenak Kaufax, Ms. Hynes, Mr. McElveen, Mr. Moon, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff. Chairman Moon announced that Ms. Hynes, with **a majority of seven votes**, was elected the vice chairman of the Fairfax County School Board.

Ms. Hynes thanked her colleagues for their support, and said she looked forward to the opportunity.

Mrs. Strauss moved, and Mrs. Smith seconded, to authorize organizational arrangements and appointments as follows: 1) Designate the following as regular business meeting dates: July 26, September 6 and 20, October 11 and 25, November 8 and 19 (Monday), December 6 and 20, 2012, and January 10 and 24, February 7 and 21, March 7 and 21, April 4 and 18, May 9 and 23, June 6 and 20, and July 11 and 25, 2013. 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

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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 Yvette Rhodes and Lizette Torres-Barthel 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 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 School Board; and appoint, Kristen Fang, Mary Keninitz, Dalila Khalafi, John Lako, Tina Robinson, 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) Appoint Michael Lunter as agent to examine, approve and order payment in connection with the Educational Employees' Supplementary Retirement System of Fairfax County (ERFC) only; and appoint Joy Russom, Adolfo Cespedes, Kevin McCarty, and Helen Shiflett as deputy agents to perform those functions in the absence of Mr. Lunter; 11) 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; 12) Authorize Richard Moniuszko, Deputy Superintendent, and Susan Quinn, Chief Financial Officer, to execute official documents relating to state, federal, and impact aid requiring the Superintendent's signature; 13) 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; 14) Retain the following outside law firms, as assigned and managed by the Office of Division Counsel: Thomas J. Cawley, Esquire, and the firm of Hunton & Williams to provide general legal advice and litigation services; John Cafferky, Esquire, and the firm of Blankingship & Keith to provide general and special education advice, and litigation services; Michael Salvesson and the firm of Littler Mendelsohn to provide workers compensation services; 15) Organize liaisons and committees to support the Board's work. The motion **passed 9-0-3**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Mr. Moon, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. McLaughlin, Mrs. Reed, and Ms. Schultz abstained.

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

#### **3.01 Citizen Participation (Exhibit C)**

Five speakers addressed the Board in the time reserved for public comment. George Becerra addressed Agenda Item No. 6.03, Thomas Jefferson High School for Science and Technology; Steven Greenburg and Phyllis Payne addressed Agenda Item No. 6.08, Scope for Request for Proposal (RFP) on High School Start Times; Tina Hone addressed Agenda Item 3.02, Passages Monitoring Report; and Joan Daly addressed Capital Improvement Assessments.

#### **3.02 Passages Monitoring Report – Recommendation to accept the Passages Monitoring Report and Presentation, as detailed in the agenda item (PLA; action scheduled 7/26/12; Exhibit D)**

Dr. Dale introduced Dr. Terri Breeden, assistant superintendent for Professional Learning and Accountability (PLA); Dr. Breeden introduced Jim Johnson, special projects administrator; Kathy Oliver, director of Student Testing; and Chantal Follett, specialist in Program Evaluation. Dr. Breeden reviewed a PowerPoint presentation summarizing students' and divisions' performances on the three Student Achievement Goals at key passages in the students' careers, and a video was shown highlighting the passages' goals and expectations.

Discussion included the following: commendations for the report; question what type of data would be included in the report from the 2012 Programme for International Assessment (PISA) for the 10 FCPS schools voluntarily participating in the PISA-based test; response that the report would reflect only school-level data and not individual student data, as the sample size would be too small to disaggregate into subgroups; concerns expressed about the third grade students who had been retained and those students not meeting third grade bench marks, and question whether these students had been identified; response that individual schools had implemented intervention and readiness programs to help those students; and discussion on the Head Start Program, and how early intervention and pre-kindergarten reading readiness programs impacted a student's academic readiness.

#### **3.02 Student Representative Matters**

The Student Representative presented informational items.

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### 4. ACTION ITEMS

#### 4.01 Confirmation of Action Taken in Closed Meeting

Mrs. Smith moved, and Mr. McElveen seconded, to expel a student for violating the probationary conditions of a school assignment by bringing illegal drugs to school. The motion **passed 11-1**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. Schultz voted "nay."

Mr. Velkoff moved, and Mrs. Strauss seconded, to expel a student for setting a fire in a school. The motion **passed 9-3**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Mr. Moon, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. Hynes, Ms. McLaughlin, and Ms. Schultz voted "nay."

Mr. Storck moved, and Ms. Evans seconded, to expel a student for setting a fire in a school. The motion **passed 9-3**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Mr. Moon, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. Hynes, Ms. McLaughlin, and Ms. Schultz voted "nay."

Mrs. Smith moved, and Mrs. Reed seconded, to expel a student for violating the probationary conditions of a school assignment by bringing and ingesting illegal drugs at school and assaulting two staff members. The motion **passed unanimously**.

Having served as chairman of a three-member committee, along with Ms. McLaughlin and Mr. Storck, Mr. Velkoff moved, and Mr. Storck seconded, to expel a student for setting a fire at school. The motion **passed 2-1**: Mr. Storck and Mr. Velkoff voted "aye"; Ms. McLaughlin voted "nay."

Ms. Evans moved, and Mrs. Smith 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 10-0-2**: Ms. Derenak Kaufax, Ms. Evans, Ms. Hynes, Mr. McElveen, Mr. Moon, Mrs. Reed, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. McLaughlin and Ms. Schultz abstained.

Ms. Schultz moved, and Ms. Hynes seconded, to approve settlement of a student's personal injury claim against certain School Board employees, currently pending in the Circuit Court of Fairfax County, as discussed in closed meeting. The motion **passed unanimously**.

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### 5. CONSENT AGENDA

- 5.01 **Minutes** – Approve the minutes of the June 11, 2012, Operational Expectations work session and the June 21, 2012, regular School Board meeting (SB; Exhibit E)
- 5.02 **Award of Contract** – Award a contract for the addition at Fairfax Villa Elementary School to Henley Construction Company, Incorporated in the amount of \$2,857,000, and authorize the Division Superintendent, or the Chief Operating Officer, to execute and administer the contract on behalf of the School Board (FTS; presented as new business 6/21/12; Exhibit F)
- 5.03 **Award of Contract** – Award the contract for the automatic temperature control system replacement at Centre Ridge Elementary School to the lowest responsive and responsible bidder, Engineered Services, Inc, in the amount of \$340,627, and authorize the Division Superintendent, or the Chief Operating Officer, to execute and administer the contract on behalf of the School Board (FTS; presented as new business 6/21/12; Exhibit G)
- 5.04 **Award of Contract** – Award the contract for the automatic temperature control system replacement at Poe Middle School to the lowest responsive and responsible bidder, Boland Trane Services, Inc., in the amount of \$759,988, and authorize the Division Superintendent, or the Chief Operating Officer, to execute and administer the contract on behalf of the School Board (FTS; presented as new business 6/21/12; Exhibit H)
- 5.05 **Additional Appointments** – Appoint individuals to serve on committees, as detailed in the agenda item (SB; Exhibit I)

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

### 6. NEW BUSINESS

- 6.01 **FY 2012 Final Budget Review** – Recommendation to approve the revenue and expenditure adjustments as detailed in the agenda item (FS; action scheduled 7/26/12; Exhibit J)

Chief Financial Officer Susan Quinn reviewed the agenda item, noting that there was an ending year balance of \$52.8 million, which was 2 percent of the operating budget; \$34.3 million in savings was from compensation accounts where salary lapse savings from turnover and vacancies were greater than estimated, and other saving occurred in utility and fuel cost accounts; staff recommended allocating \$11.2 million for FY 2013 and \$41.6 million for the FY 2014 beginning balance; other recommended expenditure adjustments for FY 2013 included \$7.7 million for new math textbooks, \$2.0 million to support the new state-mandated teacher evaluation program, with \$1 million to provide teacher and administrator training and \$1 million for four positions for two years, \$0.4 million for the addition of clinical support using funds set aside for students



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in discipline process, and one-time transfer of \$1.0 million to cover shortfall in the Adult and Community Education Fund. A work session was scheduled on July 16 to discuss the agenda item in more detail.

Dr. Dale and Ms. Quinn expressed grave concerns regarding the financial position for FY 2014 and noted that there was a \$64 million projected shortfall for FY 2014.

Comments included: discussions on Virginia Retirement System Reserve funding; concerns expressed about the expenditures for new math textbooks and teacher evaluation training, when there was such a large projected shortfall for FY 2014; and comments that the Board needed to have detailed discussions on budget priorities.

- 6.02 FY 2013 Audit Plan** – Recommendation to approve the FY 2013 Audit Plan, as detailed in the agenda item (SB; action scheduled 7/26/12; Exhibit K)

There was no discussion of this item.

- 6.03 Thomas Jefferson High School for Science and Technology** – Recommendation to 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 2012-2013 (Cluster III; action scheduled 7/26/12; Exhibit L)

There was no discussion of this item.

- 6.04 Advisory Committee Charges** – Recommendation to approve the charges for 2012-2013 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, Facilities Planning Advisory Council, Family and Early Childhood Education Program/Head Start, Human Relations, Minority Student Achievement Oversight, and School Health, as detailed in the agenda item (SB; action scheduled 7/26/12; Exhibit M)

Chairman Moon reminded Board members to submit their recommendations for advisory committee charges.

- 6.05 School Board Liaisons and Committee Chairmanships** – Recommendation to confirm committee liaisons and chairmanships, as listed in the agenda item (SB; action scheduled 7/26/12; Exhibit N)

There was no discussion of this item.

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- 6.06 Virginia School Boards Association Delegate and Alternate Delegate –** Recommendation to appoint a voting Delegate and an Alternate Delegate to the Virginia School Boards Association 2012 Annual Conference (SB; action scheduled 7/26/12; Exhibit O)

There was no discussion of this item.

- 6.07 School Board Policy –** Recommendation to adopt Policy 5028.5, System of Inventory Management, as detailed in the agenda item (FS; action scheduled 7/26/12; Exhibit P)

There was no discussion of this item.

- 6.08 Scope of Request for Proposal (RFP) on High School Start Times –** Recommendation to authorize staff to issue a Request for Proposal related to the draft Statement of Work for an action plan for later high school start times, as detailed in the agenda item (SB; action scheduled 7/26/12; Exhibit Q)

There was no discussion of this item.

- 6.09 Award of Contract –** Recommendation to award a contract for the renovation of the chemistry lab at South Lakes High School to the lowest responsive and responsible bidder, and authorize the Division Superintendent, or the Chief Operating Officer, to execute and administer the contract on behalf of the School Board (FTS; action scheduled 7/26/12; Exhibit R)

There was no discussion of this item.

### 7. **SUPERINTENDENT MATTERS**

The Superintendent presented informational items.

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

#### **June 22, 2012**

**Public Engagement** - Dan Storck, Committee Chairman

#### **July 9, 2012**

**Ad Hoc Committee on Start Times** - Patty Reed, Committee Chairman

#### **July 12, 2012**

**Forum on Board Topics** - Jane Strauss, Chairman

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9. **BOARD MATTERS**

The Board Members made brief comments.

10. **ADJOURNMENT**

The meeting was adjourned at 10:39 p.m.

11. **DEBRIEF**

The Board debriefed tonight's meeting.