

MINUTES

Fairfax County School Board

Luther Jackson Middle School

Regular Meeting No. 10

December 20, 2012

1. **CLOSED MEETING**

Mr. Velkoff moved, and Mrs. Smith seconded, that the Board go into closed meeting: (1) to consult with legal counsel and consider briefings by staff members pertaining to a third-party data breach involving student information and probable litigation pursuant to Section 2.2-3711(A)(7) of the Code of Virginia; (2) to discuss and consider disciplinary matters concerning students pursuant to Section 2.2-3711(A)(2) of the Code of Virginia; (3) to discuss and consider the employment and performance of a specific public employee pursuant to Section 2.2-3711(A)(1) of the Code of Virginia; and (4) 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. The motion **passed 9-0**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Ms. Schultz, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted "aye"; Mr. Storck was not present for the vote; Ms. Hynes and Mrs. Reed were absent.

Chairman Moon convened the closed meeting at 6:05 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 – Camelot Elementary School Third Graders

Chairman Moon convened the meeting at 7:01 p.m. with the following members present:

Tamara Derenak Kaufax (Lee)	Patricia S. Reed (Providence; ABSENT)
Sandra S. Evans (Mason)	Elizabeth L. Schultz (Springfield; arr: 7:45)
Patricia M. Hynes (Hunter Mill; ABSENT)	Kathy L. Smith (Sully)
Ryan L. McElveen (At Large)	Daniel G. Storck (Mt. Vernon; arr: 6:58)
Megan O. McLaughlin (Braddock; arr: 7:35)	Jane K. Strauss (Dranesville)
Ilryong Moon (At Large)	Theodore J. Velkoff (At Large)

[Clerk's note: Ms. McLaughlin and Ms. Schultz attended the closed meeting held earlier this evening, but arrived late for the regular meeting.]

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 Lizette Torres-Barthel; and certain other members of staff. The Student Representative to the School Board Lucy A. Gunter was absent.

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Chairman Moon thanked the members of the Camelot Elementary School third grades under the direction of Christine Nguyen for their performance of the national anthem.

2.02 Certification of Closed Meeting Compliance (Exhibit A)

Mrs. Strauss moved, and Mr. Velkoff 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 December 20, 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 7-0-1**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Mr. Moon, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted "aye"; Mr. Storck abstained; Ms. McLaughlin and Ms. Schultz were not present for the vote; and Ms. Hynes and Mrs. Reed were absent.

2.03 Announcements (Exhibit B)

Chairman Moon announced that Ms. Hynes, Mrs. Reed, and Miss Gunter were absent tonight and that Ms. McLaughlin and Ms. Schultz would arrive later; Mr. McElveen announced that January was National Mentoring Month.

2.04 Resolution Honoring Dean Tistadt (Exhibit C)

Mrs. Smith read a resolution honoring Chief Operating Officer and Assistant Superintendent of Facilities and Transportation Dean Tistadt, who would be retiring this month.

Mrs. Smith moved, and Ms. Derenak Kaufax seconded, to adopt the resolution honoring Dean Tistadt. The motion **passed 8-0**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Mr. Moon, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. McLaughlin and Ms. Schultz were not present for the vote; and Ms. Hynes and Mrs. Reed were absent.

Mr. Tistadt was presented with a gift and a copy of the resolution; family, friends, and colleagues then joined him and the Board members for photographs; Board members expressed their appreciation and congratulations to Mr. Tistadt; and Mr. Tistadt gave brief remarks.

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3. PRESENTATIONS TO SCHOOL BOARD

Prior to citizen participation, Chairman Moon expressed his condolences to the families and community of Sandy Hook Elementary School in Newtown, Connecticut, for the tragic deaths of students, staff, and teachers that had occurred the week before. Dr. Dale briefly reviewed the safety and security measures currently in place at all schools and there were brief comments from Board members.

3.01 Citizen Participation (Exhibit D)

Ten speakers addressed the Board in the time reserved for public comment. Sarah Evers addressed Agenda Item No. 6.02, Fairfax High/Lanier Middle Scope of Boundary Study; Kelsey Sherry, Faye Waggoner, Linda Dempsey, John Tanner, Joshua Johnson, Amy Kiser, Eric Johnson, Victoria Lippincott, and Charlie King addressed Agenda Item No. 6.03, Advanced Academic Program Expansion.

3.02 Draft Leadership Profile Report (Exhibit E)

Dr. Hank Gmitro, president of Hazard, Young, Attea and Associates (HYA), reviewed a PowerPoint presentation summarizing community feedback on the Superintendent search to date; invitations were sent to over 100 individuals, including staff, community, and organizations; eight open community forums, three open staff forums, and 56 sessions with various stakeholders had been held to gather input; over 400 participants were interviewed and over 1,000 responses had been received from an online survey, which would remain open until mid-January 2013; the draft leadership profile report had been prepared based on this community input; additional community and staff input sessions would be scheduled on January 14 and 15, 2013; and the Board would finalize the desired characteristics of the next Superintendent at the January 30, 2013, work session.

Discussion and comments included: appreciation expressed to Dr. Gmitro and HYA for the extensive community outreach; suggested additional language on the desired characteristics criteria (page 50 of the report); there had been a much higher participation rate on the online survey than at the open community forums; the revised draft of the desired characteristics would be available for more community feedback prior to the January 14 and 15, 2013, sessions.

3.03 Student Representative Matters

There were no Student Representative informational items.

4. ACTION ITEMS

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- 4.01 Student Achievement Goals 1.1.2. Mathematics and 1.1.3. Science** – Accept the monitoring report on the current progress toward attaining Student Achievement Goal 1.1.2. Mathematics and Student Achievement Goal 1.1.3. Science (IS; presentation on 12/6/12; Exhibit F)

Mr. Storck moved, and Mr. McElveen seconded, to accept the monitoring report on the current progress toward attaining Student Achievement Goal 1.1.2. Mathematics and Student Achievement Goal 1.1.3. Science.

Comments included: concerns that different measures were needed to better assess goal progress; the Governance Committee would discuss possible recommendations for changing the measures for future reports.

The motion to accept the monitoring report on the current progress toward attaining Student Achievement Goal 1.1.2. Mathematics and Student Achievement Goal 1.1.3. Science **passed 8-2**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Mr. Moon, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted “aye”; Ms. McLaughlin and Ms. Schultz voted “nay”; Ms. Hynes and Mrs. Reed were absent.

- 4.02 FY 2013 Midyear Budget Review** – Approve revenue and expenditure changes reflected in the FY 2013 Midyear Budget Review as detailed in the agenda item (FS; presented as new business 12/6/12; work session held on 12/13/12; Exhibit G)

Ms. Evans moved, and Mr. Velkoff seconded, to approve revenue and expenditure changes reflected in the FY 2013 Midyear Budget Review as detailed in the agenda item.

Ms. Evans moved, and Mr. Storck seconded, to amend the main motion by increasing funding to schools for parent liaisons by \$0.2 million and by decreasing the funding available for the FY 2014 budgeted beginning balance, to ensure that each school receives funding in FY 2013 that is comparable to funding received in FY 2012.

Comments on the amendment included: parent liaison hours had been decreased at several schools because of reductions in Title III funding and the proposed amendment would restore those hours; concerns that the Board needed to demonstrate restraint during midyear budget review because of the uncertainties of the FY 2014 budget; question whether parent liaison hours would be restored at all schools, and response that the intent of the amendment was to only restore those hours lost at specific schools due to the reductions in Title III funding.

The motion to amend the main motion by increasing funding to schools for parent liaisons by \$0.2 million and by decreasing the funding available for the FY 2014

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budgeted beginning balance, to ensure that each school receives funding in FY 2013 that is comparable to funding received in FY 2012 **passed 9-1**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Ms. Schultz, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Mrs. Smith voted "nay"; Ms. Hynes and Mrs. Reed were absent.

Ms. Schultz moved, and Ms. McLaughlin seconded, to amend the main motion by increasing funding up to \$0.5 million to provide additional learning time for special education students through teacher stipends and instructional materials and by decreasing the funding available for the FY 2014 budgeted beginning balance.

Discussion on the amendment included: concerns expressed about the achievement gaps within the subgroup of students with disabilities; proposed amendment would increase instructional time during this fiscal year, and would be funded with the unused monies already allocated for special education; concerns that the proposed amendment was not an effective way to use the funds; there was no guarantee those funds would be re-allocated to special education in FY 2014; resources were currently in place to provide support to students; and the proposed FY 2014 budget would allocate funds for extended-year teacher contracts.

Mrs. Strauss called the question, and Mr. Velkoff seconded. The motion to call the question **passed 8-2**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Mr. Moon, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. McLaughlin and Ms. Schultz voted "nay"; Ms. Hynes and Mrs. Reed were absent.

The motion to amend the main motion by increasing funding up to \$0.5 million to provide additional learning time for special education students through teacher stipends and instructional materials and by decreasing the funding available for the FY 2014 budgeted beginning balance **failed 1-9**: Ms. Schultz voted "aye"; Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "nay"; Ms. Hynes and Mrs. Reed were absent.

The main motion to approve revenue and expenditure changes reflected in the FY 2013 Midyear Budget Review as detailed in the agenda item and as amended, by increasing funding to schools for parent liaisons by \$0.2 million and by decreasing the funding available for the FY 2014 budgeted beginning balance, to ensure that each school receives funding in FY 2013 that is comparable to funding received in FY 2012 **passed 9-1**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Mrs. Smith, Mr. Storck, Mrs. Strauss, and Mr. Velkoff voted "aye"; Ms. Schultz voted "nay"; Ms. Hynes and Mrs. Reed were absent.

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Chairman Moon recognized Ms. Schultz for a follow-on motion.

Ms. Schultz moved, and Ms. McLaughlin seconded, that the School Board direct the Superintendent to work with schools to prevent a loss of other planned instructional activities or initiatives in order to pay for their portion of the math textbook purchase, and to provide the School Board with a plan for ensuring that those schools receive financial support as needed.

Comments on the follow-on motion included: many schools had experienced issues with the online math textbooks, and additional hard copy math textbooks would be purchased; 75 percent of the cost for the hard copy textbooks would be paid out of a central administration fund and individual schools were responsible for the remaining 25 percent; concerns that some schools would face challenges to pay their portion of the textbooks, possibly placing instructional-based activities at risk; comment that most schools had carry-over funds that would be sufficient to cover the cost; and concerns expressed that the Board was setting a precedent of making one-time decisions on how the Superintendent allocated funds from central administration.

The motion that the School Board direct the Superintendent to work with schools to prevent a loss of other planned instructional activities or initiatives in order to pay for their portion of the math textbook purchase, and to provide the School Board with a plan for ensuring that those schools receive financial support as needed **passed 8-2:** Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Ms. Schultz, Mr. Storck, and Mrs. Strauss voted “aye”; Mrs. Smith and Mr. Velkoff voted “nay”; Ms. Hynes and Mrs. Reed were absent.

4.03 Confirmation of Action Taken in Closed Meeting

Mrs. Smith moved, and Mrs. Strauss seconded, to deny the school reassignment appeal of a student who possessed illegal drugs and drug paraphernalia at school and to confirm the disciplinary decision of the Division Superintendent. The motion **passed 8-0-2:** Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Mr. Moon, Ms. Schultz, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted “aye”; Ms. McLaughlin and Mr. Storck abstained; Ms. Hynes and Mrs. Reed were absent.

Having served as chairman of a three-member committee, along with Ms. Schultz and Mr. Storck, Mr. McElveen moved, and Ms. Schultz seconded, to expel a student for bringing weapons to school. The motion **passed unanimously.**

Mrs. Smith moved, and Ms. Evans 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 7-0-2:** Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Mr. Moon, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted

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“aye”; Ms. McLaughlin and Ms. Schultz abstained; Mr. Storck was not present for the vote; and Ms. Hynes and Mrs. Reed were absent.

Ms. Schultz moved, and Mrs. Strauss seconded, that the teacher identified in closed meeting be dismissed from employment. The motion **passed 9-0**: Ms. Derenak Kaufax, Ms. Evans, Mr. McElveen, Ms. McLaughlin, Mr. Moon, Ms. Schultz, Mrs. Smith, Mrs. Strauss, and Mr. Velkoff voted “aye”; Mr. Storck was not present for the vote; and Ms. Hynes and Mrs. Reed were absent.

5. CONSENT AGENDA

- 5.01 **Minutes** – Approve the minutes of the November 12, 2012, Operational Expectations work session and the December 6, 2012, regular School Board meeting (SB; Exhibit H)
- 5.02 **Monthly Report on Employee Separations** – Confirm the separations for the period beginning November 1, 2012, and ending November 30, 2012, as detailed in the agenda item (HR; Exhibit I)
- 5.03 **Grant of Utility Easements and Perpetual Public Street Easement** – Authorize the Division Superintendent or the Chief Operating Officer, in consultation with legal counsel, to take all actions necessary and appropriate on behalf of the Board to negotiate, execute, deliver, and administer certain easements at the Haycock Elementary School site, on such terms as they deem advisable to best serve the interests of the school division (FTS; presented as new business 12/6/12; Exhibit J)
- 5.04 **Award of Contract** – Award a contract for the renovation of the boys’ and girls’ bathrooms at Falls Church High School to R.J. Crowley, Incorporated, in the amount of \$602,000; at Herndon High School to Taft Construction, Incorporated, in the amount of \$625,000; and at Oakton High School to R.J. Crowley, Incorporated, in the amount of \$688,000, and authorize the Division Superintendent, or the Chief Operating Officer or his designee, to execute and administer the contract on behalf of the School Board (FTS; presented as new business 12/6/12; Exhibit K)
- 5.05 **Additional Appointments** – Appoint individuals to serve on committees, as detailed in the agenda item (SB; Exhibit L)

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 2014-2018 Capital Improvement Program** – Recommendation to approve the FY 2014-2018 Capital Improvement Program as described in the narrative and in the Superintendent’s Proposed FY 2014-2018 Capital Improvement Program Summary (FTS; public hearing scheduled 1/7/13; work session scheduled 1/14/13; action scheduled 1/24/13; Exhibit M)

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Chief Operating Officer Dean Tistadt briefly reviewed a PowerPoint presentation on the Capital Improvement Program (CIP), noting that the projected growth in enrollment continued to be a challenge; the CIP included funding for three new elementary schools and a new high school; in addition, it was anticipated that beyond 2018 an additional new elementary school would be needed to address future growth in the Tyson's Corner area and in the Fairfax/Oakton area; a public hearing on the CIP was scheduled for January 7, 2013, a work session scheduled on January 14, and the Board was scheduled to take action on January 24, 2013.

Comments included: discussion on the process for the Board's review of the renovation queue in 2013; there was a need to engage in discussions with the Board of Supervisors to find solutions for the overcrowding in the Bailey's and Glen Forest communities; question whether the renovation of Haycock Elementary School would move forward with anticipated enrollment of next year and response that capacity needed to be significantly reduced before renovations could be started or there would be no playing fields available for that school.

- 6.02 Fairfax High/Lanier Middle Scope of Boundary Study** – Recommendation to authorize a boundary study which includes the following high schools and feeder middle schools: Fairfax/Lanier; Robinson Secondary; Woodson/Frost; Oakton/Franklin; Chantilly/Rocky Run; Falls Church/Jackson (FTS; work session scheduled 1/14/13; action scheduled 1/24/13; Exhibit N)

Denise James, director of Facilities Planning Services, reviewed the agenda item; significant feedback had been received at the community meetings and all comments had been posted on the FCPS website.

- 6.03 Level IV Advanced Academic Program Expansion** – Recommendation to authorize the establishment of new advanced academic program (AAP) centers in fall 2013 at Lemon Road, Westbriar, and Navy Elementary Schools, for the purpose of relieving severe overcrowding at Haycock, Louise Archer, and Hunters Woods Elementary Schools; and further move that the new center placements begin at grade 3 and the rising 4th, 5th and 6th graders will stay at their current AAP centers ("grandfathered"); and continue to explore, via thorough analysis and discussion with stakeholders, the expansion of AAP elementary and middle school centers with a goal of potential openings in fall 2013 at the following schools: Silverbrook Elementary, Cooper Middle, Herndon Middle, Thoreau Middle, and South County Middle (IS; work session scheduled 1/14/13; action scheduled 1/24/13; Exhibit O)

Chairman Moon noted that any proposed amendments could be submitted starting December 21, 2012.

7. SUPERINTENDENT MATTERS

There were no Superintendent informational items.

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8. REPORTS (Exhibit P)

Chairman Moon requested that reports be postponed until the next regular meeting on January 10, 2013.

9. BOARD MATTERS

The Board Members made brief comments.

10. ADJOURNMENT

The meeting was adjourned at 11:59 p.m.

11. DEBRIEF

The Board debriefed tonight's meeting.