

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Dr. Haughey, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its agenda for February 23, 2005.

RESOLUTION NO. 79-05 Re: **WOMEN'S HISTORY MONTH**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

WHEREAS, In 1987, The United States Congress passed a resolution proclaiming the month of March as "National Women's History Month"; and

WHEREAS, The Maryland Women's History Project has selected the theme, *Women Change America*, to commemorate Women's History Month in 2005; and

WHEREAS, Maryland women have a rich heritage of accomplishments and contributions that have been an inspiration to families, communities, and their country; and

WHEREAS, Women have helped to shape our nation's history and inspired change; and

WHEREAS, The Board of Education takes pride in its efforts to create an awareness of the often unrecognized contributions of women; and

WHEREAS, The Board of Education and the superintendent of schools are committed to providing learning and working environments that encourage the pursuit of academic and career opportunities for women; now therefore be it

Resolved, That on behalf of the superintendent of schools, as well as the staff, students, and parents of Montgomery County Public Schools, the members of the Board of Education hereby declare the month of March 2005 to be "Women's History Month"; and be it further

Resolved, That the Board of Education and the superintendent of schools recognize and honor our female students, staff, business community members, and community leaders who – by their hard work, vision, and achievements – are creating a better tomorrow.

RESOLUTION NO. 80-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education support **SB 266 – Quality Teacher Incentive Act –**

Increasing Participation which would increase from 500 to 750 the maximum number of teachers that the State Board of Education can select for the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards

RESOLUTION NO. 81-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education support ***SB 268 – Education – School-Based Employees – Stipends*** which would expand the definition of school employees that would be eligible for the state/county stipends for staff certified by the National Board of Professional Teaching Standards.

RESOLUTION NO. 82-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Dr. Haughey, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education oppose ***HB 389 – Teachers – Certification – Fetal Alcohol Spectrum Disorders Course Credit*** which requires professional standards for teacher certification to include completion of a minimum number of semester hours covering fetal alcohol spectrum disorders and to determine the required number of semester hours that would be appropriate for a teacher's certificate.

RESOLUTION NO. 83-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Dr. Haughey, the following resolution was adopted with Ms. Cox, Dr. Haughey, Mrs. Navarro, Mr. Romero, and Mr. Sanghvi voting in the affirmative; Ms. Ervin and Mrs. O'Neill voting in the negative:

Resolved, That the Board of Education oppose ***HB 407 – Safe Schools Reporting Act of 2005*** which would require schools to complete a state-developed form for all reported acts of harassment and intimidation, and summaries of report forms must be submitted by the local Board to the State Board on an annual basis.

RESOLUTION NO. 84-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Mr. Romero, the following resolution was adopted with Ms. Cox, Dr. Haughey, Mrs. Navarro, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting in the affirmative; Ms. Ervin voting in the

negative:

Resolved, That the Board of Education oppose ***HB 503 – Local School Systems – Requirement to Purchase Calcium-Enriched Food and Beverages*** which would require local school systems to purchase calcium-enriched food and beverages when purchasing food or beverages to be served to public school students in school buildings or at school activities.

RESOLUTION NO. 85-05 Re: **ITEM OF LEGISLATION**

On motion of Mrs. O'Neill and seconded by Dr. Haughey, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education support ***HB 264 – Public Education – County Superintendent – Termination of Contract*** which would provide local boards of education with discretionary authority to replace an incumbent superintendent with an acting superintendent following the board's decision not to renew the superintendent's contract and to pay the remaining compensation due. The bill would grant local boards limited authority to remove a superintendent from office in the final months of the final year of the superintendent's contract. The bill would not provide Maryland's boards of education with the power to remove their own superintendent earlier in the term of the superintendent's contract, a power vested in local boards in all other states.

RESOLUTION NO. 86-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education support ***HB 641 – Education – Comprehensive Master Plan Updates – Due Dates*** which would alter the schedule for master plan submission pursuant to the enactment of the Bridge to Excellence Act, would change the submission date required for local school district master plan annual updates from August 15 to October 15, and would change the deadline for MSDE to submit the plans to the State Board of Education from December 1 to December 31.

RESOLUTION NO. 87-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Romero, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education support ***HB 579 – Pilot Program to Study and Improve Screening Practices for Autism Spectrum Disorders*** which would require

MSDE, in collaboration with DHMH, to select and establish relationships with certain providers to participate in a pilot program assessing the effectiveness of screening assessment tools used to identify students with autism spectrum disorders. With the goal of facilitating access to health care and early intervention services for students with autism, the two agencies would be responsible for collecting and analyzing data, providing health care training for providers, and analyzing the results of screening instruments to identify children with autism ages 12-36 months.

RESOLUTION NO. 88-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Ms. Cox, the following resolution was adopted with Ms. Cox, Dr. Haughey, Mrs. Navarro, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting in the affirmative; Ms. Ervin voting in the negative:

Resolved, That the Board of Education oppose **HB 521 – Public Schools – School Nutrition Program** which would establish a school nutrition program that would require local school systems to serve more fresh fruits and vegetables, eliminate fried foods, offer health-food choices at all school activities, limit sodium, limit other food items, and prohibit certain beverages from being sold between 12:01 a.m. and the end of the last lunch period.

RESOLUTION NO. 89-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted with Ms. Cox, Ms. Ervin, Dr. Haughey, Mrs. Navarro, and Mrs. O'Neill voting in the affirmative; Mr. Romero and Mr. Sanghvi voting in the negative:

Resolved, That the Board of Education support **HB 394 – Motor Vehicles – Learners' Permits and Provisional Licenses – Restriction on Use of a Wireless Communication Device While Driving** which would require the Motor Vehicle Administration (MVA) to impose a restriction on each provisional license and each learner's instructional permit that prohibits the licensee or permit holder from using a wireless communication device while operating a motor vehicle.

RESOLUTION NO. 90-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Dr. Haughey, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education support **HB 548 – Tax Credit for Employer-Established Paid Work-Based Learning Programs for Students** which would provide for

an employer tax credit of 15 percent of wages paid for work-based learning programs for students; eligible programs must be integrated with classroom instruction and provide students with academic credit; and eligible students must be ages 16-23 and be enrolled in a secondary school.

RESOLUTION NO. 91-05 Re: **ITEM OF LEGISLATION**

On motion of Ms. Cox seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education reconsider its position on ***HB 394 – Motor Vehicles – Learners’ Permits and Provisional Licenses – Restriction on Use of a Wireless Communication Device While Driving.***

Re: **ITEM OF LEGISLATION**

On motion of Mr. Sanghvi and seconded by Ms. Cox, the following resolution failed with Ms. Cox, Dr. Haughey, Mr. Romero, and Mr. Sanghvi voting in the affirmative; Ms. Ervin, Mrs. Navarro, and Mrs. O’Neill voting in the negative:

Resolved, That the Board of Education has no position on ***HB 394 – Motor Vehicles – Learners’ Permits and Provisional Licenses – Restriction on Use of a Wireless Communication Device While Driving*** which would require the Motor Vehicle Administration (MVA) to impose a restriction on each provisional license and each learner’s instructional permit that prohibits the licensee or permit holder from using a wireless communication device while operating a motor vehicle.

RESOLUTION NO. 92-05 Re: **ITEM OF LEGISLATION**

On motion of Mr. Sanghvi and seconded by Ms. Cox, the following resolution was adopted with Ms. Cox, Dr. Haughey, Mrs. Navarro, Mrs. O’Neill, Mr. Romero, and Mr. Sanghvi voting in the affirmative; Mr. Ervin voting in the negative:

Resolved, That the Board of Education support ***SB 50 – Motor Vehicles – Restrictions on Use of Wireless Communication Devices While Driving*** which would require the Motor Vehicle Administration to impose a restriction on learner’s instructional permits, provisional driver’s licenses, and specified driver’s licenses that prohibits permit holders or licensees from using an interactive wireless communication device while operating a motor vehicle.

RESOLUTION NO. 93-05 Re: **ITEM OF LEGISLATION**

On motion of Mrs. O’Neill seconded by Ms. Cox, the following resolution was adopted with

Ms. Cox, Ms. Ervin, Dr. Haughey, Mrs. Navarro, and Mrs. O'Neill voting in the affirmative; Mr. Romero and Mr. Sanghvi voting in the negative:

Resolved, That the Board of Education support ***HB 394 – Motor Vehicles – Learners’ Permits and Provisional Licenses – Restriction on Use of a Wireless Communication Device While Driving*** which would require the Motor Vehicle Administration (MVA) to impose a restriction on each provisional license and each learner’s instructional permit that prohibits the licensee or permit holder from using a wireless communication device while operating a motor vehicle.

RESOLUTION NO. 94-05 Re: **ITEM OF LEGISLATION**

On motion of Mr. Sanghvi seconded by Mrs. O'Neill, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education support ***HB 586 Education – American Sign Language – Foreign Language Credit*** which would specify that American Sign Language shall be deemed a foreign language for academic credit purposes and graduation requirements in public secondary schools and public institutions of higher education.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
David Testa	Vehicle Safety/Speed Protection
Cindy Kerr	Grading and Reporting
Henry Hailstock	Getting Back to Board Business
Genevive Demos	Grading and Reporting

RESOLUTION NO. 95-05 Re: **AWARD OF CONTRACTS – HEATING, VENTILATION, AND AIR CONDITIONING COMMISSIONING SERVICES**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Ms. Cox, the following resolution was adopted unanimously by members present:#

WHEREAS, It is necessary to appoint an engineering firm to provide professional heating, ventilation, and air conditioning (HVAC) commissioning services for the Kensington Parkwood Elementary School and Quince Orchard Middle School #2 projects; and

WHEREAS, Brinjac Engineering, Inc., was the design engineer for the energy management

and automatic temperature control systems for both projects; and

WHEREAS, Staff has negotiated fees of \$31,300 and \$38,500 for the necessary HVAC commissioning services for these projects; now therefore be it

Resolved, That contracts in the amounts of \$31,300 for Kensington Parkwood Elementary School and \$38,500 for Quince Orchard Middle School #2 be awarded to Brinjac Engineering, Inc., for HVAC commissioning services.

RESOLUTION NO. 96-05 Re: **EXTENSION OF CONTRACT – NATURAL GAS**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Ms. Cox, the following resolution was adopted unanimously by members present:#

WHEREAS, The Board of Education participated in a successful joint procurement of electricity through a Montgomery County interagency collaborative effort; and

WHEREAS, The agencies that participated in the joint electricity procurement agreed to jointly procure natural gas contracting with Washington Gas Energy Services in FY 2003, FY 2004, and FY 2005; and

WHEREAS, Washington Gas Energy Services has performed satisfactorily under the current contract; and

WHEREAS, The agencies have agreed to extend the contract for natural gas supply in FY 2006; now therefore be it

Resolved, That the contract for the supply requirements of the Montgomery County Public Schools' natural gas accounts with Washington Gas Energy Services be extended in accordance with the terms and conditions of the Montgomery College's RFB # 602-010, Natural Gas Procurement, and the February 2, 2005, renewal offer.

RESOLUTION NO. 97-05 Re: **RECOMMENDED FY 2005 SUPPLEMENTAL
APPROPRIATION FOR THE PROVISION FOR
FUTURE SUPPORTED PROJECTS**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Ms. Cox, the following resolution was adopted unanimously by members present:#

WHEREAS, The FY 2005 Operating Budget adopted by the Board of Education on June 8, 2004, included \$6,843,500 for the Provision for Future Supported Projects; and

WHEREAS, The Board of Education will receive additional projects that are eligible for funding through the Provision for Future Supported Projects during FY 2005; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2005 supplemental appropriation of \$10,750,000 for the Provision for Future Supported Projects in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$ 300,000
2 Mid-level Administration	400,000
3 Instructional Salaries	5,000,000
4 Textbooks and Instructional Supplies	500,000
5 Other Instructional Costs	2,500,000
6 Special Education	1,000,000
9 Transportation	50,000
12 Fixed Charges	700,000
14 Community Services	<u>300,000</u>
Total	<u>\$ 10,750,000</u>

and be it further

Resolved, That a copy of this resolution be sent to the county executive and County Council; and be it further

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 98-05

Re: **UTILIZATION OF THE FY 2005 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Ms. Cox, the following resolution was adopted unanimously by members present:#

WHEREAS, The grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 15-631, approved May 27, 2004; and

WHEREAS, The projects do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2005 Provision for Future Supported Projects, to permit the transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2005 Provision for Future Supported Projects, as specified below:

<u>Projects</u>	<u>Positions</u>	<u>Amount</u>
Middle School SCALE-uP	2.0*	\$ 411,752
NOAA Meaningful Bay Experiences		8,000
IDEA—Alternative Maryland State Assessment	—	<u>10,000</u>
Total	<u>2.0</u>	<u>\$ 429,752</u>

Positions

*1.0 project specialist, 0.5 fiscal assistant, 0.5 secretary

and be it further

Resolved, That a copy of this resolution be sent to the county executive and County Council.

RESOLUTION NO. 99-05 Re: **HUMAN RESOURCES APPOINTMENT**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective February 24, 2005:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Suzanne Wood	Director, Food and Nutrition Services, Westover, MD	Assistant Director, Division Of Food and Nutrition Services

RESOLUTION NO. 100-05 Re: **NAMING OF DOWNCOUNTY MS #9/WHEATON CLUSTER MS #2**

On motion of Mr. Sanghvi and seconded by Ms. Cox, the following resolution was adopted unanimously by members present:

WHEREAS, The newly designated principal of Downcounty MS #9/Wheaton Cluster MS #2 has begun the process for recommending to the Board a permanent name for the school; and

WHEREAS, Policy FFA provides for the Board to “develop a listing of up to four names” to be given to a school naming committee, which shall recommend “in priority order, its preference from among the listing of names provided by the Board of Education and up to two additional names recommended by the committee”; and

WHEREAS, Pursuant to Policy FFA, the final responsibility for officially naming a school building rests with the Board of Education; now therefore be it

Resolved, That the Board of Education hereby submit the following name(s) to the principal of Downcounty MS #9/Wheaton Cluster MS #2 for consideration by the school naming committee:

Frederick Douglass
Lavinia Margaret Engle
Ella Fitzgerald
A. Mario Loiederman

Re: **UPDATE ON THE REAUTHORIZATION OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION
ACT (IDEA)**

Dr. Weast invited the following people to the table: Mrs. Nancy Reder, deputy executive director of the National Association of State Directors of Special Education, and Ms. Vickie Strange-Moscoco, director, Division of Preschool Special Education and Related Services.

On December 3, 2004, President George W. Bush signed into law the Individuals with Disabilities Education Improvement Act (IDEIA). The IDEIA is the second reauthorization of the bill, amending the 1975 Education for all Handicapped Children Act, which entitled all children with disabilities to be provided with a free appropriate public education. The first reauthorization of the Individuals with Disabilities Education Act (IDEA) in 1997 reinforced the public school commitment to educating all students, including those with disabilities. The IDEIA renews the obligation of both local and state educational agencies receiving federal funding to continue serving students with disabilities and focuses on improving educational results for these students.

The IDEIA incorporates many aspects of the No Child Left Behind Act (NCLB) to ensure that high standards are consistent across grade and curriculum levels for all students with disabilities. There is virtually no area of instruction for students with disabilities that will not be affected by the changes to this important legislation. Consistent with NCLB, federal and state funding for the IDEIA may now be used for pre-referral services in order to provide interventions for any student having difficulties in the classroom, not only for students who have been identified as eligible for special education. The IDEIA includes initiatives designed to reduce both time and paperwork requirements that result in instructional staff being absent from the classroom. In addition, instructional staff qualifications must align with new federal and state standards for highly qualified personnel. The new statute also addresses the discipline of students with disabilities, with the intent of making schools safer. Student Individualized Education Programs will look different, reflecting Congressional intent to reduce

paperwork and time spent in meetings. The way MCPS identifies students with disabilities may be changing, as will the way MCPS collects and reports data.

Although the federal and state implementing regulations have yet to be promulgated, the statutory requirements of this bill go into effect on July 1, 2005. The Department of Special Education has introduced key provisions of the statute at various staff trainings. More in-depth information will be provided to administrative staff and classroom teachers, and the Board will receive updates as the regulations are finalized.

Re: **DISCUSSION**

Mr. Romero observed that a system could make special education teachers consultants. Mrs. Reder stated that the law affects special education teachers in self-contained classrooms. Also, if the highly qualified teacher and special education work together, this meets the law, but cannot be called co-teaching. Parents must be notified if their child is not taught by a highly qualified teacher.

Ms. Cox requested a report on where special education teachers are on the requirements for highly qualified teachers. What steps need to be taken for them to meet the requirements? What will be the impact on the system as it strives for more inclusive education for special education students? Mrs. Reder thought this more inclusive education would help since there would be core content teachers within the school.

Dr. Haughey noted that there could be a situation in which special education teachers who are not highly qualified now could move to another job to achieve that status. He hoped that the requested data would reflect his concern.

Mrs. Reder commented that hearings have taken place, written statements will be received, and there will be hearings when the regulations are ready.

Re: **CLARKSBURG/DAMASCUS ELEMENTARY
SCHOOL #7 BOUNDARIES WORKSESSION**

On February 11, 2005, Dr. Weast sent the Board his recommendation of Option 2A for Clarksburg/Damascus Elementary School #7 boundaries (and associated changes for Clarksburg and Cedar Grove elementary schools). The Board of Education will discuss the recommendation and have the opportunity to propose alternatives to the recommendation. Staff from the Department of Planning and Capital Programming will present the recommendations and be available for any questions.

On March 8, 2005, beginning at 6:00 p.m., the Board will conduct a public hearing on the recommendation and any alternatives the Board may adopt. On March 21, 2005, at its

evening meeting, the Board is scheduled to take action on the recommendation.

The Board of Education offered no alternatives.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast reported that two students have been named Maryland's top two youth volunteers by the Prudential Spirit of Community Awards, a nationwide program honoring young people for outstanding acts of volunteerism: Megan Reamer, a Poolesville High School senior, and Shannon Sullivan, an eighth grade student at Newport Mill Middle School.

Dr. Weast announced that Michael Thomas, formerly principal of Westbrook Elementary School, has been named director of the George B. Thomas, Sr. Learning Academy. The free Saturday morning programs provide enrichment, tutoring, and mentoring for students in Grades 1-12.

Mrs. O'Neill announced that MCPS won the Civic Star Award at the AASA Conference for reading – Ruth Rales Tutorial Initiative. Dr. Weast and Ms. Merry gave a presentation on consulting teachers and the Peer Assistance and Review Program (PAR).

Mr. Sanghvi noted that the nominating convention for the student member of the Board starts on March 9.

RESOLUTION NO. 101-05 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article of the Annotated Code of Maryland* to conduct certain meetings or portions of its meetings in closed sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct closed sessions on Tuesday, March 8, 2005, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:15 to 2:00 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*; consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; review and adjudicate appeals in its quasi-judicial capacity; and discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

Resolved, That such meetings shall continue in closed session until the completion of business.

RESOLUTION NO. 102-05 Re: REPORT OF CLOSED SESSION

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

On February 8, 2005, by unanimous vote of members present, the Board of Education voted to conduct closed sessions as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on February 8, 2005, from 9:05 to 9:55 a.m. and 1:45 to 1:15 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and adjudicated the following appeal in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*) with a subsequent vote to approve in open session: 2004-70, 2004-71, 2004-73, 2004-74, and DCC-2004-70.
2. Reviewed and considered the following appeal in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): 2005-1.
3. Discussed the Human Resources Monthly Report and Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
4. Considered the acquisition of real property for a public purpose and matters directly related thereto, as permitted under Section 10-508(a)(3) of the *State Government Article* and Section 4-107(d) of the *Education Article*.
5. Received legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
6. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed sessions were: Steve Abrams, Aggie Alvez, Larry Bowers, Judy Bresler, Patrick Clancy, Robin Confino, Sharon Cox, Brian Edwards, Valerie Ervin, Dale Fulton, Charles Haughey, Richard Hawes, Roland Ikheloa, Don Kress, Frieda Lacey, George Margolies, Nancy Navarro, Pat O'Neill, Brian Porter, John Q. Porter, Lori Rogovin, Gabe Romero, Glenda Rose, Sagar Sanghvi, Matt Tronzano, and Jerry Weast.

RESOLUTION NO. 103-05 Re: APPEAL 2005-1

On motion of Dr. Haughey and seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2005-1, challenge of a grade, reflective of the following vote: Mr. Abrams, Ms. Cox, Ms. Ervin, Dr. Haughey, Mrs. Navarro, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to dismiss in part and to affirm in part.

Re: **NEW BUSINESS**

There was no new business.

RESOLUTION NO. 104-05 Re: **ADJOURNMENT**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Dr. Haughey, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education adjourn its meeting of February 23, 2005, at 10:40 p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

February 23, 2005

RESOLUTION FOR CLOSED SESSION	1
APPROVAL OF THE AGENDA	1
WOMEN'S HISTORY MONTH	2
PUBLIC COMMENTS	7
AWARD OF CONTRACTS – HEATING, VENTILATION, AND AIR CONDITIONING SERVICES	7
COMMISSIONING	
EXTENSION OF CONTRACT – NATURAL GAS	8
RECOMMENDED FY 2005 SUPPLEMENTAL APPROPRIATION FOR THE PROVISION FOR FUTURE SUPPORTED PROJECTS	8
UTILIZATION OF THE FY 2005 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS	9
HUMAN RESOURCES APPOINTMENT	10
NAMING OF DOWNCOUNTY MS #9/WHEATON CLUSTER MS #2	10
UPDATE ON THE REAUTHORIZATION OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)	11
CLARKSBURG/DAMASCUS ELEMENTARY SCHOOL #7 BOUNDARIES WORKSESSION	13
BOARD/SUPERINTENDENT COMMENTS	13
CLOSED SESSION RESOLUTION	13
REPORT OF CLOSED SESSION	14
APPEAL	14
NEW BUSINESS	15
ADJOURNMENT	15