

APPROVED
30-2004

Rockville, Maryland
September 27, 2004

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, September 27, 2004, at 7:30 p.m.

Present: Mr. Sharon W. Cox, President
in the Chair
Mr. Kermit V. Burnett
Dr. Charles Haughey
Mr. Walter Lange
Dr. Henry Lee
Mrs. Patricia B. O'Neill
Mr. Sagar Sanghvi, Student Board Member
Dr. Jerry Weast, Secretary/Treasurer

Absent: Mr. Gabe Romero

or () indicates student vote does not count. Four votes needed for adoption.

RESOLUTION NO. 561-04 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Mr. Lange, 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 a closed session on September 27, 2004, in Room 120 from 7:00 to 7:30 p.m. to discuss the Human Resources appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education consider 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*; and be it further

Resolved, That the Board of Education of Montgomery County receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on September 27, 2004, to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under

Section 10-503(a) of the *State Government Article*; and be it further

Resolved, That this portion of the meeting continue in closed session until the completion of business.

RESOLUTION NO. 562-04 Re: **APPROVAL OF THE AGENDA**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Lange, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its agenda for September 27, 2004.

RESOLUTION NO. 563-04 Re: **WALK TO SCHOOL DAY**

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

WHEREAS, In 1997, the first national "Walk to School Day" was sponsored in Chicago and, in 2000, the first international "Walk to School Day" was celebrated; and

WHEREAS, East Silver Spring Elementary School was the first Montgomery County Public School to sponsor a local "Walk to School Day"; and

WHEREAS, An estimated 25,000 children nationally are injured as pedestrians by motor vehicles each year; and

WHEREAS, Hundreds of children could be saved from injury and death each year if every community took steps to make pedestrian safety a priority, to teach children about pedestrian safety, and to become aware of the difficulties and dangers that children face on their trip to school or the bus stop each day; and

WHEREAS, Obesity rates among children have more than doubled in the past 20 years, according to the National Longitudinal Study of Youth; and

WHEREAS, Parents and community leaders again are joining together nationwide to walk children to school or to the bus stop to promote pedestrian safety in their community and, also, to promote physical fitness; now therefore be it

Resolved, That the Board of Education proclaim October 7, 2004, "Walk to School Day"; and be it further

Resolved, That the school system notify the public and school community of "Walk to School

Day,” publicize this resolution and the school system’s participation through internal and external media, and encourage everyone to consider the safety of pedestrians and, in particular, student walkers every day.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Steve Bolen	Boundary Study
2. Alison Moser	Richard Montgomery High School Renovation
3. Lori Merrill	Richard Montgomery High School Renovation
4. Fran Simons	Boundary Study
5. Dawn Dolan	Boundary Study
6. Darryl Lee	Boundary Study
7. Mark Drury	Career Education

RESOLUTION NO. 564-04 Re: **AWARD OF CONTRACT – HEATING, VENTILATION, AND AIR CONDITIONING MODIFICATIONS AT VARIOUS SCHOOLS**

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 following sealed bids were received on September 16, 2004, for various heating, ventilation, and air conditioning (HVAC) modifications at seven schools:

<u>Bidder</u>	<u>Amount</u>
AR-RO Construction, Inc.	\$ 95,300
Conditioned Air Systems, Inc.	100,256
C. V. Carlson Company, Inc.	155,733
Shapiro & Duncan, Inc.	159,100

and

WHEREAS, The work included in this project is largely self-performed by the bidder, and there is limited opportunity for Minority Business Enterprise (MBE) participation; and

WHEREAS, Staff recommends waiving the MBE participation goal for this project; and

WHEREAS, The AR-RO Construction, Inc., has completed similar work successfully for the

Montgomery County Public Schools; now therefore be it

Resolved, That a \$95,300 contract be awarded to AR-RO Construction, Inc., for HVAC modifications at seven schools; and be it further

Resolved, That the contract be forwarded to the Interagency Committee on School Construction for approval to reimburse the Montgomery County Public Schools for the state-eligible portions of this project.

RESOLUTION NO. 565-04 Re: **ARCHITECTURAL APPOINTMENT – GARRETT PARK ELEMENTARY SCHOOL ADDITION**

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, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Garrett Park Elementary School addition that includes a 10,600-square-foot modular structure and various site modification work; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$2,731,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2005 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected Gauthier, Alvarado & Associates to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for these architectural services that includes two consultants who are Minority Business Enterprise firms; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Gauthier, Alvarado & Associates to provide professional architectural and engineering services for the Garrett Park Elementary School addition for a fee of \$224,807.

RESOLUTION NO. 566-04 Re: **ARCHITECTURAL APPOINTMENT – PARKLAND MIDDLE SCHOOL MODERNIZATION**

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, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Parkland Middle School modernization that include a 146,000-square-foot building and various site modification work; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$21,718,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2005 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected Moseley Architects to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for these architectural services that includes one consultant who is a minority firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Moseley Architects to provide professional architectural and engineering services for the Parkland Middle School modernization for a fee of \$1,597,000.

RESOLUTION NO. 567-04 Re: ARCHITECTURAL APPOINTMENT – ROSA PARKS INFANTS AND TODDLERS PROGRAM

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, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases of the installation of a pre-engineered building of approximately 7,100 square feet to house the Infants and Toddlers Program at Rosa M. Parks Middle School; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$1,200,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2005 Capital Budget; and

WHEREAS, The plans for a similar building being constructed at Neelsville Middle School will be repeated for Rosa M. Parks Middle School; and

WHEREAS, Staff has negotiated a fee for the repeat plans and related site work that includes one consultant who is a Minority Business Enterprise firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Smolen P Emr + Associates Architects to provide professional architectural and engineering services for the Infants and Toddlers Program at the Rosa M. Parks Middle School for a fee of \$70,100.

RESOLUTION NO. 568-04 Re: UTILIZATION OF FY 2005 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS

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 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>Amount</u>
Gaithersburg Judy Center	\$ 322,000
Silver Spring Judy Center	202,988
Judith Hoyer Enhancement Grant for Local School Systems	100,000
Fine Arts Initiative	171,356
Tobacco Use Prevention Grant	<u>80,000</u>
Total	<u>\$ 876,344</u>

and be it further

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

RESOLUTION NO. 569-04 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective September 28, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Kevin Maxwell	Principal, Walter Johnson HS	Community Superintendent

RESOLUTION NO. 570-04 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective September 28, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
JoAnn Leleck	Principal, Board Acres ES	Director of School Performance

RESOLUTION NO. 571-04 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective September 28, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Deeva Garel	Acting Assistant Chief Information Officer	Assistant Chief Information Officer

RESOLUTION NO. 572-04 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective September 28, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Alison Steinfels	Staff Attorney	Supervisor, Equity Assurance

Re: **UPDATE ON CIP/ENROLLMENT**

Dr. Weast invited the following people to the table: Mr. Joseph Lavorgna, director, and Mr. Bruce Crispell, senior planner, for the Department of Planning and Capital Programming.

Staff from the Department of Planning and Capital Programming presented the following review of systemwide enrollment and demographic information as well as an overview of the upcoming amendment cycle to the Capital Improvements Program (CIP).

The rate of increase in school system enrollment has slowed this year. The estimated September 30 enrollment of about 139,600 students will represent an increase of approximately 400 students from last year. County births topped 13,000 for the fourth straight year in 2003. The brief respite from enrollment growth in many elementary and middle schools will be temporary, given the increase in county births since 1998. Enrollment growth is affecting county high schools. Continuing space shortages affect schools at all levels, and 720 relocatable classrooms are in use this year .

Capacity needs in both the upcounty and downcounty areas attest to the impact of changing demographics on enrollment, even in areas where no new housing is being constructed. This presentation highlights demographic changes in the county and in the school system. High school enrollment growth has driven the need for the reopening of Northwood High School this year, and the opening of the new Clarksburg Area High School in 2006. Also, numerous additions to existing high schools have been built or are planned. While the two additional high schools address much of the space needs downcounty and upcounty, the school system needs to begin planning for a new high school in the central portion of the county. Without this project, numerous high schools in the center of the county face long-term space deficits with no facility relief other than relocatable classrooms.

The schedule for the CIP amendment process this year is as follows:

- October 15—Superintendent's boundary and choice area recommendations released
- October 27—Superintendent's recommended CIP amendments released
- November 3—Board of Education work session on CIP amendments, and boundary and choice area recommendations
- November 10 and 11—Board of Education hearing on superintendent's CIP amendments, and boundary and choice area recommendations
- November 18—Board of Education action on CIP amendments, and boundary and choice areas

Any deferred CIP actions on winter boundary studies will have the superintendent's recommendation in February 2005, followed by Board of Education action in March 2005.

Re: **DISCUSSION**

Mrs. O'Neill asked whether the William H. Farquhar Middle School community could testify during the November hearings. At the present time, the recommendation would be made for a decision in March. Could the Board change the scope or the study itself on November 18? Mr. Lavorgna replied that the Board should encourage the community to testify in November. Furthermore, the Board can make any decision it deems prudent.

Ms. Cox noted that the County Council approved \$912.8 million for the CIP, but close to \$90 million was moved out of the first three years. That meant that several projects could not be built as scheduled. The Board's priority was to build seats for students who are here, and then to modernize existing buildings.

Mrs. O'Neill asked about the impact of all-day kindergarten in the "green" areas. Mr. Crispell replied that there is no consistent pattern at this time.

Dr. Haughey asked what the criteria was for recommending a new high school. Dr. Weast responded that the trigger is 2,000 students in a high school.

Dr. Lee inquired whether or not the Shady Grove Master Plan is reflected in enrollment projections. Mr. Crispell replied that the plan has not been approved, therefore it does not meet the threshold to be included in the forecast.

Ms. Cox asked if there were plans or projects that have not been identified in order to ascertain the impact on schools. Mr. Crispell replied that the county will be revisiting the I-270 corridor – Gaithersburg and Germantown. Also, there will be housing based around the Twinbrook Metro Station. There is a mismatch between where jobs are and where housing is. Ideally, this will help the transportation in the county.

Dr. Haughey stated that there could be intense develop at the present Metro sites, and this could play havoc with projections since high density housing can be built very quickly.

Ms. Cox inquired if the decrease in immigration would affect enrollment. Mr. Crispell thought this could be a long-term trend, but most people are here and are having families.

Dr. Lee asked if projections factored in the small buildable lots scattered throughout the county. Mr. Crispell replied that it is hard to track, but building plans are shared with school staff.

Ms. Cox reminded staff to make sure that the public has as much opportunity as possible to understand the CIP and the available times, places, and avenues for input.

**Re: SUMMER 2004 PROFESSIONAL DEVELOPMENT
AND TRAINING SUMMARY**

Dr. Weast invited the following people to the table: Mrs. Darlene Merry, associate superintendent for organizational development; Mr. Dale Fulton, associate superintendent for curriculum and instructional programs; and Mrs. Betty Collins, director for staff development initiatives. Also available to come to the table for questions are staff from the Office of Organizational Development and staff development teachers from elementary and secondary schools.

This item provides a summary of the professional development and training that was held for teachers, administrators, and supporting services staff during the summer of 2004. MCPS offices worked with key stakeholders to develop a comprehensive FY 2005 training plan that is focused on the priorities and objectives identified in the *Our Call to Action: Pursuit of Excellence* strategic plan.

A number of mandatory and optional training opportunities were offered to provide consistent and pervasive messages to staff, as well as the skills, knowledge, strategies, and practices required to meet the learning needs of all students. Leadership development and curriculum implementation were the two key focus areas. Specific strategies and practices to support the learning needs of special education and English Language Learner (ELL) students were provided in key curriculum training sessions. During the summer, 10,591 teachers, administrators, and supporting services staff received 169,415 hours of training. Feedback from the participants was overwhelmingly positive.

There is a continuous review of student data to ensure that focused training will result in increased student performance. To attain high levels of achievement for all students in the district, MCPS continues to build the capacity of all staff to collaborate, initiate, and be accountable for student learning through the following:

- Skillful implementation of a rigorous curriculum
- Targeted use of student learning data
- Active engagement in a professional learning community
- Acceptance of responsibility and accountability for results
- Full engagement of community as a part of the learning team

The design and delivery of the year-long plan is overseen by a cross-functional staff development team consisting of staff from the offices of the Deputy Superintendent of Schools, the Deputy Superintendent for Strategic Technologies and Accountability, and the Chief Operating Officer. The Office of Organizational Development (OOD) serves as the lead

office for all professional development. In addition to staff, representatives from the three employee organizations serve on this cross-functional team to provide essential stakeholder input into the design of training programs. For each of the summer training components of the year-long plan, there was a design and delivery team comprised of staff from OOD and each of the key offices involved in the content for the specific training opportunity. As the planning teams met to design the summer's training, they were asked to infuse important themes into the delivery systems. These themes included technology as a key management tool, strategies for teaching diverse learners, and Baldrige-guided tools and strategies.

A major area of improvement for the delivery of this year's summer training was having school-based practitioners as trainers—both teachers and principals. This was very well received. Attendance at mandatory training was closely monitored to ensure full participation.

**Dr. Lee left the meeting at this point.

Re: DISCUSSION

Ms. Cox asked if the training was separate or embedded with curriculum training. Mr. Fulton replied that with the new guides it is embedded; however, those teachers who had not received the embedded training were given separate instruction.

Mr. Lange inquired about training for high school staff, especially support for ESOL. Mr. Fulton said there are many different projects. One is training teachers in the use of sheltered English and classes (teaching concepts and content vocabulary).

Regarding least restrictive environment (LRE), Mr. Lange thought that parents' expectations will rise, and he wondered if all regular teachers are comfortable with this concept. Dr. Wright replied that all teachers will be provided with training to provide LRE.

Ms. Cox remarked about separate training for curriculum rollout for special educators. Also, why was the training for third grade language arts teacher done separately? Ms. Collins explained that special educators and regular education teachers were included in the training for the early grades. The third, fourth, and fifth grade teachers who did not receive the training provided in the earlier grades needed separate staff development. In the future, all training will be integrated/embedded with other staff development efforts.

Mr. Burnett noted that the training is integrated where possible, but sometimes there is a need for more intensive, individualized training for a specific group or topic.

Ms. Cox asked about the concern of principals on the assessments and whether or not training could have been included this summer. Mr. Fulton stated that curriculum always has an assessment; however, last year's assessments were taking too long to get results. The

new assessments were not ready in time for training this summer, but training will take place before the assessments are given to students.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast thanked everyone for the flowers and messages of condolence for the recent death of his father. Also, 144 MCPS students have been named semifinalists in the 2004 National Merit Scholarship competition. Sixteen MCPS high schools produced semifinalists this year. The local students represent 42 percent of the 339 semifinalists in Maryland.

Mr. Sanghvi reported that the high school student government will meet next week.

Mr. Lange thanked Mr. Bowers and staff for successful strategic planning forums. Also, he reported on the upcounty partnership on the prevention and intervention of gangs.

Mrs. O'Neill commented that the Whitman community will rename the stadium for Dr. Marco. On a sad note, a Bethesda-Chevy Chase High School student was killed by an automobile while walking to school. Several other students were killed in accidents this past weekend. The school community needs to encourage safety for all students.

Ms. Cox noted that at a press conference Chief Manger made excellent suggestions for strategies to address the problem. There was a commitment by the county executive, police and MCPS to work together with the community. Also, she helped celebrate Gaithersburg High School's 100th Anniversary. Finally, she had the opportunity to celebrate Eastern Middle School's participation in an NASA program.

RESOLUTION NO. 573-04 Re: **BALLOT QUESTION A**

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

WHEREAS, An initiative will appear on the November 2, 2004 ballot as Question A, which, if approved by the voters, would drastically reduce county revenues by up to \$1.6 billion cumulatively over six years; and

WHEREAS, the existing super majority provision allows the County Council the flexibility to respond to decreases in state or federal aid or to fund programs when the demand for services, such as education, rises faster than the rate of inflation; and

WHEREAS, jurisdictions that have enacted property tax limitations have found it difficult to adequately fund public services, such as education; and

WHEREAS, the reduction in county revenues that would inevitably result from passage of Question A could lead to decreased funding for public education in Montgomery County and could force the Board of Education to roll back existing instructional improvements and future initiatives; and

WHEREAS, quality improvements in public education are a priority for our parents and community; now therefore be it

Resolved, That the Board of Education go on record in opposition to **Question A Property Tax Limits**, seeking to amend Section 305 of the County Charter; and be it further

Resolved, That the superintendent be directed to convey through any means authorized under law the Board's position on this ballot question; and be it further

Resolved, That this resolution be sent to the Montgomery County Executive and County Council.

RESOLUTION NO. 574-04 Re: CLOSED SESSION RESOLUTION

On recommendation of the Superintendent and on motion of Mrs. O'Neill 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 a closed session on Tuesday, October 12, 2004, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:30 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. 575-04 Re: REPORT OF CLOSED SESSION

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Burnett, the following resolution was adopted unanimously by members present:

On September 14, 2004, 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 sessions on September 14, 2004, from 9:10 to 10:05 a.m. and 12:40 to 2:00, p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeals in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): NEC-2004-44, T-2004-51, DCC-2004-54, T-2004-56, T-2004-58, NEC-2004-59, T-2004-60, DCC-2004-62, T-2004-67, 2004-53, and 2004-56.
2. Reviewed and adjudicated the following appeals 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: 2004-47, 2004-54, 2004-55, 2004-57, 2004-59, T-2004-63, T-2004-64, and NEC 2004-65.
3. Discussed the Human Resources Monthly Report and Appointment 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: Larry Bowers, Kermit Burnett, Pat Clancy, Sharon Cox, Wes Girling, Sue DeGraba, Charles Haughey, Richard Hawes, Roland Ikheloa, Don Kopp, Don Kress, Frieda Lacey, Walter Lange, Henry Lee, George Margolies, Pat O'Neill, Roz Phillips, Brian Porter, John Q. Porter, Lori Rogovin, Gabe Romero, Sagar Sanghvi, and Matt Tronzano.

RESOLUTION NO. 576-04 Re: **APPEAL 2004-53**

On motion of Mrs. O'Neill 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 2004-53,

admission to a magnet program, reflective of the following vote: Mr. Burnett, Ms. Cox, Dr. Haughey, Mr. Lange, Dr. Lee, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm.

RESOLUTION NO. 577-04 Re: **APPEAL 2004-56**

On motion of Mrs. O'Neill 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 2004-56, admission to a gifted center, reflective of the following vote: Mr. Burnett, Ms. Cox, Dr. Haughey, Mr. Lange, Dr. Lee, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm.

Re: **NEW BUSINESS**

There was no new business item.

RESOLUTION NO. 578-04 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of September 27, 2004, at p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

September 27, 2004

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