

APPROVED
12-2005

Rockville, Maryland
March 21, 2005

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, March 21, 2005, at 7:30 p.m.

Present: Mrs. Patricia B. O'Neill, President
 in the Chair
 Mr. Steve Abrams
 Ms. Sharon W. Cox
 Ms. Valerie Ervin
 Dr. Charles Haughey
 Mrs. Nancy Navarro
 Mr. Gabriel Romero
 Mr. Sagar Sanghvi, Student Board Member
 Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 134-05 Re: **RESOLUTION FOR CLOSED SESSION**

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

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 March 21, 2005, in Room 120 from 7:00 to 7:30 p.m. to discuss the Human Resources Appointments, as permitted under Section 10-508(a)(1) of the *State Government 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 sessions on March 21, 2005, 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. 135-05 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for March 21, 2005.

RESOLUTION NO. 136-05 Re: **MONTH OF THE YOUNG CHILD**

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

WHEREAS, Children's experiences with language and literacy during the first five years of life form the basis for later success as readers and learners; and

WHEREAS, Early experiences in the home, child-care setting, the schools, and the community have a lifelong impact on a child's learning; and

WHEREAS, The research literature and the Montgomery County Public Schools longitudinal kindergarten study data show that young children can and do learn at high levels; and

WHEREAS, Montgomery County's Early Childhood Initiative ensures that family-focused programs and services for young children are neighborhood-based, effective, and responsive to cultural diversity; make a measurable, positive difference in children's well being; and help young children prepare for school; and

WHEREAS, Montgomery County recognizes that every county resident has a stake in the healthy growth, development, and education of all young children; and

WHEREAS, Montgomery County is implementing a comprehensive and collaborative communitywide early childhood initiative, the Montgomery County Executive; the Montgomery County Council; the Montgomery Collaboration Council for Children, Youth and Families; and the Montgomery County Board of Education wish to issue a joint proclamation for the Month of the Young Child; now therefore be it

Resolved, That the Board of Education endorse the joint proclamation for the Month of the Young Child, which was announced this morning at the Montgomery County Children's Resource and Referral Center in Rockville, Maryland.

RESOLUTION NO. 137-05 Re: **ARAB AMERICAN HERITAGE MONTH**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by

Dr. Haughey, the following resolution was adopted unanimously:

WHEREAS, In rising to prominence in many areas of business and daily life—from commerce and trade to education, medicine, politics, sports, and the arts—Arab Americans have contributed greatly to the success of our nation; and

WHEREAS, Arab Americans benefit American culture with contributions from the unique civilizations of the Arab world, including its language and rich heritage; and

WHEREAS, Arab Americans are productive members of our society and add to the richness of our diverse country; and

WHEREAS, Montgomery County is home to a thriving Arab American community whose valued presence has contributed to the rich cultural mosaic of our community; now therefore be it

Resolved, That, on behalf of the superintendent, staff, students, and parents of the Montgomery County Public Schools, the members of the Board of Education hereby declare April 2005 to be observed as Arab American Heritage Month.

RESOLUTION NO. 138-05 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education oppose **HB 196/SB 92 – Proposed Capital Projects – Planning – High Performance Buildings** which would require a unit of state government, when requesting an appropriation for the planning of a proposed capital project, to include a justification that a building is not appropriate for design as a high performance or “green” building in its program submission to the Department of Budget and Management (DBM).

RESOLUTION NO. 139-05 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **HB 1235 – Higher Education – Scholarships – Speech Language Pathologists** which would expand eligibility for the Sharon Christa McAuliffe Memorial Teacher Education Award program to students studying to become audiologists and speech-language pathologists (SLPs).

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support ***SB806/HB1074 – Education – Suspended or Expelled Students – Community Resources List*** which would require each local board of education to develop a one-page community resources list and distribute the list to the local public schools in its jurisdiction; the list would have to be given to each suspended or expelled student or the student's parent or guardian; and if a student with a disability is being considered for suspension or expulsion, the student or the student's parent or guardian would have to be given a list attached to the procedural safeguards notice required by state regulations.

Re: **AMENDMENT**

On motion of Ms. Cox and seconded by Mr. Sanghvi, the following amendment was placed on the table:

Resolved, That the Board of Education suggest an amendment in the bill to read at (B)(2)(VIII)

A reasonable effort will be made to furnish the names of any other nonprofit services, legal, or health care provider that provides the appropriate and nondiscriminatory services to children and families in need of assistance.

RESOLUTION NO. 140-05 Re: **AMENDMENT**

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

Resolved, That the Board of Education suggest an alternative amendment in the bill to read at (B)(2)(VIII)

The names of ~~any~~ other nonprofit services, legal, or health care provider that provides the appropriate and nondiscriminatory services to children and families in need of assistance.

RESOLUTION NO. 141-05 Re: **ITEM OF LEGISLATION**

On motion of Ms. Ervin and seconded by Mr. Sanghvi, the following resolution, as amended, was adopted unanimously:

Resolved, That the Board of Education support ***SB806/HB1074 – Education – Suspended***

or Expelled Students – Community Resources List which would require each local board of education to develop a one-page community resources list and distribute the list to the local public schools in its jurisdiction; the list would have to be given to each suspended or expelled student or the student's parent or guardian; and if a student with a disability is being considered for suspension or expulsion, the student or the student's parent or guardian would have to be given a list attached to the procedural safeguards notice required by state regulations.

RESOLUTION NO. 142-05 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education oppose ***HB 739 – Education – Full-Day Kindergarten and Prekindergarten Programs – Alternative Providers*** which would require each county to report in its annual Master Plan update whether it has sufficient capacity for full-day kindergarten classes.

RESOLUTION NO. 143-05 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education oppose ***HB 1490 – Education – Local School Systems – School Facilities – Partnerships with Alternative Providers*** which would obligate local school systems to attempt to contract with private providers, including child care providers, for space for full-day kindergarten and pre-kindergarten programs, before requesting state aid to provide classroom space for these programs.

RESOLUTION NO. 144-05 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education oppose ***HB 1375/SB 351 – Public Health – Children – Notice of Drinking Water Contamination*** which would require public schools, noncollegiate private schools, family day-care centers, and child-care centers to send written notification to the parents and guardians of enrolled children when their water suppliers notify them of contaminated drinking water.

RESOLUTION NO. 145-05 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support superintendent notification system on **HB 849/SB488 – Criminal Law and Procedure – Criminal Gang Offenses** which would prohibit a person from threatening others with physical violence with the intent to coerce, induce, or solicit the other to participate in or prevent the other from leaving a criminal gang and sets penalties for such crimes; of most interest to the school system is the section in the bill that adds violations of the bill's provisions related to gang violence to the list of offenses that must be reported to the local superintendent if a student is arrested and charged with the offense; and reportable offenses to school superintendents include crimes of violence, certain weapon and drug offenses, and possession of explosives and bomb threats; if a child enrolled in a public school system is arrested for any of these offenses, the law enforcement agency must notify the local superintendent of the arrest and the charges within 24 hours or as soon as practicable; and the state's attorney must promptly notify the superintendent of the disposition of a reportable offense.

RESOLUTION NO. 146-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Ms. Cox, the following resolution was adopted with Mr. Abrams, Ms. Cox, Dr. Haughey, Mrs. O'Neill, and Mr. Romero voting in the affirmative; Ms. Ervin voting in the negative; Mrs. Navarro abstaining; Mr. Sanghvi was not present:

Resolved, That the Board of Education oppose **SB 233/HB 525 – Education – Physical Education Program – Standards** which would require the Maryland State Department of Education (MSDE) to employ a full-time director of physical education.

RESOLUTION NO. 147-05 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Ms. Cox, the following resolution was adopted unanimously (Mr. Sanghvi was not present):

Resolved, That the Board of Education oppose **SB 501 – Education – Task Force on School Safety** which would establish an 18-member Task Force on School Safety, and the task force must evaluate a variety of methods and strategies that could be implemented to improve school safety and make recommendations regarding the use of the strategies.

RESOLUTION NO. 148-05 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support with amendments **SB 426/HB 1259 – Education – Children in State-Supervised Care – Transfer of Educational Records** which would establish procedures and timelines for the transfer of the educational records of a child in state-supervised care, and as introduced, the bill also would require each local board of education to establish a dispute resolution process to expeditiously address disputes related to the transfer of an educational record.

RESOLUTION NO. 149-05 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support more resources for purchase of care for those children who are outside the eligibility for MCPS programs.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Carla Lambert	Gifted & Talented/African American Children
2.	Denise Young	Magnet Selection
3.	Kay Romero	Health Curriculum
4.	Tom Broadwater	AAPMSA/Magnet Program
5.	Bonnie Cullison	Middle School Program Review
6.	Becky Newman	Middle School Program Review
7.	Emit Gill	Magnet/Gifted and Talented
8.	Vicki Reese	AAPMSA
9.	Diane McHale	Improving Gifted and Talented Program
10.	Lois Wilkins	AAPMSA
11.	Yvette Edghill-Smith	High School Assessment
12.	Safiya Mojerie	AAPMSA
13.	Samira Hussein	Arab Heritage Month
14.	Yvette Butler	Magnet

RESOLUTION NO. 150-05 Re: **AWARD OF CONTRACT – LEASING OF RELOCATABLE CLASSROOMS**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by

Ms. Cox, the following resolution was adopted unanimously:#

WHEREAS, Funds have been requested in the FY 2006 Capital Budget for relocatable classroom buildings; and

WHEREAS, It is necessary to have a bid in place for the procurement and lease of new relocatable classroom units so that staff can proceed immediately to place units as soon as funds for this program are approved by the County Council; and

WHEREAS, The following unitprice bids were received on February 25, 2005, for the delivery and leasing of modular classroom buildings:

<u>Bidder</u>	<u>Monthly Lease (5 years)</u>	<u>Delivery</u>
Resun Leasing, Inc.	\$433	Included
Satellite Shelters, Inc.	457	\$4,900
Williams Scotsman, Inc.	475	Included
Modular Technologies, Inc.	506	Included
Vanguard Modular Building Systems, LLC	586	1,311
G. E. Capital Modular Space, Inc.	611	Included

now therefore be it

Resolved, That a contract to lease new relocatable buildings be awarded to Resun Leasing, Inc., at a rate of \$433 per month, per unit on an as-needed basis, during the five-year lease period.

**Re: ON-CALL HEATING, VENTILATION, AND AIR-
CONDITIONING REPLACEMENT SERVICES**

On recommendation of the Superintendent and on motion of Dr, Haughey seconded by Ms. Cox, the following resolution was placed on the table:

WHEREAS, Funds have been included in the Capital Budget for heating, ventilation, and air-conditioning (HVAC) projects; and

WHEREAS, It is necessary to have a pool of technically qualified contractors to complete these projects; and

WHEREAS, The Department of Facilities Management has solicited and reviewed technical proposals to provide the mechanical services needed for HVAC Capital Budget projects; now

therefore be it

Resolved, That the following firms be approved as technically qualified contractors to provide bids on heating, ventilation, and air-conditioning projects for a period of one year:

- American Combustion Industries, Inc.
- C & H Mechanical Corporation
- C. V. Carlson Company, Inc.
- Hot & Cold Corporation (MDOT certified)
- M & M Welding and Fabricators, Inc. (MDOT certified)
- Shapiro & Duncan, Inc.
- Welch and Rushe Mechanical Contractors

and be it further

Resolved, That the Department of Facilities Management be authorized to solicit competitive proposals for HVAC projects from the qualified contractors and proceed with the low bidder.

RESOLUTION NO. 150(a)-05 Re: **AN AMENDMENT TO ON-CALL HEATING, VENTILATION, AND AIR-CONDITIONING REPLACEMENT SERVICES**

On motion of Mr. Romero and seconded by Mr. Sanghvi, the following amendment was adopted unanimously:#

Resolved, That the Department of Facilities Management be authorized to solicit competitive proposals for HVAC projects from the qualified contractors and proceed with the low bidder **at the discretion of the Department of Facilities Management.**

RESOLUTION NO. 151-05 Re: **ON-CALL HEATING, VENTILATION, AND AIR-CONDITIONING REPLACEMENT SERVICES**

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

WHEREAS, Funds have been included in the Capital Budget for heating, ventilation, and air-conditioning (HVAC) projects; and

WHEREAS, It is necessary to have a pool of technically qualified contractors to complete these projects; and

WHEREAS, The Department of Facilities Management has solicited and reviewed technical

proposals to provide the mechanical services needed for HVAC Capital Budget projects; now therefore be it

Resolved, That the following firms be approved as technically qualified contractors to provide bids on heating, ventilation, and air conditioning projects for a period of one year:

American Combustion Industries, Inc.
C & H Mechanical Corporation
C. V. Carlson Company, Inc.
Hot & Cold Corporation (MDOT certified)
M & M Welding and Fabricators, Inc. (MDOT certified)
Shapiro & Duncan, Inc.
Welch and Rushe Mechanical Contractors

and be it further

Resolved, That the Department of Facilities Management be authorized to solicit competitive proposals for HVAC projects from the qualified contractors and proceed with the low bidder at the discretion of the Department of Facilities Management.

RESOLUTION NO. 152-05 Re: ON-CALL CONSTRUCTION SERVICES

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

WHEREAS, It is necessary to have a pool of general contractors capable of responding to short-term, critical, facilities-related construction; and

WHEREAS, The Department of Facilities Management has solicited and reviewed technical proposals of several firms that expressed an interest in working for the Montgomery County Public Schools; and

WHEREAS, the following firms have been technically qualified to perform work on short-term, critical projects:

Capital Contracting, Inc. (MDOT certified)
Cottonwood Construction, Inc.
Golden Construction, Inc.
Hanlon Construction Company
Keller Brothers, Inc.
M & M Welding and Fabricators, Inc. (MDOT certified)
PCM Services, Inc.

Phillips Way, Inc.
Smith & Haines, Inc.

now therefore be it

Resolved, That the Department of Facilities Management be authorized to solicit proposals for short-term, critical, facility-related services as needs arise utilizing the above-listed firms on an on-call basis for a period of one year; and be it further

Resolved, That the Department of Facilities Management be authorized to proceed with work procured from the on-call contractor that submits the lowest cost proposal for a specific project for an amount not to exceed \$150,000.

RESOLUTION NO. 153-05 Re: **COMMERCIAL LEASE FOR OFFICE OF STRATEGIC TECHNOLOGIES AND ACCOUNTABILITY TRAINING CENTER SPACE**

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

WHEREAS, The former Connecticut Park Elementary School has been approved and funded in the FY 2005–2010 Capital Improvements Program for reopening as the Downcounty Consortium Elementary School #27; and

WHEREAS, The planned modernization and classroom addition will require the relocation of several Montgomery County Public Schools functions that have been housed there for several years including the Office of Strategic Technologies and Accountability (OSTA) Training Center; and

WHEREAS, Board of Education-owned space is not available to house the OSTA Training Center; and

WHEREAS, Staff has negotiated a below-market lease agreement for 12,000 square feet on the first floor of #4 Choke Cherry Road in Gaithersburg for a five-year term; and

WHEREAS, The Real Estate Management Fund will offset four years of this expense by leasing the Radnor Center to a private school while that facility is not needed for use as a holding school; and

WHEREAS, The expense for the last year of the lease period will be included in the FY 2010 Operating Budget; now therefore be it

Resolved, That the Board of Education approve the proposed five-year lease agreement with TA Western, L.L.C., for 12,000 square feet of finished space at 4 Choke Cherry Road, Gaithersburg, Maryland, for \$18.50 per square foot with 3-percent annual increases to provide space for the Office of Strategic Technologies and Accountability Training Center.

RESOLUTION NO. 154-05 Re: UTILIZATION OF THE FY 2005 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS

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

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>
Head Start Extended-Year Program		\$ 124,078
High School Vertically Integrated Partnership K-166 (VIPK16)	<u>2.0*</u>	<u>1,220,715</u>
Total	<u>2.0*</u>	<u>\$ 1,344,793</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. 155-05 Re: RETIREE HEALTH BENEFITS

On recommendation of the Superintendent and on motion of Ms. Cox seconded by

Mr. Abrams, the following resolution was adopted unanimously:#

WHEREAS, The Board of Education of Montgomery County, Maryland, adopted an employee benefit plan effective December 15, 1958, that provides for insurance coverage for the benefit of both active and retired plan members and their qualified dependents; and

WHEREAS, The Board of Education has, from time to time, made changes to plan provisions for both active and retired plan participants; and

WHEREAS, The Board of Education agreed to a series of plan design changes for active employees effective January 1, 2005, but deferred making a decision with respect to retiree benefits until staff could meet with the Montgomery County Public Schools Retiree Association to review the benefits offered to retirees regarding these changes; and

WHEREAS, Staff has met with representatives of the Retiree Association and they support the changes; and

WHEREAS, The changes will result in a lower cost for the Montgomery County Public Schools and its retirees; now therefore be it

Resolved, That, effective July 1, 2005, the employee benefit plan for retirees be amended as outlined; and be it further

Resolved, That the superintendent of schools is authorized to take the necessary actions to implement these changes and communicate them to retirees.

**Mr. Abrams temporarily left the meeting.

RESOLUTION NO. 156-05 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective July 1, 2005:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
David Steinberg	Principal, Colonel Zadok Magruder HS	High School Consulting Principal

RESOLUTION NO. 157-05 Re: HUMAN RESOURCES APPOINTMENT

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 following personnel appointment be approved effective July 1, 2005:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Ann Dolan	Acting Coordinator of Special Initiatives	Coordinator of Special Initiatives

**Mr. Sanghvi temporarily left the meeting.

RESOLUTION NO. 158-05 Re: TENTATIVE ACTION, POLICY BFA, *POLICYSETTING*

On recommendation of the Policy Committee, the following resolution was adopted unanimously by members present:

WHEREAS, Policy BFA, *Policysetting*, articulates the Board of Education's definition of "policy"; and

WHEREAS Policy BFA, *Policysetting*, articulates the Board of Education's vision of a policy setting process; and

WHEREAS, The Board of Education Policy Committee has considered and recommended revisions to Policy BFA, *Policysetting*; now therefore be it

Resolved, That the Board of Education take tentative action on Policy BFA, *Policysetting*; and be it further

Resolved, That "policy," as that term is used in the Board of Education Handbook, governing the operations and procedures of the Board, adopted pursuant to Resolution No. 230-99, shall be as that term is defined in Policy BFA, *Policysetting*; and be it further

Resolved, That Policy BFA, *Policysetting*, be sent out for public comment.

POLICYSETTING

A. PURPOSE

To establish a definition of policy and consistent process for development and implementation of formal policies identifying principles to guide the development and implementation of educational programs and/or for management of the school system

B. ISSUE

State law provides that the county Board of Education, with the advice of the superintendent, determines the educational policies of the school system. In fulfilling this role, the Board of Education, among other actions, establishes formal policies to identify certain principles. Therefore, there should be a comprehensive and consistent process for policy analysis, formulation, implementation, monitoring, and evaluation.

C. POSITION

1. Definition

Policy is defined as the principles specifically set forth in the MCPS *Policies and Regulations Handbook* and identified as a “policy”. These policies, all of which have a three-letter identifier and are indexed in lettered sections of the MCPS *Policies and Regulations Handbook*, are adopted by resolution of the Board of Education to guide the development and implementation of educational programs and/or for management of the school system. For purposes of PolicyBFA, *Policysetting*, and RegulationBFA-RA, *Policysetting*, the term “policy” refers to only those principles identified as policy in the *Policies and Regulations Handbook*.

2. Policy development

- a) A committee of the Board of Education, whose initial membership shall be designated by the president for staggered three-year terms with new members and the chair chosen annually at the Board’s December meeting, reviews and presents policy drafts to the full Board for adoption.
- b) The superintendent and/or Board of Education recognizes the need for a policy, or significant revisions to an existing policy, and how the need relates to Board governance including its mission, goals, and objectives.
- c) The committee and the superintendent or the superintendent's designee and appropriate staff meet to develop a draft policy. The draft policy shall take into account as appropriate:
 - (1) Other policies of the Board of Education and of other governmental agencies
 - (2) Federal, state, and local laws and regulations
 - (3) Court decisions and other legal limits or conditions
 - (4) Cost implications
 - (5) Effect on school system operation
 - (6) Impact on those affected by the policy
 - (7) National, state, and local literature and research

- (8) Similar policies adopted by other school systems
- d) The committee and appropriate staff present the proposed policy item to the Board for discussion and tentative action.
- e) The policy item will be accompanied by a resolution that:
 - (1) Indicates the policy will lie on the table until at least the next regularly scheduled Board business meeting before being voted upon as final action (If there is an emergency, this provision may be waived without notice if all members are present and there is unanimous agreement.)
 - (2) Provides opportunity for citizen and staff comment
 - (3) Provides opportunity for public hearing (if the Board desires)
 - (4) Provides opportunity for the superintendent to provide advice and recommendations
- f) The Board will adopt a policy with a standard format that will include as appropriate:
 - (1) A statement of the purpose of the policy
 - (2) A description of the problem or issue that the policy addresses and purports to resolve
 - (3) A statement of the policy position or positions adopted by the Board, including a brief statement of the reasons and/or justification for these positions as appropriate
 - (4) A statement of the results or outcomes desired
 - (5) The strategies to be used in guiding the implementation of the policy
 - (6) Specification of when reports are to be made to the Board of Education and the public on implementation and effectiveness, results achieved, and next steps. The frequency of reports will be specified by the Board of Education and may depend on such factors as high public interest, legal mandates, and the

experimental/innovative nature of the activity

3. Policy Implementation

After adoption, the superintendent will follow up with:

- a) Regulations for implementation, if appropriate
- b) Publication of policy and regulation in the Handbook and distribution to affected parties
- c) Continuous monitoring of the policy and implementation and reporting to the Board as required under Section F, Review and Reporting

D. DESIRED OUTCOME

Policies that are well researched and analyzed prior to adoption or amendment and monitored by staff with results reported to the Board subsequent to adoption.

E. IMPLEMENTATION STRATEGIES

1. The superintendent will develop a process for implementing this policy that will include coordination of policy research and development, presentation to the Board, implementing regulations, monitoring reports, and maintaining the process.
2. All regulations developed in support of Board adopted policies shall be sent to the Board as items of information.

F. REVIEW AND REPORTING

1. The committee shall be apprised of the up-to-date status of the review process, including the number of policies that were reviewed, revised, and rescinded on an on-going basis.
2. The superintendent will review policies on an ongoing basis in accordance with established practices for prioritizing policy matters, but the Board may call for review of any policy at its discretion. In the event the Board directs that a new or revised policy be developed, it may establish a timeline for the committee to bring a draft policy to the full Board for its consideration.
 - a) When the review results in recommended content changes to the policy

including rescinding the policy, the process for policy formulation described above will be followed.

- b) Until such time as all policies are in the appropriate format, and the review reveals that no substantive changes are recommended, the policy will be reformatted and reprinted and will be forwarded to the Board as an item of information. Any member of the Board may identify any of these policies for further review as needed.

**Mr. Sanghvi rejoined the meeting.

RESOLUTION NO. 159-05 Re: **BOUNDARY RECOMMENDATIONS FOR CLARKSBURG/DAMASCUS ELEMENTARY SCHOOL #7**

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

WHEREAS, In December 2004, the superintendent convened a Boundary Advisory Committee, comprising representatives from Cedar Grove and Clarksburg elementary schools and the cluster coordinator of the Damascus Cluster; and

WHEREAS, The Boundary Advisory Committee met in December 2004, and January 2005, and submitted a report to the superintendent on January 28, 2005, with committee member option evaluations and Parent-Teacher Association position papers of seven boundary options; and

WHEREAS, The superintendent reviewed and carefully considered the Boundary Advisory Committee's report, Parent-Teacher Association position papers, and feedback from the community at-large and on February 11, 2005, presented a recommendation for elementary school boundary changes for consideration by the Board of Education; and

WHEREAS, On February 23, 2005, the Board of Education conducted a work session to consider the superintendent's recommendation for boundary changes and adopted no alternatives; and

WHEREAS, The Board of Education conducted a public hearing on March 8, 2005, in accordance with the Board of Education Policy FAA, *Long-range Educational Facilities Planning*, on the superintendent's recommendation; now therefore be it

Resolved, That, effective August 2006, the boundaries for Clarksburg/Damascus Elementary School #7 reflect the following reassignments:

- Reassign from Clarksburg Elementary School to Clarksburg/Damascus Elementary School #7 all communities east of Route 355 (Zones C3, C4, C5, C6, C7, C8, C9, C10, C11, C12), with the following exceptions:
 - T Retain in Clarksburg Elementary School the portion of the Greenridge Estates community, east of Route 355, that currently attends Clarksburg Elementary School (Zone C13).
 - T Retain in Clarksburg Elementary School the area between Route 355 and Little Bennett Regional Park (Zone C23).
- Retain the current Cedar Grove Elementary School service area.

and be it further

Resolved, That the boundary changes be phased in, beginning with Grade K–4 students, in August 2006.

**Mr. Abrams rejoined the meeting.

Re: MIDDLE SCHOOL PROGRAM REVIEW

Dr. Weast invited the following people to the table: Mr. Dale Fulton, associate superintendent, Office of Curriculum and Instructional Programs; Mr. Donald Kress, chief school performance officer, Office of School Performance; and Ms. Linda Ferrell, acting director, Middle School Instruction and Achievement.

The presentation was to update the Board of Education on the results of the Middle School Program Review. In March 2004, Montgomery County Public Schools (MCPS) contracted MGT of America, Inc., to assess the current status of county middle schools. An audit, or program review, of all 36 schools was conducted over the past 11 months. This presentation outlines the findings, commendations, and recommendations contained in the report, and includes preliminary action steps required to continue the improvement of middle schools in a comprehensive and systematic manner, including improvements outlined in the Board of Education's FY 2006 Operating Budget request.

The program review produced a series of commendations and recommendations identifying strengths and opportunities for improvements at the school level, as well as at the system level, to address improved middle school instruction, curriculum, and student achievement. MGT organized these commendations and recommendations into the following five categories:

1. Rigorous and Challenging Curriculum
2. Effective Staff and Professional Development
3. Student-focused School Structure and Organization
4. Collaboration and Community Partnerships
5. Technology

MGT identified 14 commendations and 32 recommendations in the final report. Key commendations include the observation that the MCPS standards-based curriculum is aligned with the Voluntary State Curriculum and that the county has a standards-based grading and reporting system. Also of note, the audit found a high percentage of Grade 8 students enrolling in and passing Algebra 1 and Honors Geometry and a broad range of exemplary accelerated programs. MGT recognized the Board and the superintendent for their support of middle schools. Additional commendations include the array of programs that solicit parental and community involvement, as well as effective communication tools, including the *Middle School Brochure* and the MCPS Web site.

Although MCPS is proud of these commendations, staff recognizes that student achievement remains inconsistent among the 36 middle schools. Additionally, staff recognizes that the achievement gap by race and ethnicity, which is narrowing as a result of the *Early Success Performance Plan*, persists in the middle schools, and that minority students continue to be underrepresented in accelerated programs and courses. Clearly, MCPS has additional work to do to address these issues.

Thirty-two recommendations were identified in the program review, centering on the following common threads:

- ! Standard processes to ensure systemwide consistency in the implementation of curriculum and programs, monitoring of instructional practices, and accountability for student and school performance
- ! Focused supports and services to ensure middle school students meet or exceed proficiency standards
- ! Focused supports and services for middle school staff to ensure effective teaching and learning
- ! Examination of middle school schedules, course offerings, and program/course access

In anticipation of the Middle School Program Review results, the 2006 Operating Budget contains the following initiatives focused on middle schools:

- < Expand the extended-day program to 19 days at all middle schools and increase student participation
- < Purchase textbooks for English 6, Science Grade 8, and Fundamental Life Skills for students with disabilities
- < Provide additional reading intervention programs including Read 180 and Corrective Reading
- < Expand the middle school assessment program to include Measure of Academic Progress—Reading and the Stanford Diagnostic Reading Test—Fourth Edition
- < Expand the Middle Years International Baccalaureate Program to additional middle schools
- < Implement the Grade 8 center program at Roberto Clemente Middle School
- < Reduce oversize middle school classes
- < Implement the long-range SAT success plan beginning in middle school
- < Roll out the Instructional Management System in middle school
- < Provide mandatory training for middle school reading teachers
- < Expand the Collaborative Action Program to reduce the disproportionate representation of African American students in special education and provide more access for students with disabilities to the Least Restrictive Environment

Re: **DISCUSSION**

Mrs. O'Neill thanked the middle school principals for attending the meeting, and she appreciated their dedication to children. Since there will be changes in the middle school program, she thanked them for their hard work now and in the future.

Dr. Haughey said he was looking for a catapult that was ready to move MCPS forward, but MGT took what MCPS knew and sketched out a starting line. He regretted that there was not more momentum and that MGT passed the ball back to MCPS. He was concerned about ways to identify the most successful programs since there is varying performance across schools that does not relate to principals, facilities, or students. Dr. Haughey remarked that

he shared an interest in moving forward to provide resources for staff to work together. However, he did not know where to establish a readiness point. Based on the testimony on gifted and talented programs, he noted that people are not happy because they feel that their students suffer if they are not in gifted programs since middle school programs are not rigorous.

Ms. Ervin noted that MGT told MCPS about measurements in the aggregate, which did not give the school system much information. She asked about the integration of technology into instruction, as the report does not state where and how this is occurring. The report told MCPS what it knew and provided a starting point. Mr. Fulton thought that the findings and discussion were more powerful than the recommendations. The technology use focused on teachers and not students. However, in MCPS all students by the end of Grade 8 must be technological literate.

Ms. Ervin thought that vertical articulation was missing from the report. Ms. Ferrell said that MGT focused on middle school staff, administrators, and parent groups. Therefore, the report cannot be the sole source of how MCPS implements an action plan. Parents were concerned about whether MCPS was going to address items that were not in the report, and MCPS recognizes the need to follow through with the strategic plan and vertical articulation.

Ms. Ervin offered her list of questions for staff response in the future. Also, she wanted to know how MCPS goes into the community and talks about middle school reform. Mr. Fulton stated that staff is pointing out to parents and the community that reform efforts are not based on one document, but the report must be shared with them.

Mr. Romero wanted to know if the report was the result of how MCPS asked the question. MCPS was very specific in its request to MGT, asking for analysis and recommendations. Dr. Weast agreed that MGT did exactly what MCPS requested.

Mrs. O'Neill mentioned the math audit and said there was more concrete information in that report on which to base reform. She stated that she participated in an interview with MGT, and middle school instruction is not consistent in Montgomery County. The report is a good place to start the discussion.

Ms. Cox said she had the same feeling as other Board members about the report. She expected the recommendations to include suggestions on how to make improvements instead of stating "you should improve." The report does not give the school system the immediate ability to move forward. She agreed with Dr. Weast that they should maintain alignment with the early childhood reform. Ms. Cox asked if there would be a timeline on the implementation of reform. Ms. Ferrell explained that there will be feedback from the focus group. Then, staff will develop an action plan in April – June. When staff starts to develop the outlines, there will be more specific information to report to the Board. Dr. Weast said there is a need to quickly

put together an action plan that will take less than two years. The demand is there, the students deserve it, and the parents want it.

Mr. Abrams observed that MCPS has no more than three years to get into all middle schools a rigorous program to accommodate the early childhood reform. Each school will need to have the same capacity whether there are uniform or cross-cut programs. He asked if there was any reason to continue middle school gifted and talented programs. He thought MCPS could expect middle schools to follow the elementary school model. Therefore, there would be no need to create points of transportation or to go elsewhere to get rigor. Training could occur by using the best practices of master teachers within a school. The role of consulting teachers could be transformed by implanting into middle school faculties teachers with that experience. Dr. Weast responded that there will always be a need to differentiate instruction – some students need acceleration while others need remediation. The ideal is to build scaffolding for both kinds of students.

Ms. Ervin stated that she was in agreement with Mr. Abrams because when children are identified in second grade as gifted, there is a zero sum gain. She was intrigued by Mr. Abrams' thoughts since parents of African-American applicants to magnets said there is a need to provide that kind of education for more children.

Ms. Cox remarked that there would not be so many people clamoring for a gifted programs if there was more rigor within the school program. There is a need to provide a menu of options across a wide range of skill and ability levels within an age range.

Mr. Abrams noted that the highly gifted identification is more of an elementary school function. The middle school identification tends to be open to a broader applicant base. Ms. Cox stated that there have been replicated programs at the high school level, but there is still a need to raise the level of rigor.

Mr. Abrams noted that middle school programs focused on self esteem rather than academic rigor. Those pursuing rigor gravitated towards middle school magnets. He suggested that the Middle Years program compares with magnet programs since there is the same parent/student satisfaction. To accommodate students who are better prepared to meet rigor, the demand will explode in all middle schools.

Mr. Sanghvi remarked that there is not a huge problem in high school with magnets because there is honors and Advanced Placement which are selected by students. The solution is to have the same in the middle school. Even if a student is identified as gifted in elementary school, there needs to be an opportunity to take more rigorous courses. Furthermore, he thought communication between teachers and students is a problem. If a student is willing to work and show level of rigor, the student should be given the opportunity.

Mr. Romero reported that he had heard from parents about the difficulty of transition in middle school. Three years is a short period in a critical time in a young person's life. The school system needs to take child development into account and the need for children to bond to teachers. Dr. Weast agreed that has been a problem – socialization versus rigor. However, students must be able to do rigorous work in high school.

Mr. Romero pointed out that middle school students feel that their work does not count and that they do not need to put their full effort into the work. Dr. Weast responded that there must be a way to get their attention.

Mrs. Navarro thought the report presented a vague picture of middle schools in MCPS. As a Board member, she was eager to react to other factors and to identify clearly the plan for the next two/three years. She felt the sense of urgency because MCPS has to implement middle school reform. She wanted a presentation to the Board very soon on the next steps developed by staff.

Re: BOARD/SUPERINTENDENT COMMENTS

Mrs. Navarro reported that she attended a conference at White Oak Middle School, and it was wonderful collaboration throughout the school community.

Mr. Abrams requested a copy of the draft curriculum on international terrorism. He thought it was important for the school system to look at contemporary topics and be mindful of situations that can occur.

Mr. Romero reported that the Communications and Public Engagement Committee was working on the operations of the Board staff.

Dr. Haughey commented that he represented the Board at the Montgomery County Historical Society's competition, and he was impressed by the quality of students' work.

Ms. Ervin congratulated Nadia Sicard, a junior at John F. Kennedy High School, and Sebastian Johnson, a junior at Montgomery Blair High School, the finalists for the student member of the Board (SMOB) chosen from a field of seven candidates.

Mr. Sanghvi reported that the SMOB election will be on April 27, 2005. He reported on the SGA renovations of the bathrooms at his high school, Col. Zadok Magruder. He commented that he really appreciates the work of building service workers.

Ms. Cox reported that she participated in the American Speech and Hearing Association's discussion of national organizations on the recruitment and retention of educators in areas of persistent vacancies. Also, she attended the meeting of the Commission on Child Care,

which is interested in partnering with MCPS on issues.

Dr. Weast commented that MCPS has been named the winner of the state's most prestigious honor for organizational performance excellence — the U.S. Senate Productivity Award. Senator Paul Sarbanes announced the award during a ceremony on March 14 at the Johns Hopkins Applied Physics Laboratory in Laurel, Maryland. The award is given to the organization or business in the state that best exemplifies the Malcolm Baldrige Criteria for Performance Excellence, a management philosophy that focuses on continuous improvement.

This award is a well-deserved honor for the women and men of MCPS who have helped the school system achieve so much and who wake up every day dedicated to making a great school system even better. Baldrige helps everybody understand that you can get better over time, that you can grow and learn from mistakes, and that if you stay focused, you can achieve great things.

Dr. Weast congratulated Nancy Hebdon, a mathematics teacher at Paint Branch High School, who is this year's winner of the Agnes Meyer Outstanding Teacher Award from *The Washington Post*. The prestigious award is presented annually to one teacher from each Washington metropolitan area school district.

Dr. Weast also congratulated Walt Whitman High School, the state 3A/4A champions in wrestling. In addition, seven MCPS students won individual state championships in wrestling. Seven students won individual state championships in indoor track, and the John F. Kennedy High School girls' relay team came in first in the state.

RESOLUTION NO. 160-05 Re: CLOSED SESSION RESOLUTION

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

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, April 12, 2005, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:00 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. 161-05 Re: **REPORT OF CLOSED SESSION**

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

On March 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 March 8, 2005, from 9:15 to 9:50 a.m. and 12:30 to 1:30 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*): 2005-2 and 2005-3.
2. Discussed the Human Resources Monthly Report with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. 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*.
4. Received legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
5. 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, Patrick Clancy, 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, and Jerry Weast.

RESOLUTION NO. 162-05 Re: **APPEAL 2005-2**

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2005-2, student discipline, 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 affirm.

RESOLUTION NO. 163-05 Re: **APPEAL 2005-3**

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2005-3, Complaint from the Public, 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.

RESOLUTION NO. 164-05 Re: **NAMING OF QUINCE ORCHARD MIDDLE SCHOOL #2**

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

WHEREAS, The superintendent of schools has advised the Board of Education that he has asked the newly designated principal of Quince Orchard M.S. #2 to begin the process for recommending to the Board a permanent name for the school; and

WHEREAS, Policy FFA (*Naming School Facilities*) 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 Quince Orchard M.S. #2 for consideration by the school naming committee:

OTIS BEALL KENT
LAKELANDS PARK
ROSCOE NIX

Re: **NEW BUSINESS**

There was no new business.

RESOLUTION NO. 165-05 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of March 21, 2005, at 11:00 p.m.

PRESIDENT

JDW:gr

SECRETARY

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET
March 21, 2005**

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