

APPROVED
1-2006

Rockville, Maryland
January 10, 2006

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, January 10, 2006, at 10:05 a.m.

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

Absent: None

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

RESOLUTION NO. 1-06 Re: **RESOLUTION FOR CLOSED SESSIONS**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, 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 January 10, 2006, in Room 120 from 9:00 to 10:00 a.m., 12:00 to 1:30 p.m., and 4:15 to 6:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County

1. Discuss the Human Resources Monthly Report, as permitted under Section 10-508(a)(1) of the *State Government Article*
2. 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*
3. 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 January 10, 2006, 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 the meeting continue in closed session until the completion of business.

RESOLUTION NO. 2-06 Re: **AN AMENDMENT TO THE AGENDA**

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

Resolved, That the Board of Education amend the agenda to add Item 11.6 – Appointment to Citizens Advisory Committee for Family Life and Human Development.

RESOLUTION NO. 3-06 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its amended agenda for January 10, 2006.

RESOLUTION NO. 4-06 Re: **AFRICAN AMERICAN HISTORY MONTH**

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

WHEREAS, In 1926, Dr. Carter G. Woodson—educator, author, and founder/director of the Association for the Study of Negro Life and History—initiated Negro History Week in order to increase awareness about Negro History in American communities and schools; and

WHEREAS, In 1976, Negro History Week was extended to one month and proclaimed a national celebration by The United States Congress; and today, African American History Month garners support throughout the country among people of all ethnic and social backgrounds; and

WHEREAS, African Americans have been an integral part of our history from the inception of our nation, and their participation and contributions are studied and celebrated year-round as part of the Montgomery County Public Schools curriculum; and

WHEREAS, African Americans currently represent 22.8 percent of the overall enrollment of the Montgomery County Public Schools; and

WHEREAS, Historically, high expectations for academic excellence have been a tradition within the African American community; and

WHEREAS, Montgomery County Public Schools, in the second phase of its observance of the 50th Anniversary of *Brown v. Board of Education*, entitled "Brown and Beyond," will continue to strive to raise the bar of academic achievement and close the gap in academic performance among all ethnic groups; now therefore be it

Resolved, That the Board of Education and superintendent of schools hereby declare the month of February 2006 to be "African American History Month"; and be it further

Resolved, That the Board of Education and superintendent of schools encourage the staff, students, parents, and community to actively honor the contributions of African Americans in Montgomery County, the state, and the nation, and enhance awareness of the impact of attitudes and expectations on the achievement of African American students.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Name</u>	<u>Topic</u>
1.	Kermit Burnett	Naming of NEC #16
2.	Deepa Chopra	Extraordinary School Assignment
3.	Eric Rosenzweig	Naming of NEC #16
4.	Debbie Murphy	Extraordinary School Assignment
5.	Mark Adelman	Potential Reuse of Carver
6.	Molly DiPippo	Extraordinary School Assignment Request Process
7.	Shannon Arnold	Extraordinary School Assignment
8.	Manish Oza	Hampshire Green Boundary
9.	Molly Pirrung	Naming of NEC #16
10.	Steve Szot	Extraordinary School Assignment
11.	Ruth Jacobs	Revised Curriculum
12.	Darnell Daisey	Extraordinary School Assignment
13.	Arly-lian Costa	AP Grade Weighting
14.	Joe Lynott	Seven Locks

Ms. Cox asked staff to respond to the testimony on weighting AP grades.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented on raising achievement for all students. The percentage of students in the Class of 2005 with SAT scores of 1100 or higher has steadily increased for all student groups. There is still a need to break institutional barriers to achieve access,

equity, quality, and support. Now that the pathway to success has been established, there is a need to have more children on that pathway.

Ms. Ervin asked for the actual number rather than percentages of students taking the SAT and the average school scores. Regarding student achievement, Ms. Cox was interested in knowing about the equity of resources, such as schools with similar profiles, outcomes, and supports provided to each.

Mrs. O'Neill expressed sadness on the passing of Gail Holder who served the Board for many years as an office assistant. Furthermore, Roz Phillips, who serves the Board as an administrative secretary, is on long-term medical leave. The staff in the office helps Board members in many ways to keep them on task.

Mr. Johnson thanked the superintendent and staff for their report on the rigor in the system and the gains made in African-American and Hispanic achievement. He has expanded his school visits and does seminars on academic equity in public and private schools.

**Re: TENTATIVE ACTION ON POLICY JEB – EARLY
ENTRANCE INTO KINDERGARTEN**

On motion of the Policy Committee, the following resolution was placed on the table:

WHEREAS, On October 24, 2005, the Board of Education took tentative action to adopt Policy JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade*, and released it for public comment; and

WHEREAS, Subsequent to the tentative adoption and release for public comment of Policy JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade*, the Maryland State Department of Education provided additional guidance for setting requirements for early entrance to prekindergarten, kindergarten, and first grade; and

WHEREAS, The committee has recommended that the tentatively adopted draft Policy of JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade*, be revised for consistency with the guidance provided by the state; and

WHEREAS, The committee considers the revisions to be substantial and, hence, desires additional public review and comment; now, therefore be it

Resolved, That the Board of Education tentatively adopt Policy JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade* as revised; and be it further

Resolved, That Policy JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade* be sent out for further public comment, with final action intended for the March 14, 2006, Board of Education meeting, prior to the commencement of kindergarten orientation.

Early Entrance to Prekindergarten, Kindergarten, and First Grade

A. PURPOSE

To ensure that the early years of a student's education provide the solid foundation critical to ongoing academic success. Since the first years are so essential to a successful long-term educational experience, every effort is made to ensure that students entering pre-kindergarten, kindergarten, and first grade are ready to learn and be successful. Balancing current understanding of the long-term effects of early education with the unique needs of each student requires careful consideration. The Board of Education, in accordance with state regulation, holds that generally students are best served when they enter school at the ages research has indicated are most conducive to long-term success. However, this policy and state regulation have prescribed the consideration of the individual needs of students for early entrance.

B. ISSUES

The decision regarding early entrance to prekindergarten, kindergarten, and first grade requires careful consideration of all factors. The academic, social, and emotional readiness, as well as the student's physical development and well-being, must be weighed and institutional factors may also be considered. Sound decision making in the area of early entrance to prekindergarten, kindergarten, and first grade is dependent upon reliable information regarding a student's readiness and a thoughtful balancing of the myriad of factors implicated by the decision.

C. POSITION

It is the presumption of the Board of Education that students will enter prekindergarten, kindergarten, and first grade at the ages prescribed by state regulation. The Board of Education understands that students whose birth date closely misses the cut-off date for school attendance may have educational needs or demonstrated capabilities that warrant early admission to prekindergarten, kindergarten, or first grade.

1. Students from income-eligible families seeking early entrance into prekindergarten must demonstrate a need for early education, as identified by their readiness levels in developmental areas, warranting admission.
2. Students seeking early entrance to kindergarten must demonstrate capabilities warranting early admission.

3. Students seeking early entrance to first grade must demonstrate capabilities warranting early admission.
4. Decisions regarding early entrance must include consideration of the above regardless of race, color, gender, religion, ancestry, national origin, marital status, age, disability, or sexual orientation of children and/or their families. Institutional factors, such as capacity, may also be considered.

D. IMPLEMENTATION STRATEGIES

1. The superintendent will develop regulations for implementing this policy that will include a screening process for students whose birth date occurs within a six-week period beyond the state's prescribed admission date, as well as procedures for appealing decisions arising out of such screening.
2. All regulations developed in support of Board of Education adopted policies shall be sent to the Board as items of information.

E. Review and Reporting

This policy will be reviewed in accordance with the Board of Education policy review process.

Re: **AN AMENDMENT TO THE TENTATIVE ACTION
ON POLICY JEB – EARLY ENTRANCE INTO
KINDERGARTEN**

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

Resolved, That the Board of Education amend the policy at D.1. to read:

The superintendent will develop regulations for implementing this policy that will include a screening process for students whose birth date occurs within a ~~six~~ sixteen-week period beyond the state's prescribed admission date, as well as procedures for appealing decisions arising out of such screening, **provided that the applicant bears the burden of demonstrating the child's academic, emotional, and social readiness; and provided further that evidence must be compelling for those applicants whose birth dates occur within seventh through sixteenth week beyond the state's admission date.**

RESOLUTION NO. 5-06

Re: **TENTATIVE ACTION ON POLICY JEB – EARLY ENTRANCE INTO KINDERGARTEN**

On motion of the Policy Committee, the following resolution was adopted with Ms. Cox, Ms. Ervin, Dr. Haughey, Mr. Johnson, Mrs. Navarro, Mrs. O'Neill, and Mr. Romero voting in the affirmative; Mr. Abrams voting in the negative:

WHEREAS, On October 24, 2005, the Board of Education took tentative action to adopt Policy JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade*, and released it for public comment; and

WHEREAS, Subsequent to the tentative adoption and release for public comment of Policy JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade*, the Maryland State Department of Education provided additional guidance for setting requirements for early entrance to prekindergarten, kindergarten, and first grade; and

WHEREAS, The committee has recommended that the tentatively adopted draft Policy of JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade*, be revised for consistency with the guidance provided by the state; and

WHEREAS, The committee considers the revisions to be substantial and, hence, desires additional public review and comment; now, therefore be it

Resolved, That the Board of Education tentatively adopt Policy JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade* as revised; and be it further

Resolved, That Policy JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade* be sent out for further public comment, with final action intended for the March 14, 2006, Board of Education meeting, prior to the commencement of kindergarten orientation.

Early Entrance to Prekindergarten, Kindergarten, and First Grade

A. PURPOSE

To ensure that the early years of a student's education provide the solid foundation critical to ongoing academic success. Since the first years are so essential to a successful long-term educational experience, every effort is made to ensure that students entering pre-kindergarten, kindergarten, and first grade are ready to learn and be successful. Balancing current understanding of the long-term effects of early education with the unique needs of each student requires careful consideration. The Board of Education, in accordance with state regulation, holds that generally students are best served when they enter school at the ages research has indicated are most conducive to long-term success. However, this policy and state regulation

have prescribed the consideration of the individual needs of students for early entrance .

B. ISSUES

The decision regarding early entrance to prekindergarten, kindergarten, and first grade requires careful consideration of all factors. The academic, social, and emotional readiness, as well as the student's physical development and well-being, must be weighed and institutional factors may also be considered. Sound decision making in the area of early entrance to prekindergarten, kindergarten, and first grade is dependent upon reliable information regarding a student's readiness and a thoughtful balancing of the myriad of factors implicated by the decision.

C. POSITION

It is the presumption of the Board of Education that students will enter prekindergarten, kindergarten, and first grade at the ages prescribed by state regulation. The Board of Education understands that students whose birth date closely misses the cut-off date for school attendance may have educational needs or demonstrated capabilities that warrant early admission to prekindergarten, kindergarten, or first grade.

1. Students from income-eligible families seeking early entrance into prekindergarten must demonstrate a need for early education, as identified by their readiness levels in developmental areas, warranting admission.
2. Students seeking early entrance to kindergarten must demonstrate capabilities warranting early admission.
3. Students seeking early entrance to first grade must demonstrate capabilities warranting early admission.
4. Decisions regarding early entrance must include consideration of the above regardless of race, color, gender, religion, ancestry, national origin, marital status, age, disability, or sexual orientation of children and/or their families. Institutional factors, such as capacity, may also be considered.

D. IMPLEMENTATION STRATEGIES

1. The superintendent will develop regulations for implementing this policy that will include a screening process for students whose birth date occurs within a six-week period beyond the state's prescribed admission date, as well as procedures for appealing decisions arising out of such screening.

- 2. All regulations developed in support of Board of Education adopted policies shall be sent to the Board as items of information.

E. Review and Reporting

This policy will be reviewed in accordance with the Board of Education policy review process.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session from 12:40 to 2:05 p.m.

RESOLUTION NO. 6-06

Re: **CONTRACTS OF \$25,000 OR MORE**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted unanimously:#

WHEREAS, Funds have been budgeted for the purchase of equipment, supplies, and contractual services; now therefore be it

Resolved, That having been duly advertised, the following contracts be awarded to the low bidders meeting specifications as shown below:

DBM Local Access—Extension
9708

<u>Awardees</u>	
Arch Wireless	\$ 4,800
Cingular Wireless	195,257
Nextel Communications	393,422
Verizon, Maryland, Inc.	<u>147,000</u>
Total	\$ 740,479

1027 Long Distance Service—Extension

<u>Awardee</u>	
Verizon, Maryland, Inc.	\$ 47,000

1144.2 Process Grade 2 TerraNova Second Edition

<u>Awardee</u>	
Standardized Test Scoring Company*	\$ 32,264

2004- Local Telephone Service—Extension
296723/

299078	<u>Awardee</u> Verizon, Maryland, Inc.	\$1,809,990
4004.5	Woodwind and Brass Instrument Repairs	
	<u>Awardees</u> (See note)	
	Blue House Music	
	L & L Music—Wind Shop	
	Total	\$ 35,000
7075.3	Automotive Shop Equipment Repair, Service and Parts—Extension	
	<u>Awardees</u> (See note)	
	Auto Hydraulics	
	Automotive Resources	
	Sefac, Inc.	
	The Myco Companies	
	Total	\$ 65,000
7078.3	Paperback and Pre-bound Paperback Books—Extension	
	<u>Awardee</u>	
	Perfection Learning	\$ 350,000
7084.2	Information Technology Support and Integration Services	
	<u>Awardees</u> (See note)	
	Computer Technology Services, Inc.*	
	Data Networks, Inc.	
	Ease Technologies, Inc.	
	Net Results, Inc.	
	Total	\$ 600,000
7087.2	Broadcast Video Tapes—Extension	
	<u>Awardees</u>	
	Burlington Audio Tapes, Inc.*	\$ 23,950
	Century Magnetics, Inc.*	<u>6,698</u>
	Total	\$ 30,648
7113.2	Bus Wash Chemicals—Extension	

Awardee

The Myco Companies	\$ 31,200
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7158.1 Fuel Site Maintenance and Repair—Extension

Awardee

L.A. Fritter and Son, Inc.*	\$ 75,000
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9170.3 Portable Classroom HVAC Replacements**

Awardee

Adrian L. Merton, Inc.	\$ 56,375
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TOTAL PROCUREMENT CONTRACTS OF \$25,000 OR MORE	\$3,872,956
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* Denotes Minority-, Female-, or Disabled-owned Business

** Planned Life-cycle Asset Replacement Bid (PLAR)

RESOLUTION NO. 7-06

Re: **AWARD OF CONTRACTS – PARKLAND MIDDLE SCHOOL MODERNIZATION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted unanimously:#

WHEREAS, On July 6, 2005, the Board of Education authorized staff to utilize a construction management process for the Parkland Middle School modernization project and awarded a contract for preconstruction services to Oak Contracting Corporation; and

WHEREAS, The following low bids were received for subcontract work on December 15, 2005, for the specified trades:

<u>Low Bids</u>	<u>Amounts</u>
Concrete: Dance Brothers, Inc.	\$1,369,200
Masonry: KaRon Masonry, Inc.	2,235,000
Steel: S. A. Halac Iron Works, Inc.	1,982,500
Carpentry and Miscellaneous: Hancock & Albanese, Inc.	1,453,900
Mechanical: Towson Mechanical, Inc.	5,142,200
Electrical: Mills Russell, Inc.	2,648,000

and

WHEREAS, The Minority Business Enterprise participation will be reported at the completion of all bid activity for this project; and

WHEREAS, The low bidders have completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That contracts be awarded to the above-mentioned contractors for the amounts listed for the Parkland Middle School modernization project, in accordance with drawings and specifications prepared by Moseley Architects, P.C.

RESOLUTION NO. 8-06 Re: **AWARD OF CONTRACTS – RICHARD MONTGOMERY HIGH SCHOOL**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted unanimously:#

WHEREAS, On August 25, 2005, the Board of Education awarded a contract to Bovis Lend Lease (BLL) Incorporated to provide general conditions and construction management services for the Richard Montgomery High School replacement facility; and

WHEREAS, The following low bids were received on December 21, 2005, for the specified trades:

<u>Low Bids</u>	<u>Amounts</u>
Paving: AccuBid Excavation, Inc.	\$1,972,000
Casework: Steel Products, Inc.	1,456,789
Fire Protection: Fire-Mak, Inc.	981,000
Energy Management System: Engineered Services, Inc.	489,600

and

WHEREAS, The Minority Business Enterprise participation will be reported at the completion of all bid activity for this project; and

WHEREAS, The low bidders have completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That contracts be awarded to the above-mentioned contractors for the amounts listed for the Richard Montgomery High School replacement facility, in accordance with drawings and specifications prepared by SHW Group, LLP.

RESOLUTION NO. 9-06

Re: **AWARD OF CONTRACT – SEVEN LOCKS
ELEMENTARY SCHOOL REPLACEMENT**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted unanimously:#

WHEREAS, As part of the final action on the FY 2006 Capital Budget, the County Council reserved funds for a 20-percent increase in scheduled expenditures for FY 2006 due to rapidly rising construction prices in the Washington Metropolitan Area; and

WHEREAS, Bids have been received for all of the projects in the FY 2006 Capital Budget, with the exception of the first phase of the Walter Johnson High School modernization project which will be bid in March 2006; and

WHEREAS, Based on the bids received for the FY 2006 projects, the aggregate increase in the funds needed to complete these projects is within the overall 20-percent increase in expenditures established by the County Council; and

WHEREAS, Special appropriations have been requested as needed for the individual FY 2006 projects; and

WHEREAS, The following low bids were received on December 19, 2005, for the Seven Locks Elementary School replacement project:

<u>Bidder</u>	<u>Amount</u>
Henley Construction Company, Inc.	\$15,978,300
Dustin Construction, Inc.	16,071,500
Tuckman-Barbee Construction Company, Inc.	16,793,000
William F. Klingensmith, Inc.	17,351,444

and

WHEREAS, The low bidder, Henley Construction Company, Inc., has not met the 25-percent goal for Minority Business Enterprise participation and has submitted a waiver request; and

WHEREAS, Staff is working with Henley Construction Company, Inc., to increase minority participation on the project and recommends that the Board delay approval of a waiver for not meeting the goal; and

WHEREAS, Henley Construction Company, Inc., has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, The low bid exceeds the funds budgeted because of rising construction prices that were not anticipated when the FY 2005–2010 Capital Improvements Program was developed in the fall of 2003; and

WHEREAS, The County Council, as part of the FY 2006 Capital Budget approval process, recognized that construction prices have increased and allocated funds in the Capital Reserve to cover overages for school projects scheduled to start construction in FY 2006; now therefore be it

Resolved, That a \$15,978,300 contract be awarded to Henley Construction Company, Inc., for the Seven Locks Elementary School replacement project, in accordance with drawings and specifications prepared by Walton, Madden, Cooper, Robinson, Poness, Inc., and contingent upon County Council approval of a special appropriation; and be it further

Resolved, That an FY 2006 Capital Budget special appropriation be requested in the amount of \$3,300,000 to cover higher construction prices for the Seven Locks Elementary School replacement project; and be it further

Resolved, That the county executive be requested to recommend approval of the special appropriation to the County Council.

RESOLUTION NO. 10-06 Re: **CHANGE ORDER EXCEEDING \$100,000 –
DOWNCOUNTY CONSORTIUM ELEMENTARY
SCHOOL #16**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted unanimously:#

WHEREAS, During design for the Downcounty Consortium Elementary School #16 (Brookview) project, soils testing indicated there was subsurface rock throughout the site; and

WHEREAS, Since the exact amount of rock that would have to be removed could not be quantified until work on the site and building foundations was started, the construction documents were bid with unit prices for rock removal, and contingency funds for rock excavation were included in the project budget; and

WHEREAS, The site work is under way, and the contractor has had to remove rock to install portions of the stormwater management system; and

WHEREAS, On December 13, 2005, the Board of Education approved a change order to the contract with Roy Kirby & Sons, Inc., in the amount of \$191,400 for the first phase of rock removal as required for stormwater structure number one for the Downcounty Consortium Elementary School #16 project; and

WHEREAS, The contractor has submitted a cost proposal in accordance with the contract unit prices for the second phase of the rock removal for stormwater structure number two; and

WHEREAS, The project architect and construction staff have reviewed the proposal to ensure it complies with the contract reimbursement provisions; and

WHEREAS, Subsequent change orders for rock removal will be submitted as the work is needed; now therefore be it

Resolved, That the Board of Education approve a change order to the contract with Roy Kirby & Sons, Inc., in the amount of \$372,600 for removal of rock as required for stormwater structure number two for the Downcounty Consortium Elementary School #16 project.

RESOLUTION NO. 11-06

Re: **RICHARD MONTGOMERY HIGH SCHOOL –
GRANT OF STORMWATER MANAGEMENT
EASEMENT, STORMWATER MANAGEMENT
INSPECTION, AND MAINTENANCE AGREEMENT**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted unanimously:#

WHEREAS, The Mayor and Council of Rockville (City) have requested an easement for inspection and maintenance of stormwater management facilities in connection with the replacement school for Richard Montgomery High School, located at 250 Richard Montgomery Drive in Rockville; and

WHEREAS, The proposed easements, which are configured in four parcels totaling 19,694 square feet, will provide rights to the city for inspection and maintenance of an above-ground bio-retention area and three underground stormwater quality and quantity control structures to be located on the school site; and

WHEREAS, The proposed easements will not affect any land that could be used for school programming and recreational activities; and

WHEREAS, All construction will be undertaken by the Board of Education in connection with the replacement school project, with the city being granted the right to inspect and maintain; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Stormwater Management Easement, Stormwater Management Inspection, and Maintenance Agreement with the Mayor and Council of Rockville granting inspection and maintenance rights on 19,694 square feet of land at Richard Montgomery High School.

RESOLUTION NO. 12-06 Re: **TRANSFER OF FUNDS**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted unanimously:#

WHEREAS, In April 2005, a contract was awarded for the 30-classroom addition to Northwest High School; and

WHEREAS, A larger-than-normal contingency was reserved in the budget due to special project conditions; and

WHEREAS, The special conditions have been resolved and the project is proceeding on schedule; and

WHEREAS, A portion of the contingency reserve is not needed to complete the project and meet the program requirements; and

WHEREAS, Staff has recommended that the reserve not needed for the Northwest High School 30-classroom addition be transferred to the contingency reserve for the systemwide modernization program; now therefore be it

Resolved, That \$750,000 in unneeded funds be transferred from the Northwest High School addition project to the unliquidated surplus account; and be it further

Resolved, That \$750,000 be transferred from the unliquidated surplus account to the systemwide current modernization project for contingency reserves; and be it further

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

RESOLUTION NO. 13-06 Re: **UTILIZATION OF THE FY 2006 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted unanimously:#

WHEREAS, Sufficient appropriation is available, within the FY 2006 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 2006 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Positions</u>	<u>Amount</u>
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Maryland Students Online Consortium		\$ 7,250
Student Technology Literacy Consortium		625,000
Title I-Part D, Neglected and Delinquent Children		11,516
Title II-Part D, Enhancing Education through Technology		1,796
Maryland K–12 Digital Library	1.5	745,600
Title V Innovative Programs		4,334
Tech Prep		236,865
Carl D. Perkins Vocational and Applied Technology Education	1.0	114,089
Head Start		31,230
Safe Schools/Healthy Students	12.0	1,991,001
Bridge Lawn Care Agreement		15,000
Tobacco Prevention	<u>0.8</u>	<u>80,000</u>
Total	<u>15.3</u>	<u>\$ 3,863,681</u>

Positions

- 1.0 Project specialist
- 0.5 Project evaluation specialist
- 1.0 Instructional specialist
- 1.0 Project manager
- 6.0 School psychologist
- 1.0 Evaluation specialist
- 1.0 Data integration specialist
- 1.0 Counselor
- 1.0 Secretary
- 1.0 Social worker
- 0.8 Prevention specialist

and be it further

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

RESOLUTION NO. 14-06

Re: **RECOMMENDED FY 2006 SUPPLEMENTAL APPROPRIATION FOR THE INTEGRATED FINANCIAL INFORMATION SYSTEM**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. O'Neill, the following resolution was adopted unanimously:#

WHEREAS, The Board of Education on March 9, 2004, passed Resolution No. 166-04 in support of a replacement financial information system; and

WHEREAS, On April 11, 2005, staff provided information to the County Council identifying the present financial information system as a color code "Red" system, identifying it as a vulnerable critical system with a high risk of failure requiring immediate remediation actions; and

WHEREAS, A Request for Proposal for a replacement financial information system was issued on October 31, 2005, and responses were received on December 5, 2005; and

WHEREAS, Staff is prepared to begin implementation of a replacement financial information system upon completion of negotiation of contracts with the software vendor and implementation consultants; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2006 supplemental appropriation of \$8,000,000 to acquire and implement a new financial system as follows:

<u>Category</u>	<u>Amount</u>
1 Administration	<u>\$ 8,000,000</u>
Total	<u>\$ 8,000,000</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. 15-06

Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated January 10, 2006.

RESOLUTION NO. 16-06 Re: **DEATH OF STEVE M. BEATY, ASSISTANT PRINCIPAL, ASHBURTON ELEMENTARY SCHOOL**

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

WHEREAS, The death on December 11, 2005, of Steve M. Beaty, assistant principal from Ashburton Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the ten years that Mr. Beaty worked for Montgomery County Public Schools, he was recognized as being a thorough and efficient assistant principal and his sense of humor created positive interactions with those around him; and

WHEREAS, Mr. Beaty had earned the respect of his staff and students through his intense dedication to his job through his leadership, communication, and organizational skills to improve the operation of the school; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Steve M. Beaty and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mr. Beaty's family.

RESOLUTION NO. 17-06 Re: **DEATH OF KEVIN L. MCLEAN, ASSISTANT PRINCIPAL, COL. ZADOK MAGRUDER HIGH SCHOOL**

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

WHEREAS, The death on December 8, 2005, of Kevin L. McLean, assistant principal from Board of Education; and

WHEREAS, In the more than six years that Mr. McLean worked for Montgomery County Public Schools, he was recognized as an outstanding teacher, student support specialist, and most recently assistant principal with Col. Zadok Magruder High School; and

WHEREAS, Mr. McLean was committed to his students as he helped move the school

forward by modeling the school's philosophy of promoting its core values by helping students become better students; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Kevin L. McLean and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mr. McLean's family.

RESOLUTION NO. 18-06 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective January 11, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Pamela Ann Meador	Instructional Specialist	Coordinator, Student Service Learning

RESOLUTION NO. 19-06 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective January 24, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Shawn Miller	Principal, Woodfield ES	Principal, Clarksburg ES #7

RESOLUTION NO. 20-06 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective January 24, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Janet Dunn	Coordinator, Extended Learning Opportunities	Principal, Downcounty Consortium ES #27

RESOLUTION NO. 21-06 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective January 24, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Annette Ffolkes	Principal, Galway ES	Principal, Northeast Consortium ES #16

RESOLUTION NO. 22-06 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective January 24, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Gregory Edmundson	Principal, Darnestown ES	Principal, Northwest ES #7

Re: **MONTHLY FINANCIAL REPORT**

Mr. Bowers reported on the projected financial condition through November 30, 2005, based on program requirements and estimates made by primary and secondary account managers. At that time, revenues had a projected surplus of \$654,927 while expenses had a projected surplus of \$200,000.

RESOLUTION NO. 23-06 Re: **PRELIMINARY PLANS – BURNING TREE ELEMENTARY SCHOOL GYMNASIUM ADDITION**

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

WHEREAS, The architect for the proposed gymnasium addition to Burning Tree Elementary School, Zavos Architecture + Design, has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Burning Tree Elementary School Facility Advisory Committee has provided input for the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plan report for the gymnasium addition to Burning Tree Elementary School developed by Zavos Architecture + Design.

Re: **TENTATIVE ACTION ON POLICY JPG – WELLNESS**

On motion of the Policy Committee, the following resolution was placed on the table:

WHEREAS, Research indicates that many students are inactive and lack healthy eating habits, leading to an increase in childhood obesity; and

WHEREAS, The Board of Education is committed to helping students learn to take responsibility for their own health and to adopt healthy habits by creating a school culture that promotes and protects children’s health, well-being, and ability to learn; and

WHEREAS, Policy JPG, *Wellness: Physical and Nutritional Health*, requires that schools provide many opportunities to engage students in healthy eating and physical activity which will lead to the creation of an educational environment that encourages lifelong healthy behaviors, supports personal well-being and fitness, and promotes academic success; and

WHEREAS, The Board of Education Policy Committee has considered and recommends the creation of Policy JPG, *Wellness: Physical and Nutritional Health*; now therefore be it

Resolved, That the Board of Education take tentative action on Policy JPG, *Wellness: Physical and Nutritional Health*; and be it further

Resolved, That Policy JPG, *Wellness: Physical and Nutritional Health*, be sent out for public comment.

WELLNESS: PHYSICAL AND NUTRITIONAL HEALTH

A. PURPOSE

The Board of Education is committed to creating a school culture that promotes and protects children’s health, well-being, and ability to learn by supporting healthy eating and physical activity. Such a culture will help students learn to take responsibility for their own health and to adopt healthy habits, attitudes, and behaviors for life.

B. ISSUE

A high quality education can only be provided in a healthy school culture. Research indicates that many students are inactive and lack healthy eating habits, leading to an increase in childhood obesity.

C. POSITION

Schools will provide many opportunities to engage students in healthy eating and physical activity.

1. Nutrition Education

- a) The pre-K–12 health education and physical education curricula will include nutrition education.
- b) Pre-K–12 nutrition education shall be coordinated with the food and nutrition service program to create a school environment that fosters and encourages students to make healthy food choices.

2. Physical Education

The prekindergarten through twelfth grade standards-based physical education curriculum which is geared to teach children “fitness for life” skills shall include: moderate to vigorous physical activity; teach knowledge, motor skills, and positive attitudes; promote physical activity and sports involvement for all students to enjoy and pursue throughout their lives.

3. Physical Activity

Physical activity will be encouraged for students, staff, and community members before school, during the instructional day, and after the instructional day.

4. Food and Nutrition Services

The goal of Food and Nutrition Services is to develop lifelong healthy behaviors that foster sound nutrition and physical activity.

- a) The National School Lunch Program (NSLP) and School Breakfast Program (SBP) will meet the nutritional standards and regulations as established by the U.S. Department of Agriculture and the MSDE.

- b) Foods and beverages available for sale to students outside the NSLP and the SBP must meet the nutritional standards as adopted by the Board of Education to make a positive contribution to the students' diet to promote health.

5. Communication with Parents

Information will be provided to students, staff, parents, and other stakeholders to encourage and support a healthy lifestyle.

D. DESIRED OUTCOMES

An educational environment that encourages lifelong healthy behaviors, supports personal well-being and fitness, and promotes academic success.

E. IMPLEMENTATION

The superintendent will adopt regulations to implement this wellness policy.

- 1. Such regulations shall include the designation of an office with the operational responsibility for oversight of the wellness policy.
- 2. The superintendent will periodically bring forth nutritional standards for the Board of Education's consideration.

F. REVIEW AND REPORTING

This policy will be reviewed in accordance with the Board of Education policy review process.

RESOLUTION NO. 24-06

Re: **AN AMENDMENT TO THE TENTATIVE ACTION ON POLICY JPG – WELLNESS**

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

Resolved, That the Board of Education amend the policy at C.5. to read:

Communication ~~with Parents~~

and be it further

Resolved, That the Board of Education amend the policy at E. to read:

The superintendent will ~~propose periodically bring forth~~ nutritional standards for the Board of Education's consideration **and adoption**.

RESOLUTION NO. 25-06

Re: **TENTATIVE ACTION ON POLICY JPG – WELLNESS**

On motion of the Policy Committee, the following resolution was adopted with Mr. Abrams, Ms. Cox, Ms. Ervin, Dr. Haughey, Mrs. Navarro, Mrs. O'Neill, and Mr. Romero voting affirmative; Mr. Johnson voting in the negative:

WHEREAS, Research indicates that many students are inactive and lack healthy eating habits, leading to an increase in childhood obesity; and

WHEREAS, The Board of Education is committed to helping students learn to take responsibility for their own health and to adopt healthy habits by creating a school culture that promotes and protects children's health, well-being, and ability to learn; and

WHEREAS, Policy JPG, *Wellness: Physical and Nutritional Health*, requires that schools provide many opportunities to engage students in healthy eating and physical activity which will lead to the creation of an educational environment that encourages lifelong healthy behaviors, supports personal well-being and fitness, and promotes academic success; and

WHEREAS, The Board of Education Policy Committee has considered and recommends the creation of Policy JPG, *Wellness: Physical and Nutritional Health*; now therefore be it

Resolved, That the Board of Education take tentative action on Policy JPG, *Wellness: Physical and Nutritional Health*; and be it further

Resolved, That Policy JPG, *Wellness: Physical and Nutritional Health*, be sent out for public comment.

WELLNESS: PHYSICAL AND NUTRITIONAL HEALTH

A. PURPOSE

The Board of Education is committed to creating a school culture that promotes and protects children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Such a culture will help students learn to take responsibility for their own health and to adopt healthy habits, attitudes, and behaviors for life.

B. ISSUE

A high quality education can only be provided in a healthy school culture. Research indicates that many students are inactive and lack healthy eating habits, leading to an increase in childhood obesity.

C. POSITION

Schools will provide many opportunities to engage students in healthy eating and physical activity.

1. Nutrition Education

- a) The pre-K–12 health education and physical education curricula will include nutrition education.
- b) Pre-K–12 nutrition education shall be coordinated with the food and nutrition service program to create a school environment that fosters and encourages students to make healthy food choices.

2. Physical Education

The prekindergarten through twelfth grade standards-based physical education curriculum which is geared to teach children “fitness for life” skills shall include: moderate to vigorous physical activity; teach knowledge, motor skills, and positive attitudes; promote physical activity and sports involvement for all students to enjoy and pursue throughout their lives.

3. Physical Activity

Physical activity will be encouraged for students, staff, and community members before school, during the instructional day, and after the instructional day.

4. Food and Nutrition Services

The goal of Food and Nutrition Services is to develop lifelong healthy behaviors that foster sound nutrition and physical activity.

- a) The National School Lunch Program (NSLP) and School Breakfast Program (SBP) will meet the nutritional standards and regulations as established by the U.S. Department of Agriculture and the MSDE.

- b) Foods and beverages available for sale to students outside the NSLP and the SBP must meet the nutritional standards as adopted by the Board of Education to make a positive contribution to the students' diet to promote health.

5. Communication

Information will be provided to students, staff, parents, and other stakeholders to encourage and support a healthy lifestyle.

D. DESIRED OUTCOMES

An educational environment that encourages lifelong healthy behaviors, supports personal well-being and fitness, and promotes academic success.

E. IMPLEMENTATION

The superintendent will adopt regulations to implement this wellness policy.

Such regulations shall include the designation of an office with the operational responsibility for oversight of the wellness policy.

The superintendent will propose nutritional standards for the Board of Education's consideration and adoption.

F. REVIEW AND REPORTING

This policy will be reviewed in accordance with the Board of Education policy review process.

Re: **NAMING OF NEC ELEMENTARY SCHOOL #16**

On motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was placed on the table:

WHEREAS, The School Naming Advisory Committee has submitted a report, dated December 23, 2005, ranking the following names for the new Northeast Consortium Elementary School #16, in order of preference: Brookview Park Elementary School; Donald Morgan Elementary School; Roscoe R. Nix Elementary School; and

WHEREAS, The School Naming Advisory Committee reached consensus on the recommendation to name the facility Brookview Park Elementary School; and

WHEREAS, Pursuant to Regulation FFA-RA, *Naming Schools*, the final responsibility for officially naming a school building rests with the Board of Education; now therefore be it

Resolved, That the Board name the school building heretofore known as Northeast Consortium Elementary School #16 as Roscoe R. Nix Elementary School.

RESOLUTION NO. 26-06 Re: **AN AMENDMENT TO THE NAMING OF NEC
ELEMENTARY SCHOOL #16**

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

Resolved, That the Board name the gymnasium in memory of Donald Morgan.

RESOLUTION NO. 27-06 Re: **NAMING OF NEC ELEMENTARY SCHOOL #16**

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

WHEREAS, The School Naming Advisory Committee has submitted a report, dated December 23, 2005, ranking the following names for the new Northeast Consortium Elementary School #16, in order of preference: Brookview Park Elementary School; Donald Morgan Elementary School; Roscoe R. Nix Elementary School; and

WHEREAS, The School Naming Advisory Committee reached consensus on the recommendation to name the facility Brookview Park Elementary School; and

WHEREAS, Pursuant to Regulation FFA-RA, *Naming Schools*, the final responsibility for officially naming a school building rests with the Board of Education; now therefore be it

Resolved, That the Board name the school building heretofore known as Northeast Consortium Elementary School #16 as Roscoe R. Nix Elementary School; and be it further

Resolved, That the Board name the gymnasium in memory of Donald Morgan.

Re: **DIALOGUE ON CURRENT ISSUES: UPDATE ON
MONTGOMERY COLLEGE EXPANSION**

Dr. Weast commented that on December 12, 2005, the Education Committee of the County Council held a worksession on issues related to facility needs for Montgomery College. One of the topics discussed by representatives of Montgomery College and the Education Committee members was the expansion of the Rockville campus. As part of its master plan, the college has identified the need to expand the Rockville campus to address growing enrollment and related space issues.

Mr. Michael Subin, chair of the Education Committee, asked Dr. Charlene Nunley, president, Montgomery College, and Dr. Weast to discuss the possibility of the college acquiring the Carver Educational Services Center (CESC) site to expand the Rockville campus. Since such an expansion would require that MCPS relocate its administrative offices to another site, Dr. Weast met with Dr. Nunley and explained the school system's growing capital budget needs for school facilities. It was agreed that, given the priority of other school projects, Montgomery College would take the lead in advocating for an expanded campus.

At the December 12 meeting, the Education Committee members indicated they believe the proposal to use the CESC site for the Rockville expansion should be explored further, based on the information provided by the college. MCPS has been asked for a response to moving its headquarters. While Dr. Weast did not disagree with the Education Committee's findings that the college should subsume the CESC site as part of the Rockville campus expansion, there are significant costs and related issues associated with moving to new administrative space that need to be identified and understood.

First, staff has preliminarily researched potential locations for a new headquarters. While there are existing office buildings available, such as the former National Geographic Society facility on Darnestown Road, the most cost-effective approach given timing and other issues may be to purchase land and construct a building. Several suitable commercial office sites are available for a headquarters facility; however, the cost of the land acquisition and building improvements to house all of the central office functions at one location would be significant.

Second, there are substantial costs even if the central offices do not move. MCPS will be spending approximately \$2.4 million to lease commercial office space in FY 2007 for central office functions that cannot be located at CESC. Some of this space is currently leased as sublets at a significantly reduced rental rate that eventually will have to be converted to market rates. Once this happens, MCPS could be spending close to \$3 million annually for leased space. If the leasing cost is added to the cost of renovations that will have to be made at CESC to keep it functioning as the MCPS headquarters, the combined annualized cost would be comparable to the annual financing cost for a new headquarters over a 30-year period. Several school systems, including Fairfax and Harford counties, are using this approach to plan for new headquarters in their jurisdictions.

However, even though a financial argument could be made to support the proposal to use the CESC site for the college's purposes, Dr. Weast believed it would be difficult to separate this issue from other capital budget needs. Therefore, he strongly recommended that the Montgomery College expansion be addressed by the Council before any discussion of potential next steps for MCPS.

The Education Committee has voted to recommend to the full Council that funds be allocated to begin preliminary/feasibility planning for the college expansion, pending a response from the Board on moving the MCPS headquarters. Dr. Weast suggested that the Board's response to the Education Committee should outline the issues raised above and ask that any planning funds approved for the college also include the cost of potential relocation opportunities as part of the college's expansion, outside of the Board's capital budget request. This would give MCPS an opportunity to do a thorough financial assessment of the costs that will be incurred if it stays at CESC or relocates, as well as the options available to the college.

Dr. Weast believed that the Board can discuss this approach to responding to the Education Committee in public session and asked that the Board include a brief discussion item on the January 10, 2006, agenda. If the Board concurs with this approach, staff can draft a response for the Board president to send to the Education Committee chair or schedule a discussion item during the public session of the February 14, 2006, meeting to communicate this approach as part of a resolution.

Re: **DISCUSSION**

Mrs. O'Neill thought the Board is charged with the education of children in Montgomery County, and her first obligation is to those children. She understood the challenges of Montgomery College, but MCPS has 17,000 children in portables, among many other facility needs. In the past, the school system has tried to develop a public/private partnership to develop adequate space for central office only to be stopped by the City of Rockville. Another question concerns Rock Terrace School and what would happen to it.

Mr. Abrams thought the Board looks out for the interests of MCPS, which serves children, is the economic engine for the county, and is part of the reason people choose to live in Montgomery County. MCPS is an excellent school system because it stays current with systems in place for quick data-decision making. Also, MCPS is a system of people and many are not in the classroom. The Board has an obligation to assure that they have a clean, safe, modern, and efficient place to work. Within this discussion, will Carver meet the needs of the school system? What would it cost to bring Carver into total compliance as a 21st century administrative facility?

Ms. Ervin wanted to know why the expansion of Montgomery College was tied to whether or not MCPS finds another location. Furthermore, Carver is a historic site. Dr. Weast thought these were separate issues, and the college's needs should be fully developed prior to MCPS' issue. The college could think more vertically for instructional space as well as parking. There is a requirement to study thoroughly the colleges needs and options. Even if the school system had money, the priorities of the Board constituted a long list.

Mr. Romero believed the study should be comprehensive with rationales for the options presented. Dr. Weast stated that the college's master plan includes acquiring Carver.

Re: MONTGOMERY COLLEGE EXPANSION

On motion of Ms. Cox and seconded by Mrs. O'Neill, the following resolution was placed on the table:

Resolved, That the Board of Education send a response to the County Council asking it to divide the \$100,000 between the college and MCPS in order for each to review needs and options that are not connected.

Re: DISCUSSION

Mr. Romero stated that he did not want the money split. This might not be the wisest use of money. Ms. Cox wanted to send the message that these were separate issues. Mrs. O'Neill thought it was a clear message since both institutions have needs that must be addressed. Mr. Hawes thought it was important for a feasibility study to demonstrate the need, all possible options, and an analysis of the preferred choice.

Ms. Ervin agreed with the motion since the feasibility study for the college does not take into account any of the MCPS needs. Dr. Weast asked the Board to think about making sure that all of the college's needs and options are fleshed out first, and then considering MCPS. He did not believe that a parallel path was advantageous because it would appear that the system was looking for a central office over the needs of children.

Mrs. Navarro supported the idea of sending the message that the college should present its issues and requirements.

Mr. Johnson agreed with the message that MCPS does not want to detract from the facilities program. He thought that a letter to the Council from the president outlining the Board's concerns would be sufficient.

Mr. Abrams thought the Board should respond regarding the consequences in the event that the Education Committee continues on the same path. What would it cost the school system to move or to renovate Carver?

Mr. Romero believed that the motion would sound antagonistic to the Council.

RESOLUTION NO. 28-06**Re: MONTGOMERY COLLEGE EXPANSION**

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

Resolved, That the Board of Education believes that it is necessary before it takes any position that there be a full review of the college's needs and options, and the potential consequences of those options for the school system.

RESOLUTION NO. 29-06

Re: **CLOSED SESSION RESOLUTION**

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 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, February 14, 2006, 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. 30-06

Re: **REPORT OF CLOSED SESSION**

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

On December 13, 2005, by unanimous vote of members present, the Board of Education voted to conduct a closed session 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 December 13, 2005, from 9:00 to 9:50 a.m. and 1:00 to 1:40 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeals with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): 2005-41 and 2005-42.
2. 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*): 2005-44, 2005, 46, 2005-47, and 2005-48.
3. 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*.

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, Patrick Clancy, Sharon Cox, Brian Edwards, Valerie Ervin, Charles Haughey, Richard Hawes, Roland Ikheloa, Sebastian Johnson, Don Kress, Frieda Lacey, George Margolies, Nancy Navarro, Pat O'Neill, Brian Porter, John Q. Porter, Lori Rogovin, Gabe Romero, Glenda Rose, and Jerry Weast.

RESOLUTION NO. 31-06 Re: **APPEALS**

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 has met in closed session, and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-503(a) of the *State Government Article*; now therefore be it

Resolved, That the Board of Education hereby decide the following appeals, reflective of the Board members' votes in closed session, the disposition of each which shall be recorded separately in the minutes of today's meeting:

1. Decision and Order in Appeal 2005-44, early entrance into kindergarten, reflective of the following vote: Mr. Abrams, Ms. Cox, Ms. Ervin, Dr. Haughey, Mr. Johnson, Mrs. Navarro, Mrs. O'Neill, and Mr. Romero voting to affirm.
2. Decision and Order in Appeal 2005-47, admission to a magnet, reflective of the following vote: Mr. Abrams, Ms. Cox, Ms. Ervin, Dr. Haughey, Mr. Johnson, Mrs. Navarro, Mrs. O'Neill, and Mr. Romero voting to affirm.
3. Decision and Order in Appeal 2005-48, complaint from the public, reflective of the following vote: Mr. Abrams, Ms. Cox, Ms. Ervin, Dr. Haughey, Mr. Johnson, Mrs. Navarro, Mrs. O'Neill, and Mr. Romero voting to affirm.

Re: **SCHOOL NAMING POLICY**

On motion of Mr. Abrams and seconded by Mr. Romero, the following resolution was placed on the table:

Resolved, That the Board of Education direct the Policy Committee to commence a review of the school naming policy (Policy FFA) for consideration of adding a provision for when the Board has decided to supercede the process if the Board has a name it wishes to designate a school without engaging the community in the process.

Re: **AN AMENDMENT TO THE SCHOOL NAMING POLICY**

On motion of Ms. Cox and seconded by Mrs. O'Neill the following amendment was placed on the table:

Resolved, That the Board of Education direct the Policy Committee to commence a review of the school naming policy (Policy FFA) for consideration of adding a provision for ~~when the Board has decided to~~ supercede the **committee advisory** process if the Board has **unanimously identified** a name it wishes to designate a school. ~~without engaging the community in the process.~~

RESOLUTION NO. 32-06

Re: **AN AMENDMENT TO THE SCHOOL NAMING POLICY**

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

Resolved, That the Board of Education direct the Policy Committee to commence a review of the school naming policy (Policy FFA) for consideration of adding a provision to supercede the committee advisory process if the Board has ~~unanimously~~ identified a name it wishes to designate a school.

RESOLUTION NO. 33-06

Re: **SCHOOL NAMING POLICY**

On motion of Mr. Abrams and seconded by Mr. Romero, the following resolution, as amended, was adopted unanimously:

Resolved, That the Board of Education direct the Policy Committee to commence a review of the school naming policy (Policy FFA) for consideration of adding a provision to

supercede the committee advisory process if the Board has identified a name it wishes to designate a school.

Re: SCHOOL REASSIGNMENT REQUESTS

On motion of Mr. Ervin and seconded by Mr. Johnson, the following resolution was placed on the table:

Resolved, That the Board of Education schedule a discussion as to the desirability of amending Policy FAA (Long-Range Educational Facilities Planning) to consider addressing extraordinary school reassignment requests, absent a full-blown boundary study, without being limited to the regular CIP cycle.

Re: DISCUSSION

Mrs. O'Neill stated that she would not support the resolution, especially since the policy was just adopted in May. These issues never came to the Policy Committee through the public comments. Furthermore, the regulations are being developed. Every year there is an opportunity to establish a scope for reassignment of students.

Mr. Bowers reported that the Hampshire Greens community thinks there is another remedy. The policy talks about utilization that triggers a boundary study.

Mr. Abrams stated that a Board member can put forward an alternative in Policy FAA, and it is not necessarily a full boundary study. Furthermore, there could be a motion for a minor adjustment in the boundary. These opportunities occur in November and March.

Ms. Cox stated that she opposed the resolution based on two concerns. When the policy was passed, there were a number of concerns in the community about the Board's intent including concerns from the communities that would be affected by changes in the capital programming. This resolution could exclude people who may have a stake in the outcome. The interests of Hampshire Greens can be addressed though the current process. Furthermore, she opposed setting up an process outside of those established, therefore creating loopholes in the policy.

Mrs. Navarro noted that the policy development assured the communities that all stakeholders would be involved in Board decisions. However, she was still puzzled about a small number of students being bused outside their community.

RESOLUTION NO. 34-06

Re: **AN AMENDMENT TO THE SCHOOL REASSIGNMENT REQUESTS**

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

Resolved, That the Board of Education schedule a discussion as to the desirability of amending Policy FAA (Long-Range Educational Facilities Planning) to consider addressing extraordinary school reassignment requests, absent a full-blown boundary study, ~~without being limited to the regular CIP cycle.~~

Re: **SCHOOL REASSIGNMENT REQUESTS**

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

Resolved, That the Board of Education schedule a discussion as to the desirability of amending Policy FAA (Long-Range Educational Facilities Planning) to consider addressing extraordinary school reassignment requests, absent a full-blown boundary study.

Re: **NEW BUSINESS**

On motion of Mr. Johnson and seconded by Mrs. O'Neill, the following resolution was introduced:

WHEREAS, The weighting of Advanced Placement (AP) classes have been called into question by some MCPS students; and

WHEREAS, AP classes are currently weighted on the same scale as honors classes; and

WHEREAS, AP classes require more rigor and include more demanding material than honors classes; now therefore be it

Resolved, That the Board of Education ask the superintendent to prepare a report to the Board on the impact of giving additional weight to grades in AP classes when calculating Grade Point Average (GPA).

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

Resolved, That the Board of Education direct its staff to prepare a history of Board Policies and Procedures and state law regarding how and when the Board meets in public session as a precursor to a discussion of modernization of Board practices.

RESOLUTION NO. 35-06 Re: **APPOINTMENT TO CITIZENS ADVISORY
COMMITTEE FOR FAMILY LIFE AND HUMAN
DEVELOPMENT**

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, Mr. Johnson, Mrs. O'Neill, and Mr. Romero voting in the affirmative; Ms. Ervin and Mrs. Navarro voting in the negative:

WHEREAS, Citizens for Responsible Curriculum has nominated Dr. Ruth M. Jacobs as its nominee for appointment to its reserved seat on the Citizens Advisory Committee for Family Life and Human Development; now therefore be it

Resolved, That Dr. Ruth M. Jacobs be appointed to serve a term ending June 30, 2007, representing Citizens for Responsible Curriculum.

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Progress Report
3. Department of Facilities Management Annual Resource Conservation Plan for Fy 2007

RESOLUTION NO. 36-06 Re: **ADJOURNMENT**

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 adjourn its meeting of January 10, 2006, at 4:00 p.m.

PRESIDENT

SECRETARY

JDW:gr

Re: **CLOSED SESSION**

The Board met in closed session from 4:15 to 6:00 p.m. to adjudicate an appeal.

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

January 10, 2006

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