

APPROVED  
11-2007

Rockville, Maryland  
May 8, 2007

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, May 8, 2007, at 10:00 a.m.

Present: Mrs. Nancy Navarro, President  
in the Chair  
Mr. Steve Abrams  
Mr. Christopher Barclay  
Ms. Shirley Brandman  
Ms. Sharon Cox  
Dr. Judy Docca  
Ms. Sarah Horvitz  
Mrs. Patricia O'Neill  
Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 222-07 Re: **RESOLUTION FOR CLOSED SESSIONS**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Barclay, 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 May 8, 2007, in Room 120 from 9:00 to 10:00 a.m. and 12:00 to 2:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County

1. Discuss the Human Resources Monthly Report and Appointments, 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 May 8, 2007, to acquit its administrative 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.

**Re: PLEDGE OF ALLEGIANCE**

“I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”

**RESOLUTION NO. 223-07 Re: APPROVAL OF THE AGENDA**

On recommendation of the superintendent and on motion of Mrs. O’Neill seconded by Mr. Barclay, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its agenda for May 8, 2007.

**RESOLUTION NO. 224-07 Re: SALUTE TO SCHOOL FOOD AND NUTRITION SERVICES PERSONNEL DAY**

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

WHEREAS, State Superintendent Nancy S. Grasmick has announced May 9, 2007, as the twenty-second annual Salute to School Food and Nutrition Services Personnel Day; and

WHEREAS, The school cafeteria and the service provided by its personnel to students, faculty, and other staff are integral parts of the operations of the Montgomery County Public Schools; and

WHEREAS, The more than 12 million meals that are served annually to Montgomery County school children under the National School Lunch and School Breakfast Programs are testimony of the valuable contribution made by School Food and Nutrition Services personnel each year; and

WHEREAS, School Food and Nutrition Services personnel deserve to be recognized for their dedication and continuing commitment to feeding and educating students and offering a variety of nutrition services to the community; now therefore be it

Resolved, That the Board of Education does hereby recognize selected representatives from the Division of Food and Nutrition Services in honor of the twenty-second annual Salute to School Food and Nutrition Services Personnel Day in the Montgomery County Public Schools.

RESOLUTION NO. 225-07

Re: **RECOGNITION OF NAACP SCHOLARSHIP RECIPIENTS**

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

WHEREAS, The Montgomery County Branch of the National Association for the Advancement of Colored People has awarded five \$1,000 scholarships to students residing in Montgomery County, all of whom attend Montgomery County Public Schools; and

WHEREAS, The National Association for the Advancement of Colored People has selected "What will it take to move beyond today?" as the theme to promote the message of truth and unity among all Americans and the value of the roles of African American students in this effort; and

WHEREAS, Montgomery County recognizes and celebrates the contributions of African American students to our county, our state, and our country; and

WHEREAS, The Board of Education is proud that Montgomery County Public Schools continues to recognize the achievements of African American students; 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 congratulate the recipients of this year's National Association for the Advancement of Colored People scholarship awards.

Re: **RECOGNITION OF THE FATHERS' CIRCLE PROGRAM AT KINGSVIEW MIDDLE SCHOOL**

Mr. Dennis Queen, principal of Kingsview Middle School, and the co-presidents of the Fathers' Circle Program, Mr. Patrick Gerdes and Mr. Morgan Thomas, spoke about the program, which started in January 2006. In November 2005, a teacher observed that "African American males do poorly in school because they do not have fathers in their homes." The Kingsview administration knew that this perception was false. When teachers were told to invite fathers and mothers to conferences, all but one student's father or stepfather came. Also, based on Kingsview's emergency cards, the administration knew that statement was not true for the overwhelming majority of its students.

The administration decided to have a focus group of African American fathers to share data,

find out what motivated them to be successful when they were in school, and ask for suggestions and help. The first meeting was planned as a two-hour session; the fathers stayed and talked for more than three hours.

The Father’s Circle Program is an exemplary example of the positive impact of a productive partnership between the school and the parents and families that the school serves.

RESOLUTION NO. 226-07                      Re:    **GREAT    SENECA CREEK ELEMENTARY SCHOOL—BUILDING DESIGN AWARD**

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

WHEREAS, The United States Green Building Council has awarded a Leadership in Energy and Environmental Design (LEED) Gold certification to Great Seneca Creek Elementary School; and

WHEREAS, LEED certification is a recognized industry standard that measures how a building design and operation impact the environment and conserve energy resources; and

WHEREAS, The Gold certification is the second highest level that can be accomplished under the LEED program; and

WHEREAS, This award recognizes the commitment that the Montgomery County Public Schools has made to support environmental stewardship; now therefore be it

Resolved, That the Board of Education applaud and recognize the collaboration and dedication demonstrated by the Montgomery County Public Schools staff, the project architect, and the contractor who helped achieve a Leadership in Energy and Environmental Design Gold certification for Great Seneca Creek Elementary School.

Re:    **PUBLIC COMMENTS**

The following person testified before the Board of Education:

| <u>Person</u>    | <u>Topic</u>                    |
|------------------|---------------------------------|
| Karen Giacomuzzi | Update on Northwood High School |

**Re: BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented that MCPS has a Presidential Scholar for Academic Excellence and a Presidential Scholar in the Arts.

Ms. Horvitz congratulated Mr. Ben Moskowitz for being elected the new student member of the Board. She also congratulated all of the newly elected student leaders.

Dr. Docca said she attended the Blue Ribbon School celebration at Winston Churchill High School. She also attended the Howard Hughes Medical Scholarship Awards and the end-of-year ceremonies at the George B. Thomas, Sr. Learning Academy.

Mr. Abrams commented on the Champions for Children Gala with the selection of the Montgomery County Teacher of the Year. Florida passed a law required a half-hour of physical education a day in all schools, and Maryland schools should think about this initiative.

Ms. Brandman spoke about the Linkages to Learning program and the connection of school and community. She attended the MCCPTA Special Education ceremony.

Mrs. O'Neill attended the 50<sup>th</sup> anniversary of Walter Johnson High School. She was concerned about the lack of ACT administration sites in Montgomery County. She asked staff to review the issue.

Ms. Cox stated that she attended the Roberto Clemente Middle School presentation on environmental issues with a school in India. Also, she and staff attended a meeting in Harford County on grading and reporting.

Mr. Barclay represented the Board at the Agnes Meyer Teacher of the Year Award at *The Washington Post*. In addition, he saw the play, *New Kid*, about a family coming to the United States, at Imagination Stage. It was extremely moving and he encouraged his colleagues to see it.

**Re: NO CHILD LEFT BEHIND ACT OF 2001  
DISCUSSION**

Dr. Weast invited the following people to the table: Mr. Erick J. Lang, director, Department of Enriched and Innovative Programs; Ms. Chrisandra Richardson, director, Division of Academic Support, State and Federal Programs; Dr. Karen Woodson, director, Division of ESOL/Bilingual Programs; and Dr. Carey Wright, associate superintendent, Office of Special Education and Student Services.

In March 2007, the National School Boards Association (NSBA) published a detailed analysis of federal education legislation, titled *NSBA Issue Brief: Improving the No Child Left Behind (NCLB) Act of 2001*. The NSBA argued that although the NCLB Act established the

expectation for a rigorous accountability system for the nation's public schools, what has evolved is a measurement framework that varies from state to state and depends on an evaluation of school quality based on a single assessment of student performance that also varies by state. In addition, the law mandates a series of sanctions not always targeted to student needs and, to date, not yet proven to have a significant impact on improving either student or school performance. A summary of the NSBA analysis provides the Board of Education with a foundation for a discussion on the impact of NCLB on MCPS.

Re: ***NO CHILD LEFT BEHIND ACT OF 2001***

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Barclay, the following resolution was placed on the table:

WHEREAS, On January 8, 2002, President George W. Bush signed into law the *No Child Left Behind (NCLB) Act of 2001*, which applies to all school districts and schools within states that accept federal Title I dollars; and

WHEREAS, The Montgomery County Board of Education, supports the goals of NCLB of raising student achievement, closing the achievement gap, and ensuring that each child has a highly qualified teacher; and

WHEREAS, The Montgomery County Board of Education continues to welcome accountability for improving student and school performance; and

WHEREAS, Improvements have been identified that could be made to NCLB that would eliminate barriers to full implementation of the federal law that would include the following:

- Flexibility in assessing students with disabilities and those not yet proficient in English.
- Greater flexibility in growth models so that changes in student performance are the key measures of the model.
- Alignment of sanctions so that School Choice and supplemental educational services (SES) are directly applied to students who are members of the subgroup that failed to meet adequate yearly progress targets and were themselves unable to demonstrate proficiency.
- Modification of the process used to identify alternative schools for sanctions.
- Use of highly qualified teachers to provide SES.
- Use of a portion of the SES set aside for administration of the program.

and

WHEREAS, The National School Boards Association (NSBA) developed draft legislation based on input from local school boards across the nation that would address the concerns of local school boards and improve the implementation of NCLB; and

WHEREAS. In April 2006, the NSBA Delegate Assembly reaffirmed its support of federal legislation that is consistent with the NSBA draft legislation; and

WHEREAS, In January 2007, Representative Don Young (R-Arkansas) reintroduced legislation, the *No Child Left Behind Improvements Act of 2007*, H.R. 648, which is consistent with the NSBA draft legislation; now therefore be it

Resolved, That the Montgomery County Board of Education strongly urge the Congressional representatives for the citizens of Montgomery County—Representative Roscoe G. Bartlett (R-Maryland Sixth District), Representative Chris Van Hollen (D-Maryland Eighth District), and Representative Albert Wynn (D-Maryland Fourth District)—to fully support H.R. 648 by becoming co-sponsors of the bill; and be it further

Resolved, That the Montgomery County Board of Education seek the support of all federal, state, and county elected leaders representing Montgomery County, as well as leaders of parent and employee representative organizations within the Montgomery County Public Schools, business and community leaders, and other interested citizens, for improvements in the *No Child Left Behind Act* by voicing their support for H.R. 648; and be it further

Resolved, That copies of this resolution and documentation from the National School Boards Association and the superintendent of schools accompany all requests for support for H.R. 648.

Re: **DISCUSSION**

Mrs. O'Neill stated that she supported this resolution. The NSBA has worked hard to have this bill put forward. Some issues need to be corrected in this legislation. At one time Congressman Van Hollen had introduced legislation for full funding since that is another problem. Congressmen Van Hollen and Wynn and Senator Cardin have signed the NSBA pledge, and the letter transmitting the resolution should refer strongly to this pledge.

Mr. Abrams thought this opportunity allowed the Board to do something broader. The funding concerns are both state and federal. The Thornton funding is a larger amount, and he was curious on how that fit into the fiscal picture. When the Board started its reform in 1999, the Board had already agreed to accomplish the goals in NCLB. Do the objections to the act concern the components or the funding? Mr. Abrams thought the Board had a rare perspective on the debate about the reauthorization of the act. This Board wants to comply for its own reasons and standards. He would enthusiastically endorse a statement from this Board outlining the problems encountered by a district that wants to comply.

RESOLUTION NO. 227-07

Re: ***NO CHILD LEFT BEHIND ACT OF 2001***

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

Resolved, That the Board of Education direct the superintendent of schools to compose an addendum which outlines specific details that have a definite effect on Montgomery County Public Schools.

The addendum could include, among other things:

1. Reference to the NSBA pledge
2. MCPS wants to comply, but there are constraints/difficulties
3. Difference between minimum standards/rigorous standards that lead to college/work
4. Sanctions and implications on Montgomery County, especially Title I
5. State assessments are problematic
6. Lack of flexibility/one size fits all
7. Penalties versus incentives
8. Educating children with interrupted or inadequate education
9. NCLB influences state to aim at a lower level to attain proficiency
10. State test should mean something/entrance into college/work
11. Recognition of ESOL/special education students
12. Federal waiver based on achievement with incentives
13. Lessons learned with incentives
14. Disaggregated/subsets that build on performance of each group
15. Sanctions with egregious effects on instruction
16. Impact on losing time for social studies and science in elementary education
17. Narrow the focus on the impact to the school system
18. Impact on time of instruction and staff

RESOLUTION NO. 228-07

Re: ***NO CHILD LEFT BEHIND ACT OF 2001***

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

WHEREAS, On January 8, 2002, President George W. Bush signed into law the *No Child Left Behind (NCLB) Act of 2001*, which applies to all school districts and schools within states that accept federal Title I dollars; and

WHEREAS, The Montgomery County Board of Education supports the goals of NCLB of raising student achievement, closing the achievement gap, and ensuring that each child has a highly qualified teacher; and



WHEREAS, The Montgomery County Board of Education continues to welcome accountability for improving student and school performance; and

WHEREAS, Improvements have been identified that could be made to NCLB that would eliminate barriers to full implementation of the federal law that would include the following:

- Flexibility in assessing students with disabilities and those not yet proficient in English.
- Greater flexibility in growth models so that changes in student performance are the key measures of the model.
- Alignment of sanctions so that School Choice and supplemental educational services (SES) are directly applied to students who are members of the subgroup that failed to meet adequate yearly progress targets and were themselves unable to demonstrate proficiency.
- Modification of the process used to identify alternative schools for sanctions.
- Use of highly qualified teachers to provide SES.
- Use of a portion of the SES set aside for administration of the program.

and

WHEREAS, The National School Boards Association (NSBA) developed draft legislation based on input from local school boards across the nation that would address the concerns of local school boards and improve the implementation of NCLB; and \

WHEREAS, In April 2006, the NSBA Delegate Assembly reaffirmed its support of federal legislation that is consistent with the NSBA draft legislation; and

WHEREAS, In January 2007, Representative Don Young (R-Arkansas) reintroduced legislation, the *No Child Left Behind Improvements Act of 2007*, H.R. 648, which is consistent with the NSBA draft legislation; now therefore be it

Resolved, That the Montgomery County Board of Education strongly urge the Congressional representatives for the citizens of Montgomery County— -Representative Roscoe G. Bartlett (R-Maryland Sixth District), Representative Chris Van Hollen (D-Maryland Eighth District), and Representative Albert Wynn (D-Maryland Fourth District)—to fully support H.R. 648 by becoming co-sponsors of the bill; and be it further

Resolved, That the Montgomery County Board of Education seek the support of all federal, state, and county elected leaders representing Montgomery County, as well as leaders of parent and employee representative organizations within the Montgomery County Public

Schools, business and community leaders, and other interested citizens, for improvements in the *No Child Left Behind Act* by voicing their support for H.R. 648; and be it further

Resolved, That the Board of Education direct the superintendent of schools to compose an addendum which outlines specific details that have a definite effect on Montgomery County Public Schools; and be it further

Resolved, That copies of this resolution and documentation from the National School Boards Association and the superintendent of schools accompany all requests for support for H.R. 648.

Re: **DISCUSSION**

Mrs. O'Neill suggested that the Board of Education write to the state superintendent to express concern about students in higher-level courses taking repetitive tests, such as an algebra student studying for MSA math.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session from 1:05 to 2:15 p.m.

\*\*Mr. Abrams left the meeting at this point.

RESOLUTION NO. 229-07      Re: **CONTRACTS OF \$25,000 OR MORE**

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

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

WHEREAS, Funds have been budgeted and/or identified for the purchase of off-the-lot new vehicles through the Montgomery County Contract No. 7507000445; and

WHEREAS, Funds have been budgeted and/or identified for the purchase of a dry box trailer through Bid No. 7176.1; and

WHEREAS, The acquisition of off-the-lot new vehicles and the dry box trailer have been reviewed by legal counsel; now therefore be it

Resolved, That the purchase of off-the-lot new vehicles through the Montgomery County Contract No. 7507000445 in the amount of \$22,882 be leased/purchased for a five-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services; and be it further

Resolved, That the purchase of a dry box trailer through Bid No. 7176.1 in the amount of \$45,375 be leased/purchased for a six-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services; and be it further

Resolved, That the proceeds from the financing be used to reimburse Montgomery County Public Schools' accounts to the extent that such equipment will be acquired before closing; and be it further

Resolved, That the Board president and superintendent be authorized to execute the documents necessary for these transactions; and be it further

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

GS-35F Exterior Security Wiring and Equipment  
0765R

Awardee

Netcom Technologies, Inc. \$500,000

048.06.B3 Bleacher Inspection Maintenance and Repair—Extension

Awardees (See note)

Modern Door and Equipment Sales, Inc.

T.J. Distributors, Inc.

Total \$ 100,000

1120.3 Payroll Check, Paper Stock, Z Fold—Extension

Awardee

Bottomline Technologies \$ 45,500

4004.5 Woodwind and Brass Instrument Repairs—Extension

Awardees (See note)

Blue House Music

L & L Music Wind Shop

Total \$ 35,000

4061.8 Musical Instruments, Furniture, and Equipment—Extension

Awardees

|                                      |               |
|--------------------------------------|---------------|
| Cornet Music                         | \$ 348        |
| Interstate Music                     | 47,233        |
| Jordan Kitts Music                   | 64,098        |
| Midwest Musical Imports              | 10,175        |
| Music and Arts Center                | 2,584         |
| Music in Motion                      | 263           |
| Music Is Elementary                  | 49,743        |
| National Educational Music Company   | 48,931        |
| Peripole Bergerault, Inc.*           | 1,559         |
| Rhythm Band, Inc.                    | 8,401         |
| Southwest Strings*                   | 967           |
| Stageright Corporation               | 1,685         |
| Washington Music Sales Center, Inc.* | 46,815        |
| Wenger Corporation                   | <u>60,174</u> |
| Total                                | \$342,976     |

## 4100.3 Fire Alarm Parts

Awardees

|                            |                |
|----------------------------|----------------|
| ADI*                       | \$ 32,439      |
| Alarmax Distributors, Inc. | 12,473         |
| Allegheny Electronics      | 10,000         |
| SPC, Inc.                  | <u>165,000</u> |
| Total                      | \$ 219,912     |

## 4119.3 Science Lab Tables—Extension

Awardee

|                                 |           |
|---------------------------------|-----------|
| Diversified Educational Systems | \$ 35,450 |
|---------------------------------|-----------|

## 4208.1 Biodiesel Fuel

Awardee

|                 |           |
|-----------------|-----------|
| Tri-Gas and Oil | \$250,000 |
|-----------------|-----------|

## 7061.5 Book Binding—Extension

Awardee

|        |                                                          |               |
|--------|----------------------------------------------------------|---------------|
|        | HF Group, LLC                                            | \$ 41,743     |
| 7124.2 | Transportation Services                                  |               |
|        | <u>Awardees</u> (See note)                               |               |
|        | Regency Cab, Inc.                                        |               |
|        | Blue Star Group, Inc.                                    |               |
|        | Concierge Transportation Services, Inc.*                 |               |
|        | Total                                                    | \$300,000     |
| 7149.1 | Diesel Retrofit Devices and Services for Buses—Extension |               |
|        | <u>Awardees</u>                                          |               |
|        | Kingmor Supply, Inc.                                     | \$ 49,466     |
|        | K. Neal International Trucks, Inc.                       | <u>40,807</u> |
|        | Total                                                    | \$ 90,273     |
| 7175.1 | Dry Box Trailer                                          |               |
|        | <u>Awardee</u>                                           |               |
|        | Bowman Sales and Equipment, Inc.                         | \$ 45,375     |
| 9050.5 | Athletic Cheerleader and Pom Pon Uniforms—Extension      |               |
|        | <u>Awardees</u> (See note)                               |               |
|        | Athletic House of Maryland                               |               |
|        | Cisco, Inc.                                              |               |
|        | Marlow Sports, Inc.*                                     |               |
|        | Maryland Athletic and Corporate Supply*                  |               |
|        | Team Distributors                                        |               |
|        | Varsity Spirit Fashions                                  |               |
|        | Total                                                    | \$ 120,000    |
| 9065.7 | Lacrosse Supplies and Equipment—Extension                |               |
|        | <u>Awardees</u>                                          |               |
|        | Aluminum Athletic Equipment Company                      | \$ 2,048      |

|        |                                                                                                    |               |
|--------|----------------------------------------------------------------------------------------------------|---------------|
|        | Bill Fritz Sports Corporation                                                                      | 2,499         |
|        | Georgi Sports*                                                                                     | 4,817         |
|        | Longstreth Sporting Goods*                                                                         | 2,864         |
|        | Passon's Sports                                                                                    | 9,648         |
|        | Sports Stop, Inc.                                                                                  | <u>33,805</u> |
|        | Total                                                                                              | \$ 55,681     |
| 9636.1 | Fire Alarm Replacement at various locations**                                                      |               |
|        | <u>Awardee</u>                                                                                     |               |
|        | SPC, Inc.                                                                                          | \$ 900,000    |
| 9642.1 | Boys' Athletic Room Locker Repair at Thomas S. Wootton High School**                               |               |
|        | <u>Awardee</u>                                                                                     |               |
|        | Steel Products, Inc.*                                                                              | \$ 76,510     |
| 9645.1 | Gymnasium Wood Flooring at Wheaton Woods Elementary School and Oakland Terrace Elementary School** |               |
|        | <u>Awardee</u>                                                                                     |               |
|        | Weyer's Floor Service, Inc.                                                                        | \$ 87,787     |
| 9646.1 | Gymnasium Flooring System at Clopper Mill Elementary School**                                      |               |
|        | <u>Awardee</u>                                                                                     |               |
|        | Weyer's Floor Service, Inc.                                                                        | \$ 41,233     |
|        | TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000                                                     | \$3,287,440   |

\* Denotes Minority-, Female-, or Disabled-owned Business

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 230-07

Re: **AWARD OF CONTRACT—LUXMANOR  
ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, The following sealed bids were received on April 12, 2007, for the Luxmanor Elementary School addition project:

| <u>Bidder</u>                       | <u>Amount</u> |
|-------------------------------------|---------------|
| Keller Brothers, Inc.               | \$6,962,800   |
| Meridian Construction Company, Inc. | \$7,285,000   |

and

WHEREAS, The low bidder, Keller Brothers, Inc., has submitted 6.2-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 0.6 percent is African American, 2.1 percent is female, and 3.5 percent is other MDOT-certified; and

WHEREAS, The state minority business requirements for school construction projects stipulate that only MDOT-certified minority businesses can be used to satisfy the state MBE goal of 25 percent; and

WHEREAS, Keller Brothers, Inc., has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, Keller Brothers, Inc., has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$6,962,800 contract be awarded to Keller Brothers, Inc., for the Luxmanor Elementary School addition project, in accordance with drawings and specifications prepared by Cochran, Stephenson & Donkervoet, Inc., and contingent upon County Council approval of the FY 2008 Capital Budget.

RESOLUTION NO. 231-07

Re: **AWARD OF CONTRACT—NORTHWOOD HIGH SCHOOL IMPROVEMENTS**

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

WHEREAS, The following sealed bids were received on April 11, 2007, for the Northwood High School improvements project:

| <u>Bidder</u>                             | <u>Amount</u> |
|-------------------------------------------|---------------|
| Meridian Construction Company, Inc.       | \$4,285,000   |
| Tuckman-Barbee Construction Company, Inc. | \$5,577,600   |

and

WHEREAS, The low bidder, Meridian Construction Company, Inc., has submitted 6.4-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 4.2 percent is African American and 2.2 percent is female; and

WHEREAS, Meridian Construction Company, Inc., also has submitted 4-percent non-MDOT-certified minority participation; and

WHEREAS, The state minority business requirements for school construction projects stipulate that only MDOT-certified minority businesses can be used to satisfy the state MBE goal of 25 percent; and

WHEREAS, Meridian Construction Company, Inc., has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, Meridian Construction Company, Inc., has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$4,285,000 contract be awarded to Meridian Construction Company, Inc., for the Northwood High School improvements project, in accordance with drawings and specifications prepared by Samaha Associates, P.C.

RESOLUTION NO. 232-07

Re: **AWARD OF CONTRACT—TRAVILAH  
ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, The following sealed bids were received on April 5, 2007, for the Travilah Elementary School addition project:



| <u>Bidder</u>                             | <u>Amount</u> |
|-------------------------------------------|---------------|
| William F. Klingensmith, Inc.             | \$4,380,000   |
| Keller Brothers, Inc.                     | \$4,421,000   |
| Meridian Construction Company, Inc.       | \$4,464,000   |
| Tuckman-Barbee Construction Company, Inc. | \$4,653,000   |

and

WHEREAS, The low bidder, William F. Klingensmith, Inc., has submitted 2.5-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 2.1 percent is African American and 0.4 percent is other MDOT-certified; and

WHEREAS, William F. Klingensmith, Inc., has also submitted 1.2-percent non-MDOT-certified minority participation; and

WHEREAS, The state minority business requirements for school construction projects stipulate that only MDOT-certified minority businesses can be used to satisfy the state MBE goal of 25 percent; and

WHEREAS, William F. Klingensmith, Inc., has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, William F. Klingensmith, Inc., has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$4,380,000 contract be awarded to William F. Klingensmith, Inc., for the Travilah Elementary School addition project, in accordance with drawings and specifications prepared by Zavos Architecture + Design and contingent upon County Council approval of the FY 2008 Capital Budget.

RESOLUTION NO. 233-07

Re: **AWARD OF CONTRACT—WAYSIDE  
ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, The following sealed bids were received on April 19, 2007, for the Wayside Elementary School addition project:

| <u>Bidder</u>                       | <u>Amount</u> |
|-------------------------------------|---------------|
| Henley Construction Company, Inc.   | \$5,183,600   |
| Meridian Construction Company, Inc. | \$5,296,000   |
| Dustin Construction, Inc.           | \$5,462,500   |
| Keller Brothers, Inc.               | \$5,557,000   |

and

WHEREAS, The low bidder, Henley Construction Company, Inc., has submitted 4.3-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 1.3 percent is female and 3 percent is other MDOT-certified; and

WHEREAS, Henley Construction Company, Inc., also has submitted 3.2-percent non-MDOT-certified minority participation; and

WHEREAS, The state minority business requirements for school construction projects stipulate that only MDOT-certified minority businesses can be used to satisfy the state MBE goal of 25 percent; and

WHEREAS, Henley Construction Company, Inc., has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, Henley Construction Company, Inc., has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$5,183,600 contract be awarded to Henley Construction Company, Inc., for the Wayside Elementary School addition project, in accordance with drawings and specifications prepared by BeeryRio Architecture + Interiors and contingent upon County Council approval of the FY 2008 Capital Budget.

RESOLUTION NO. 234-07

Re: **AWARD OF CONTRACTS—CONSTRUCTION  
MANAGEMENT SERVICES**

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

WHEREAS, On March 26, 2007, the Board of Education approved the following firms to provide construction management and related services for capital projects: Bovis Lend Lease,

Inc.; Dustin Enterprises, Inc.; Henley Construction Company, Inc.; Hess Construction Company, Inc.; J. Vinton Schafer & Sons, Inc.; and Oak Contracting, LLC; and

WHEREAS, Staff has negotiated fees for the necessary preconstruction services for the following capital improvements projects:

| <u>School Project</u>                      | <u>Construction Management Firm</u> | <u>Amount</u> |
|--------------------------------------------|-------------------------------------|---------------|
| Cashell Elementary School<br>Modernization | J. Vinton Schafer & Sons, Inc.      | \$ 90,000     |
| Clarksburg Elementary School #8<br>(New)   | Hess Construction Company, Inc.     | 86,674        |
| Ridgeview Middle School<br>Improvements    | Oak Contracting, LLC                | 100,000       |

now therefore be it

Resolved, That the Montgomery County Board of Education enter into contractual agreements with the construction management firms identified above for the projects and amounts listed to provide preconstruction services.

RESOLUTION NO. 235-07

Re: **AWARD OF CONTRACT—ENGINEERING SERVICES**

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

WHEREAS, The Montgomery County Public Schools has completed the construction of storm water management facilities in conjunction with school additions and modernizations; and

WHEREAS, There are 18 school sites for which the final storm water management plans and design plan compliance inspections must be completed in order for the sediment control permits to be released by the Montgomery County Department of Permitting Services; and

WHEREAS, Charles P. Johnson & Associates, Inc., a civil and environmental engineering firm, is under contract with the Montgomery County Department of Public Works and Transportation to provide storm water resources engineering support services; and

WHEREAS, State procurement statutes permit local jurisdictions to utilize other governmental agency contracts that are competitively bid; and

WHEREAS, Charles P. Johnson & Associates, Inc., has submitted a proposal in the amount of \$126,000 to provide engineering services to Montgomery County Public Schools for the

work required to bring the 18 sites into compliance with Montgomery County storm water regulations; now therefore be it

Resolved, That a \$126,000 contract be awarded to Charles P. Johnson & Associates, Inc., to provide professional engineering services to develop final storm water management plans and design plan compliance inspections for various schools.

RESOLUTION NO. 236-07            Re:    **PAINT    BRANCH HIGH SCHOOL  
—AUTHORIZATION TO PURCHASE LAND**

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

WHEREAS, The Paint Branch High School is programmed in the FY 2007–2012 Capital Improvements Program to be modernized with completion scheduled for August 2010; and

WHEREAS, A feasibility study determined that constructing a new school on an adjacent 11.32-acre parcel known as the Airy Hill Park property would be the most cost-effective approach to the school modernization; and

WHEREAS, The Maryland-National Capital Park and Planning Commission has approved the conveyance of the Airy Hill Park property to the Board of Education for the school modernization project; and

WHEREAS, The Maryland-National Capital Park and Planning Commission was unsuccessful in acquiring a 44,866-square-foot parcel, located at 3001 Airy Hill Lane, that is adjacent to the park and school site when they were assembling the properties for Airy Hill Park; and

WHEREAS, This parcel, which is currently improved with a private residence, is needed to provide the most effective site utilization for the school project; and

WHEREAS, Recently, the property owner indicated a willingness to sell; and staff ordered two independent appraisals of the property which indicated a fair market value between \$615,000 and \$720,000; and

WHEREAS, The owner of the property has agreed to a sale price of \$720,000, based on the potential for subdividing the existing property and comparable sales in the neighborhood; and

WHEREAS, Funds are available in the Advance Land Acquisition Revolving Fund for the purchase of this property; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Contract of Sale for the purchase of 44,866 square feet of land and improvements, located at 3001 Airy Hill Lane, for the purchase price of \$720,000; and be it further

Resolved, That the superintendent be authorized to make settlement as soon as possible and that the county executive, County Council, and State Interagency Committee for School Construction be notified of this action.

RESOLUTION NO. 237-07            Re:    **GRANT    OF FOREST CONSERVATION  
EASEMENT AT FRANCIS SCOTT KEY MIDDLE  
SCHOOL**

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

WHEREAS, The Maryland-National Capital Park and Planning Commission has requested a Conservation Easement Agreement at Francis Scott Key Middle School, located at 910 Schindler Drive in Silver Spring, in connection with the modernization of the school; and

WHEREAS, The proposed agreement will grant an easement of 4.39 acres to the Maryland-National Capital Park and Planning Commission for protection of existing and future forest cover, wetlands, and other natural features and to prevent any alteration, construction, or destruction of the conservation area; and

WHEREAS, The proposed easement agreement will not affect any land that could be used for school programming or recreational activities and will benefit both the school site and the community by preserving forest cover, wetlands, and natural areas; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Conservation Easement Agreement consisting of 4.39 acres with the Maryland-National Capital Park and Planning Commission at Francis Scott Key Middle School.

RESOLUTION NO. 238-07            Re:    **LICENSE    AGREEMENT FOR SATELLITE  
PARKING**

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

WHEREAS, The Division of Food and Nutrition Services (DFNS) leases land next to the Montgomery County Department of Liquor Control for employee parking; and

WHEREAS, The Department of Liquor Control has received funding to expand its warehouse that will incorporate the DFNS parking spaces; and

WHEREAS, An alternate area of the site has been identified to replace the Montgomery County Public Schools parking spaces; however, nine to 12 months are needed to design, obtain permits, and construct the new parking area; and

WHEREAS, Staff has negotiated a license agreement with Sears, Roebuck and Company, to use a portion of its parking lot for The Great Indoors store on Shady Grove Road for temporary parking for DFNS for a fee of \$1,500 per month for 60 parking spaces; and

WHEREAS, The Division of Transportation will provide shuttle bus service to transport employees between their personal vehicles and work site; now therefore be it

Resolved, That a License Agreement for Use of Parking Facility be approved for execution by the superintendent or his designee for temporary parking spaces at the Sears, Roebuck and Company, The Great Indoors, store.

RESOLUTION NO. 239-07      Re:    **UTILIZATION OF THE FY 2007 PROVISION  
FOR FUTURE SUPPORTED PROJECTS  
FUNDS**

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

WHEREAS, The grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 15-631, approved May 27, 2006; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2007 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 2007 Provision for Future Supported Projects, as specified below:

| <u>Project</u>                                  | <u>Positions</u> | <u>Amount</u>       |
|-------------------------------------------------|------------------|---------------------|
| Maryland School Performance Recognition Program |                  | \$ 24,712           |
| Middle School SCALE-uP Project                  | 2.0              | 207,522             |
| Quality Teacher Incentive Program               |                  | <u>1,205,000</u>    |
| Total                                           | <u>2.0</u>       | <u>\$ 1,437,234</u> |

and be it further

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

RESOLUTION NO. 240-07

Re: **FY 2007 THIRD QUARTER CATEGORY AND  
OBJECT TRANSFERS REQUEST**

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

Resolved, That the superintendent of schools be authorized to effect FY 2007 categorical transfers of \$139,405 in the following categories:

**Maryland Student Technology Literacy Consortium**

|    | <u>Category</u>                      | <u>From</u>       | <u>To</u>         |
|----|--------------------------------------|-------------------|-------------------|
| 3  | Instructional Salaries               | \$ 72,953         |                   |
| 4  | Textbooks and Instructional Supplies |                   | \$ 8,467          |
| 5  | Other Instructional Costs            |                   | 110,973           |
| 12 | Fixed Charges                        | <u>46,487</u>     | <u>          </u> |
|    |                                      | -                 |                   |
|    | Total                                | <u>\$ 119,440</u> | <u>\$ 119,440</u> |

**Title V Innovative Education**

|    | <u>Category</u>                      | <u>From</u>       | <u>To</u>        |
|----|--------------------------------------|-------------------|------------------|
| 3  | Instructional Salaries               | \$ 13,159         |                  |
| 4  | Textbooks and Instructional Supplies | 6,806             |                  |
| 5  | Other Instructional Costs            |                   | \$ 8             |
| 12 | Fixed Charges                        | <u>          </u> | <u>19,957</u>    |
|    | Total                                | <u>\$ 19,965</u>  | <u>\$ 19,965</u> |

and be it further

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



RESOLUTION NO. 241-07      Re:    **APPOINTMENT OF MONTGOMERY COUNTY  
PUBLIC SCHOOLS EMPLOYEES RETIREMENT  
AND PENSION SYSTEM INVESTMENT TRUSTEE**

WHEREAS, The Board of Education, by Resolution No. 344-95, authorized the establishment of a trust to be used for the purpose of funding the Montgomery County Public Schools Employees Retirement and Pension System benefits; and

WHEREAS, The trustees are a committee composed of the chief operating officer; the chief financial officer; the director of management, budget, and planning; the director of benefits strategy and vendor relations; and the controller and up to, but no more than, four additional members to be appointed by the Board of Education; and

WHEREAS, The appointed term of Mr. Neal J. Wilson as a trustee will end June 30, 2007; and

WHEREAS, Mr. Neal J. Wilson has expressed a willingness to serve for an additional three-year term; now therefore be it

Resolved, That Mr. Neal J. Wilson is reappointed as a trustee for a term ending June 30, 2010.

RESOLUTION NO. 242-07      Re:    **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated May 8, 2007.

RESOLUTION NO. 243-07      Re:    **DEATH OF WILLIAM B. BERARD, BUS  
OPERATOR I, DEPARTMENT OF  
TRANSPORTATION**

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

WHEREAS, The death on March 29, 2007, of Mr. William B. Berard, bus operator I at the Shady Grove South Depot in the Department of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the short time Mr. Berard had worked for Montgomery County Public Schools, he demonstrated extreme loyalty and dedication as a bus operator; and

WHEREAS, His positive attitude and his concern for the students were a credit to the entire student transportation population; 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 William B. Berard 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. Berard's family.

RESOLUTION NO. 244-07            Re:    **DEATH OF ELLEN D. VANDOVER, PARAEDUCATOR, SPECIAL EDUCATION, STRAWBERRY KNOLL ELEMENTARY SCHOOL**

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

WHEREAS, The death on April 23, 2007, of Mrs. Ellen D. Vandover, special education paraeducator at Strawberry Knoll Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the time Mrs. Vandover worked for Montgomery County Public Schools, she was dependable and extremely dedicated to helping the students and staff; and

WHEREAS, She was very flexible in working with students and was conscientious in completing her assigned tasks; 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 Ellen D. Vandover and extend deepest sympathy to her 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 Mrs. Vandover's family.

RESOLUTION NO. 245-07            Re:    **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

|                    |                         |                           |
|--------------------|-------------------------|---------------------------|
| <u>Appointment</u> | <u>Current Position</u> | <u>As</u>                 |
| Michael Bayewitz   | Principal, Luxmanor ES  | Principal, Broad Acres ES |

RESOLUTION NO. 246-07 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

|                    |                            |                           |
|--------------------|----------------------------|---------------------------|
| <u>Appointment</u> | <u>Current Position</u>    | <u>As</u>                 |
| Lee Derby          | Principal, Garrett Park ES | Principal, Cedar Grove ES |

RESOLUTION NO. 247-07 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

|                    |                                  |                                   |
|--------------------|----------------------------------|-----------------------------------|
| <u>Appointment</u> | <u>Current Position</u>          | <u>As</u>                         |
| Nora Dietz         | Principal Intern, Cannon Road ES | Principal, Capt. James E. Daly ES |

RESOLUTION NO. 248-07 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

|                    |                         |                               |
|--------------------|-------------------------|-------------------------------|
| <u>Appointment</u> | <u>Current Position</u> | <u>As</u>                     |
| Aara Davis         | Principal, Whetstone ES | Principal, Georgian Forest ES |

RESOLUTION NO. 249-07 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

|                    |                                |                         |
|--------------------|--------------------------------|-------------------------|
| <u>Appointment</u> | <u>Current Position</u>        | <u>As</u>               |
| Floyd Starnes      | Principal Intern, Twinbrook ES | Principal, Kemp Mill ES |

RESOLUTION NO. 250-07 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

|                    |                                   |                                   |
|--------------------|-----------------------------------|-----------------------------------|
| <u>Appointment</u> | <u>Current Position</u>           | <u>As</u>                         |
| Barbara Liess      | Principal Intern, Gaithersburg ES | Principal, Kensington Parkwood ES |

**RESOLUTION NO. 251-07      Re:    HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

|                    |                                |                         |
|--------------------|--------------------------------|-------------------------|
| <u>Appointment</u> | <u>Current Position</u>        | <u>As</u>               |
| Audra Fladung      | Acting Principal, Stonegate ES | Principal, Stonegate ES |

**RESOLUTION NO. 252-07      Re:    HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

|                    |                                      |                      |
|--------------------|--------------------------------------|----------------------|
| <u>Appointment</u> | <u>Current Position</u>              | <u>As</u>            |
| Jennifer Baker     | Assistant Principal, Walt Whitman HS | Principal, Tilden MS |

**RESOLUTION NO. 253-07      Re:    HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective May 9, 2007:

|                    |                              |                       |
|--------------------|------------------------------|-----------------------|
| <u>Appointment</u> | <u>Current Position</u>      | <u>As</u>             |
| Sarah Sirgo        | Acting Principal, Woodlin ES | Principal, Woodlin ES |

**RESOLUTION NO. 254-07      Re:    HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

| <u>Appointment</u> | <u>Current Position</u>        | <u>As</u>                          |
|--------------------|--------------------------------|------------------------------------|
| Phillip Gainous    | Principal, Montgomery Blair HS | Liaison for Leadership Development |

Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief operating officer, reported the actual financial condition of MCPS as of March 31, 2007, and projections through June 30, 2007, based on program requirements and estimates made by primary and secondary account managers. At that time, revenues had a projected surplus of \$1,198,453, while expenses had a projected surplus of \$6,100,000. Staff will continue to closely monitor both revenues and expenditures

RESOLUTION NO. 255-07 Re: **CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Monday, May 21, 2006, in Room 120 of the Carver Educational Services Center to meet from 6:30 to 7:00 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. 255(a)-07 Re: **REPORT OF CLOSED SESSION**

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:

On April 19, 2007, by unanimous vote of members present, the Board of Education voted to conduct closed sessions as permitted under the *Education Article § 4-107* and *State Government Article § 10-501, et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed sessions on April 19, 2007, from 9:00 to 10:00 a.m. and 2:20 to 2:40 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*): T-2007-2; 2007-9, and 2007-10.
2. Discussed the Human Resources Monthly Report and Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. 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*
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 session were: Steve Abrams, Aggie Alvez, Christopher Barclay, Steve Bedford, Larry Bowers, Shirley Brandman, Patrick Clancy, Bruce Crispell, Sharon Cox, Judy Docca, Brian Edwards, Marlene Hartzman, Richard Hawes, Ursula Hermann, Sarah Horvitz, Roland Ikheloa, Mark Kelsch, LaVerne Kimball, Don Kress, Frieda Lacey, Jody Leleck, Susan Marks, Heath Morrison, Nancy Navarro, Patricia O’Neill, John Q. Porter, Brian Porter, Frank Stetson, Glenda Rose, Jerry Weast, and Mary Pat Wilson.

RESOLUTION NO. 256-07      Re:    **APPEALS**

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

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 which will be recorded in the minutes of today’s meeting:

| <u>Appeal Number</u> | <u>Type</u>                 | <u>Disposition</u> |
|----------------------|-----------------------------|--------------------|
| T-2007-4             | Transfer                    | Affirmed           |
| 2007-11              | Student Placement/Expulsion | Affirmed           |

Re:    **NEW BUSINESS**

Mrs. O'Neill stated that on May 3, 2006, she wrote a memorandum to Superintendent of Schools Jerry D. Weast, requesting consideration of a waiver of high school final exams for students taking Advanced Placement and International Baccalaureate courses. On May 24, 2006, Dr. Weast responded that MCPS would investigate the feasibility of implementing this suggestion. In his response, he also referred the suggestion to the Office of Curriculum and Instructional Programs for consideration by the Grading and Reporting Implementation Team. Mrs. O'Neill added that to the best of her knowledge, the Board had not been advised on the outcome of these reviews. In addition, the Board may be interested in addressing other issues related to high school final exams. Therefore, she offered the following resolution for the Board's consideration.

Re: **HIGH SCHOOL EXAMS**

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

Resolved, That the Board of Education schedule a discussion as soon as possible on the issues raised in the earlier memos as well as other issues related to high school final exams.

RESOLUTION NO. 257-07      Re: **VOTE ON NEW BUSINESS**

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

Resolved, That the Board of Education vote today on this new business item in lieu of the practice of new business laying over until the next meeting.

Re: **DISCUSSION**

Mrs. O'Neill stated that there are many issues connected with high school final exams, not withstanding requirements from the Maryland State Department of Education. Last year, the state superintendent announced that students could substitute the Advanced Placement (AP) government exam for the High School Assessment (HSA) government exam. Unfortunately, the caveat was that students would not received the results of the AP exams until July, and the opportunity was not there to retake the HSA until January. The state superintendent stated that there would an October administration of the HSA, but the school system has not received that information.

However, there is the issue of how many high-stakes tests children are taking. Typically, a sophomore would take AP government, HSA in government, and the MCPS final exam. These same children in 10<sup>th</sup> grade are also taking the HSA in English and the MCPS final exam.

On the subject of the high school countywide exams, the issue was raised that when the Board adopted the Grading and Reporting Policy, there was some belief among staff that the Board felt very strongly about the need for final exams. At the time of the action, the Board directed the superintendent that the Board's thinking was that 25 percent would be the weight of the final exam as opposed to his recommendation of 30 percent. The Board did not feel that the final exams were absolutely essential for all high school courses, such as PE or journalism/yearbook. With the electronic grade book, there is a requirement for a final exam weighted at 25 percent.

Mrs. O'Neill thought the Board should take a look at these issues related to final exams, and, if possible, give students a break. It is onerous for the seventh graders taking algebra in middle school to take the MSA, HSA, and final exam. COMAR clearly states that if a student receives credit in middle school for high school courses, there must be an exam. The Board needs to have a discussion that is open ended.

Ms. Cox supported the adoption of the resolution because the Grading and Reporting Policy does speak to the importance of summative assessments. When the superintendent promulgates a regulation, the Board needs a discussion for his information on final exams. It would be better to have this discussion very soon.

RESOLUTION NO. 258-07

Re: **HIGH SCHOOL EXAMS**

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

Resolved, That the Board of Education schedule a discussion as soon as possible on the issues raised in the earlier memos as well as other issues related to high school final exams.

Re: **ITEMS OF INFORMATION**

The following items were available to Board members and the public:

1. Legal Fees Report
2. Construction Progress Report
3. Minority-, Female-, or Disabled-owned Business Procurement Report for the Third Quarter of FY 2007
4. Update on Summer Training

Re: **DISCUSSION**

Mrs. Navarro referred to the Minority-, Female-, or Disabled-owned Business Procurement Report for the Third Quarter of FY 2007. She asked how potential vendors are contacted, what the technical assistance is, what the outreach is, if minority organizations are



contacted, and if there has there been an increase in vendors. Mr. Barclay wanted to know what the process looked like and the mechanisms for advertisement.

Re: **SUPERINTENDENT'S LEADERSHIP PROGRAM**

The Board of Education received a briefing on the Superintendent's Leadership Program (SLP), a career and leadership development program for high school seniors that focuses on an honors-level humanities curriculum comparable to many college courses. This unique program is designed to educate future global leaders. Students who have demonstrated outstanding leadership and academic excellence are selected through a highly competitive process. The program is aligned with the goals outlined in *Our Call to Action: Pursuit of Excellence*—The Strategic Plan for the Montgomery County Public Schools (MCPS), particularly the initiative to strengthen productive partnerships for education. Through the SLP, students are connected with partners in business, higher education, and government.

The program, established to provide an enriching learning experience outside of the classroom for emerging leaders, was piloted in 2000 and became fully operational with the Class of 2002. The program's structure allows the superintendent to interact consistently with a group of students, many of whom are making their own positive impact on Montgomery County and global communities. Each month Dr. Weast facilitates a two-hour seminar with the class, which also affords students the opportunity to better understand the leadership within the school system, in addition to other program components.

RESOLUTION NO. 259-07      Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of May 8, 2007, at 3:45 p.m.

---

PRESIDENT

---

SECRETARY

JDW:gr

| <b>Resolution</b>                  | <b>Abrams</b> | <b>Barclay</b> | <b>Brandman</b> | <b>Cox</b> | <b>Docca</b> | <b>hORVITZ</b> | <b>Navarro</b> | <b>O'Neill</b> |
|------------------------------------|---------------|----------------|-----------------|------------|--------------|----------------|----------------|----------------|
| Resolution on No Child Left Behind | A             | A              | A               | A          | A            | A              | A              | A              |

A = affirmative; N = negative; O = absent; AB = abstain

**MONTGOMERY COUNTY BOARD OF EDUCATION  
SUMMARY SHEET**

**May 8, 2007**

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