

APPROVED
20-2010

Rockville, Maryland
July 8, 2010

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, Rockville, Maryland, on July 8, 2010, at 10:20 a.m.

Present: Mrs. Patricia O'Neill, President
in the Chair
Ms. Laura Berthiaume
Ms. Shirley Brandman
Dr. Judy Docca
Mr. Michael Durso
Mr. Philip Kauffman
Mr. Alan Xie
Mr. Larry Bowers, Acting Secretary/Treasurer

Absent: Mr. Christopher Barclay
Dr. Jerry Weast

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

RESOLUTION NO. 356-10Re: **RESOLUTION FOR CLOSED SESSIONS**

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

WHEREAS, The Board of Education of Montgomery County is authorized by the *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 July 8, 2010, in Room 120 from 9:00 to 10:00 a.m. and 12:30 to 1:30 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County discuss the Human Resources Monthly Report, Appointments, and the Equal Employment Opportunity Quarterly Report, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107(d) of the *Education Article*, with a subsequent vote in open session; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on July 8, 2010, to acquit its administrative functions and receive legal advice to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the *Open Meetings Act* under Section 10-508(a) of the *State Government Article*; and be it further

Resolved, That the meeting continue in closed sessions 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. 357-10Re: APPROVAL OF THE AGENDA

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Dr. Docca, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its agenda for July 8, 2010.

Re: PUBLIC COMMENTS

The follow person testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
Frank Suraci	Beverly Farms Modernization Project

Re: BOARD/SUPERINTENDENT COMMENTS

Dr. Docca attended the Youth International Entrepreneurial Program which is a collaborative program with other institutions to form the Silver Spring Links Scholarship Program.

Mr. Xie commented on his first Board meeting, and he looked forward to working with the Board and learning new things.

Mr. Durso welcome Mr. Xie and thought it was important to have a student's perspective.

Mr. Bowers commented on the following topics: (1) work during the summer; (2) Emmy for ITV; (3) summer meals program; and (3) partnership with the Montgomery County Police Department.

Re: COROLLARY ATHLETICS AND ADAPTED PHYSICAL EDUCATION

Mr. Bowers invited the following people to the table: Mrs. Chrisandra A. Richardson, associate superintendent, Office of Special Education and Student Services; Dr. William G. Beattie, director, Systemwide Athletics; Ms. Jane W. Harkaway, instructional specialist, Adapted Physical Education; Dr. Debra S. Munk, principal, Rockville High School; and Mr. Michael A. Bovino, consultant, Special Olympics Maryland.

Montgomery County Public Schools (MCPS) believes strongly in the principles of inclusion in all aspects of education. The theme of inclusion is integral to key district policies, regulations, publications, and resources—inviting *all* to participate, providing opportunities for *all*, encouraging *all* to grow and succeed. These critical messages appear repeatedly. The MCPS vision states, “All children will receive the respect, encouragement, and opportunities they need to build the knowledge, skills, and attitudes to be successful, contributing members of a global society.” MCPS is striving to exemplify this principle of inclusion in its physical education and interscholastic programs as well. In this memorandum and presentation to the Board of Education, the Board was provided with information about the district’s response to the *Fitness and Athletics Equity Act*, passed by the Maryland General Assembly in 2008. It also described steps that MCPS has taken to address students’ needs and to enhance quality participation in physical education and interscholastic athletics.

Currently, approximately 1,500 students with disabilities participate annually in the MCPS High School Interscholastic Athletics Program; however, for many special needs students, challenges to their participation remain. Addressing challenges to participation unlocks the benefits of physical fitness and athletics for more students, breaking stereotypes, countering preconceived notions, and strengthening an inclusive community. For many, memories of physical activities evoke either joy or discomfort. Adults may remember times they felt the exhilaration of participating or the discomfort or worry about being excluded from athletic events or team competitions. Altering the cultural paradigm so that all students have the opportunity to experience the positive benefits associated with participation is a goal of corollary athletics and adapted physical education. The rollout has begun—five high schools piloted Allied softball teams during the 2010 spring season. MCPS plans full implementation of a corollary sports program in all MCPS high schools during the 2011–2012 school year, with fall, winter, and spring teams competing against similar teams in other school systems for regional and state championships. Staff members in the offices of Special Education and Student Services and Curriculum and Instructional Programs will disseminate adapted physical education guidelines to school administrators by the opening of the 2010–2011 school year. By January 2011, physical education teachers in all MCPS schools will have received training on the legal basis for adapted physical education, assessment procedures, and instructional strategies. In MCPS, family-school relationships are a priority. The district’s efforts to include all individuals focus on academic pursuits and preparing students for college and career readiness, as well as building relationships, creating a sense of belonging, and developing self-, school, and community pride.

Re: **DISCUSSION**

Ms. Brandman was interested in professional development for adaptive physical education. Staff stated that teachers will be trained by January 2011 to implement the program, especially based on IEPs and objectives for children. There will be assessments to determine compliance with the IEP and state law. Furthermore, there will be quarterly reports.

Mr. Durso remarked that he misses the interaction of students, whether disabled or not. The overall school population has a better understanding and acceptance with interaction.

Mrs. O'Neill thought that the opportunity for disabled students is extraordinary, and she commended Delegate Karen Montgomery for the legislation. She asked for a schedule of the Corollary Sports Program when it is available in order for Board members to attend some of the competitions.

Ms. Berthiaume stated that she was impressed with efforts of the Special Olympics to help disabled students. She asked about the determination that the full eligibility requirements would apply to this program, and she asked how many students will be served by this program. What are the budget implications? Staff responded that there will be 1,000 students involved in the program--half of the students with disabilities and half of them without disabilities. Mr. Bowers commented that funds have been included in the budget for stipends, uniforms, and transportation.

Ms. Brandman asked about the eligibility requirements and why they are used. Staff explained that they are on the same footing as other students, and their athletic letters will mean the same as other students' letters.

RESOLUTION NO. 358-10Re: CONTRACTS OF \$25,000 OR MORE

On recommendation of the superintendent and on motion of Mr. Kauffman 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; now therefore be it

Resolved, That the Board president and superintendent of schools 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:

050B7 800023	Hardware & Associated Equipment & Services—Extension	
	Awardee	
	USC Canterbury Corporation	\$ 40,000
9803 105.1	Maintenance and Repair Underground Stormwater Facilities—Extension	

	Awardee Stormwater Management FRG, Inc.	\$400,000
1086.3	Third Party Billing Services for Students with Disabilities—Extension	
	Awardee Dawkins Medical Management*	\$150,000
4012.7	Maintenance Lumber and Related Materials	
	Awardees	
	84 Lumber Company*	\$ 27,809
	A&M Supply Corporation	33,333
	G. E. Frisco Company, Inc.*	22,628
	Mann & Parker Lumber Company	11,475
	Pikesville Lumber Company	<u>41,509</u>
	Total	\$136,754
4091.6	Art and School Papers—Extension	
	Awardees	
	AFP Industries, Inc.*	\$ 22,395
	DGS Educational Products*	58,103
	Integrity School Supplies*	194,983
	Pyramid School Products	55,106
	School Specialty, Inc.	<u>1,840</u>
	Total	\$332,427
4265.1	Americorps/Project Change—Extension	
	Awardee George B. Thomas, Sr. Learning Academy, Inc.	\$ 86,000
4269.2	Consultant for the Montgomery County Public Schools Hispanic Community—Extension	
	Awardee Spanish Speaking Community of Maryland, Inc.	\$ 27,800
4290.1	Private Duty Nursing Services to Students with Special Needs	
	Awardees (See note)	
	APNT, Inc.*	
	Delta-T Group	

	Elizabeth Cooney Care Network	
	Global Medical & Health Services, LLC	
	Home Health Connection, Inc.	
	Maxim Healthcare Services, Inc.	
	Motir*	
	Total	\$400,000
4293.1	Marriott Foundation Partnership—Extension	
	Awardee	
	Marriott Foundation for People	\$ 60,000
6807.1	Disposables, Containers, and Film	
	Awardees	
	Calico Industries, Inc.	\$ 341
	Form Plastics Company	632,851
	S. Freedman & Sons, Inc.	<u>14,883</u>
	Total	\$648,075
7070.8	Printing Supplies—Extension	
	Awardees	
	Arcal Chemicals, Inc.	\$ 4,531
	G. E. Richards Graphic Supplies	47,891
	Keystone Printing Ink Company	15,996
	Presstek	6,593
	Printers' Service	15,863
	Walker Supply Company, Inc.	<u>4,729</u>
	Total	\$ 95,603
7112.4	Lawn Maintenance Equipment—Extension	
	Awardees	
	Gaithersburg Equipment Company	\$ 90,411
	Lawn and Power Equipment	52,205
	Mid Atlantic Turf Equipment, LLC*	<u>7,500</u>
	Total	\$150,116
9015.5	Ceiling Board and Grid System Materials—Extension	
	Awardees	
	B&B Concepts*	\$ 1,995
	Capitol Building Supply	<u>66,935</u>

	Total	\$ 68,930
9028.3	Tree Removal Service—Extension	
	Awardees (See note)	
	Mead Tree & Turf Care, Inc.	
	Takoma Tree Experts, Inc.	
	Total	\$300,000
9062.9	Fitness and Team Handball Supplies and Equipment	
	Awardees	
	Cannon Sports, Inc.*	\$ 17,853
	Creative Health Products*	2,880
	Gopher Sport	1,687
	School Specialty, Inc.	2,438
	Sport Supply Group, Inc.	14,485
	Sports Imports, Inc.	<u>12,650</u>
	Total	\$ 51,993
9103.10	Groceries and Staples	
	Awardees	
	Cains Foods	\$ 13,535
	Dori Foods, Inc.	373,110
	Eastern Food Services, Inc.*	48,400
	Feesers, Inc.	30,490
	Interstate Gourmet Coffee Roasters, Inc.	16,260
	Kellogg's Food Away From Home	72,564
	Key Mix Corporation	14,300
	Mr. Enterprises, Inc.*	260,063
	PFG-Carroll County Foods, Inc.*	36,218
	Sysco Food Services of Baltimore, LLC	78,967
	US Foodservice/Baltimore	<u>9,313</u>
	Total	\$ 953,220
9425.1	Energy Management Automation System Upgrade at Various Locations	
	Awardees	
	Control Sources, LLC	\$ 94,955
	Control Systems Sales, Inc*	<u>83,000</u>
	Total	\$ 177,955

TOTAL PROCUREMENT CONTRACTS OVER \$25,000 \$4,078,873

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

Note: Contract amounts will be based on individual requirements

RESOLUTION NO. 359-10Re: **CONTRACT APPROVAL FOR BID NO. 9101.2,
PROCESSED MEATS AND REFRIGERATED
AND FROZEN FOODS – EXTENSION**

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

WHEREAS, Funds have been budgeted for and/or identified for the purchase of processed meats and refrigerated and frozen foods through Bid No. 9101.12; now therefore be it

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

9101.12 Processed Meats and Refrigerated and Frozen Foods – Extension

<u>Awardee</u>	
Advance Food Company	\$ 40,095
Cargill Kitchen Solutions, Inc.	95,250
Conagra Foods, Inc.	23,128
Culinary Standards Corporation	38,720
Dori Foods, Inc.	358,943
Eastern Food Services, Inc.*	55,959
Feesers, Inc.	76,296
Foodco USA*	7,100
H. Schrier and Company, Inc.	1,017,630
Hadley Farms, Inc.	265,460
Karetas Foods, Inc.	180,921
McCain Foods, USA	137,280
Muffin Town	95,200
PFG-Carroll County Foods, Inc.*	119,516
Pierre Foods, Inc.	305,875
Royalle Dining Services, Inc.*	3,403
The J.M. Smucker Company	689,580
Total	<u>\$3,510,356</u>

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

RESOLUTION NO. 360-10Re: **CONTRACT APPROVAL FOR BID NO. 9111.5
PIZZA, BAKED-FROZEN**

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

WHEREAS, Funds have been budgeted for and/or identified for the purchase of pizza, baked-frozen, through Bid No. 9111.5; now therefore be it

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

9111.5 Pizza, Baked-Frozen

Awardees

Conagra Foods, Inc.	\$ 450,450
Rich Products Corporation	240,000
Schwan's Food Service*	<u>758,480</u>
Total	\$1,448,930

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

RESOLUTION NO. 361-10Re: **ARCHITECTURAL APPOINTMENT – BRADLEY
HILLS ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Bradley Hills Elementary School addition project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$9.1 million; and

WHEREAS, Funds for architectural planning were programmed as part of the Fiscal Year 2011 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Proffitt & Associates Architects as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural and engineering services that includes two Maryland Department of Transportation-certified minority-owned firms; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Proffitt & Associates Architects to provide professional architectural and engineering services for the Bradley Hills Elementary School addition for a fee of \$805,500.

RESOLUTION NO. 362-10Re: **ARCHITECTURAL APPOINTMENT –
DARNESTOWN ELEMENTARY SCHOOL
ADDITION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Darnestown Elementary School addition project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$6.4 million; and

WHEREAS, Funds for architectural planning were programmed as part of the Fiscal Year 2011 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Gauthier, Alvarado & Associates, Inc. as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural and engineering services that includes two Maryland Department of Transportation-certified minority-owned firms; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Gauthier, Alvarado & Associates, Inc. to provide professional architectural and engineering services for the Darnestown Elementary School addition for a fee of \$630,686.

RESOLUTION NO. 363-10Re: **ARCHITECTURAL APPOINTMENT – GEORGIAN
FOREST ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Georgian Forest Elementary School addition project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$6.2 million; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2011 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Hord Coplan Macht, Inc. as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural and engineering services that includes a Maryland Department of Transportation-certified minority-owned firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Hord Coplan Macht, Inc. to provide professional architectural and engineering services for the Georgian Forest Elementary School addition for a fee of \$583,720.

RESOLUTION NO. 364-10Re: **ARCHITECTURAL APPOINTMENT – HIGHLAND
ELEMENTARY SCHOOL – SCHOOL-BASED
HEALTH CENTER ADDITION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Highland Elementary School School-based Health Center addition project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$1.2 million; and

WHEREAS, The project is being funded by the Montgomery County Department of Health and Human Services; and

WHEREAS, Funds for architectural planning were programmed as part of the Montgomery County Department of Health and Human Services Fiscal Year 2011 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Smolen-Emr-Ilkovitch Architects, Inc. as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural and engineering services that includes two Maryland Department of Transportation-certified minority-owned firms; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Smolen-Emr-Ilkovitch Architects, Inc. to provide professional architectural and engineering services for the Highland Elementary School School-based Health Center addition for a fee of \$170,000.

RESOLUTION NO. 365-10Re: **TRANSFER AND EXTENSION OF ENERGY
PROCUREMENT AUTHORITY**

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

WHEREAS, There is a very short duration for analyzing and accepting energy supply offers due to market volatility; and

WHEREAS, A continuing limited delegation of authority is needed to execute energy supply purchases under the energy cost management plan given the very limited timeframe for analyzing and accepting energy supply offers; and

WHEREAS, The energy supply purchases executed as a result of this delegation of authority are allocated to established Montgomery County Public Schools energy supply accounts in compliance with an energy cost management plan; and

WHEREAS, Periodic energy procurement reports are submitted to the Board of Education; and

WHEREAS, Mr. James C. Song has been appointed as the new director of the Department of Facilities Management; and

WHEREAS, Similar delegations of authority were approved by the Board on February 23, 2004; February 14, 2006; May 13, 2008; and April 15, 2010; now therefore be it

Resolved, That the authority to commit Montgomery County Public Schools to electricity or

natural gas supply purchases be delegated to Mr. Larry A. Bowers, chief operating officer, or Mr. James C. Song, director, Department of Facilities Management; and be it further

Resolved, That the delegation of authority is limited to the energy purchases through existing energy supply contracts and is effective on the date of this resolution and expires on July 1, 2011.

RESOLUTION NO. 366-10Re: **GRANT OF FOREST CONSERVATION EASEMENT
 – SEVEN LOCKS ELEMENTARY SCHOOL**

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

WHEREAS, The Maryland–National Capital Park and Planning Commission (Commission) has requested a Conservation Easement Agreement at Seven Locks Elementary School, located at 9500 Seven Locks Road in Bethesda, in connection with the modernization project at the school; and

WHEREAS, The proposed Conservation Easement Agreement will protect and prevent any alteration, construction, or destruction of sensitive environmental areas consisting of forest, wetlands, and stream valley buffers contained in an easement grant of 1.5 acres to the Commission; and

WHEREAS, The proposed Conservation 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 sensitive environmental 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 1.5 acres with the MarylandNational Capital Park and Planning Commission at Seven Locks Elementary School.

RESOLUTION NO. 367-10Re: **ARCHITECTURAL APPOINTMENT– VIERS MILL
 ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Viers Mill Elementary School addition project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$5.8 million; and

WHEREAS, The project scope includes Linkages to Learning and School-based Health Center as add-alternates; and

WHEREAS, Funds for architectural planning were programmed as part of the Fiscal Year 2011 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified BeeryRio Architecture + Interiors as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural and engineering services that includes a Maryland Department of Transportation-certified minority-owned firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of BeeryRio Architecture + Interiors to provide professional architectural and engineering services for the Viers Mill Elementary School addition for a fee of \$550,000.

RESOLUTION NO. 368-10Re: **ARCHITECTURAL APPOINTMENT– WYNGATE
ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Wyngate Elementary School addition project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$6.5 million; and

WHEREAS, Funds for architectural planning were programmed as part of the Fiscal Year 2011 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Rubeling & Associates, Inc. as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural and engineering services that includes a Maryland Department of Transportation-certified minority-owned firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Rubeling & Associates Inc. to provide professional architectural and engineering services for the Wyngate Elementary School addition for a fee of \$580,000.

RESOLUTION NO. 369-10Re: AWARD OF CONTRACTS– RIDGEVIEW MIDDLE SCHOOL IMPROVEMENTS

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

WHEREAS, On May 8, 2007, the Board of Education authorized staff to utilize a construction management process for the Ridgeview Middle School improvements project and awarded a contract for preconstruction services to Oak Contracting, LLC; and

WHEREAS, The following responsive low bids were received on June 21, 2010, for the Ridgeview Middle School improvements project:

<u>Low Bidders</u>	<u>Amounts</u>
5A-Steel—Kinsley Construction, Inc.	\$ 155,090
6A-General Construction—Homewood General Contractors, Inc.	2,566,000
7A-Roofing—CitiRoof Corporation	224,500
8A-Windows/Glazing—Engineered Construction Products, Ltd.	70,505
9A-Drywall—Reliant Drywall, Inc.	413,200
9D-Flooring—A&B Flooring Systems, Inc.	127,047
15A-Mechanical —Mallick Plumbing & Heating, Inc.	3,483,800
16A-Electrical—CT Electrical Corporation	1,083,500

and

WHEREAS, Only one bid was received for the 6A-General Construction trade package which exceeded the cost estimate of the package; and

WHEREAS, Staff recommends the 6A-General Construction trade package be rebid at a later date; 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 Montgomery

County Public Schools and/or other jurisdictions; now therefore be it

Resolved, That the following trade contracts be awarded to the low bidders for the construction of Ridgeview Middle School improvements in accordance with drawings and specifications prepared by The Lukmire Partnership, Inc.:

<u>Low Bidders</u>	<u>Amounts</u>
5A-Steel—Kinsley Construction, Inc.	\$ 155,090
7A-Roofing—CitiRoof Corporation	224,500
8A-Windows/Glazing —Engineered Construction Products, Ltd.	70,505
9A-Drywall—Reliant Drywall, Inc.	413,200
9D-Flooring—A&B Flooring Systems, Inc.	127,047
15A-Mechanical—Mallick Plumbing & Heating, Inc.	3,483,800
16A-Electrical—CT Electrical Corporation	1,083,500

RESOLUTION NO. 370-10Re: **CONSULTANT APPOINTMENTS—
ENVIRONMENTAL STUDIES FOR VARIOUS
PROJECTS**

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

WHEREAS, It is necessary to appoint engineering firms to provide environmental studies consulting services for site and building inspections and preparation of Phase I and Phase II environmental studies on various construction projects on an as-needed basis; and

WHEREAS, A Professional Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified ECS Mid-Atlantic, LLC; Froehling & Robertson, Inc.; and Kynoch Environmental Management, Inc. as the most qualified firms to provide the necessary professional engineering environmental studies services; and

WHEREAS, Staff will negotiate fees for the necessary engineering environmental studies services based on the size and complexity of individual projects; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the firms of ECS Mid-Atlantic, LLC; Froehling & Robertson, Inc.; and Kynoch Environmental Management, Inc. to provide professional engineering environmental studies services as requirements arise for a fee not to exceed \$25,000 for an individual project.

RESOLUTION NO. 371-10Re: **APPROVAL OF § 403(B)/§ 457(B) DEFERRED CONTRIBUTION COMPANIES**

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

WHEREAS, The Board of Education of Montgomery County, Maryland, by Resolutions 334-65, 365-65 and 415-02, has offered a tax-sheltered saving program for its employees since 1965 and a deferred compensation program since 2003 in accordance with Sections §403(b) and §457(b), respectively, of the Internal Revenue Code as amended; and

WHEREAS, A review of the performance and service of defined contribution companies is made periodically to determine whether they should continue or new companies should be added; and

WHEREAS, Having been duly advertised under Request for Proposal 1143.4, companies were asked to submit proposals for consideration; and

WHEREAS, An expert consultant, Mercer Investment Consulting, was retained to assist in the evaluation of record keeping and investment proposals; and

WHEREAS, Staff completed the evaluation by combining Mercer's analysis with data on company performance and employee participation; and

WHEREAS, Evaluation results and recommendations were presented to and approved by members of the Board of Education Fiscal Management Committee; now therefore be it

Resolved, That the following nine companies previously approved by the Board of Education be continued as defined contribution companies under a five-year contract upon successful negotiation of contracts reflecting bid responses:

- Fidelity Investments Tax-Exempt Services Company
- ING Financial Services
- Lincoln Financial Group
- Lincoln Investment Planning
- MetLife Resources
- Morgan Stanley Smith Barney/Diversified Investment Advisors
- T. Rowe Price Associates
- TIAA-CREF
- VALIC

and be it further

Resolved, That the VALIC retirement manager is retained to provide common remitter and administrative services to the plans under a five-year contract; and be it further

Resolved, That nothing in these resolutions should be deemed to constitute the Board's recommendation of one provider over another or the Board's recommendation or endorsement of any particular investment product offered by an approved defined contribution company; and be it further

Resolved, That Board of Education hereby authorizes the appropriate individuals to take such further actions and execute such documents as may be necessary or advisable to affect these resolutions.

RESOLUTION NO. 372-10Re: **AMENDMENTS TO THE MCPS TAX-SHELTERED SAVINGS PLAN AND DEFERRED COMPENSATION PLAN**

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

WHEREAS, Section 10.2 of the Tax-Sheltered Savings Plan and Section 8.1 of the Deferred Compensation Plan provide that the Board of Education may amend the Plans at any time; and

WHEREAS, The proposed amendments were presented to and approved by members of the Board of Education Fiscal Management Committee; and

WHEREAS, The Board of Education wishes to amend the Plans as described above; now therefore be it

Resolved: That the Board of Education hereby adopts Amendment No. 1 to the Montgomery County Public Schools Tax-Sheltered Savings Plan and Amendment No. 1 to the Montgomery County Public Schools Deferred Compensation Plan, in substantially the forms attached hereto and authorizes the appropriate individuals to take such further actions and execute such documents as may be necessary or advisable to effect this resolution.

RESOLUTION NO. 373-10Re: **FY 2011 SUPPLEMENTAL APPROPRIATION
REQUEST FOR AGING SCHOOLS
PROGRAM FUNDS**

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

WHEREAS, On May 19, 2010, the Board of Public Works approved the allocation of \$6.1 million in funding for the Aging Schools Program to those jurisdictions that will participate in the Fiscal Year 2011 Aging Schools Program; and

WHEREAS, The Interagency Committee on Public School Construction and the Board of Public Works approved \$602,651 for Montgomery County Public Schools; and

WHEREAS, The State Public School Construction Program requires that the approved Aging Schools Program projects be completed before reimbursement can occur; and

WHEREAS, A supplemental appropriation from the County Council is required to forward fund the Aging School Program projects; and

WHEREAS, The State Public School Construction Program will reimburse Montgomery County for the entire cost of the projects once completed; now therefore be it

Resolved, That the Board of Education request a Fiscal Year 2011 supplemental appropriation and amendment to the Fiscal Year 2011–2016 Capital Improvements Program in the amount of \$602,651 to fund eligible projects in the Aging Schools Program; and be it further

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

RESOLUTION NO. 374-10Re: **FY 2011 SUPPLEMENTAL APPROPRIATION
REQUEST FOR QUALIFIED ZONE
ACADEMY BOND GRANT**

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

WHEREAS, On May 19, 2010, the Board of Public Works approved the allocation of \$4.2 million in Qualified Zone Academy Bond interest earnings to those jurisdictions that will participate in the Fiscal Year 2011 Qualified Zone Academy Bond program; and

WHEREAS, The allocations are based on each school district's proportion of the statewide pre-1970 building area that has not been renovated and its percentage of students eligible for free or reduced-price meals; and

WHEREAS, The Interagency Committee on Public School Construction and the Board of Public Works approved \$480,090 for Montgomery County Public Schools; and

WHEREAS, The State Public School Construction Program requires that the approved Qualified Zone Academy Bond projects be completed before reimbursement can occur; and

WHEREAS, A supplemental appropriation from the County Council is required to forward fund the Qualified Zone Academy Bond projects; and

WHEREAS, The State Public School Construction Program will reimburse Montgomery County for the entire cost of the project once completed; now therefore be it

Resolved, That the Board of Education request a Fiscal Year 2011 supplemental appropriation and amendment to the Fiscal Year 2011–2016 Capital Improvements Program in the amount of \$480,090 to fund eligible projects in the Qualified Zone Academy program; and be it further

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

Re: **RECOMMENDATIONS FOR FACILITIES
ASSESSMENT WITH CRITERIA AND
TESTING (FACT) ASSESSMENT
PARAMETERS**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Dr. Docca, the following resolution was placed on the table:

WHEREAS, Montgomery County Public Schools conducts a systematic process for modernization of older school facilities; and

WHEREAS, Montgomery County Public Schools applies an objective assessment methodology, known as the Facilities Assessment with Criteria and Testing instrument, to score facility conditions and develop a ranking of schools for modernization according to a total assessment score; and

WHEREAS, The Facilities Assessment with Criteria and Testing methodology was reviewed by a multistakeholder committee, known as the Facilities Assessment with Criteria and Testing Review Committee, in March and April 2010 to determine if changes to the methodology were needed; and

WHEREAS, On April 27, 2010, the Facilities Assessment with Criteria and Testing Review Committee made recommendations to the superintendent of schools on revised assessment characteristics of schools, termed “assessment parameters”; and

WHEREAS, On June 15, 2010, the superintendent of schools endorsed the Facilities Assessment with Criteria and Testing Review Committee recommended assessment

parameters and recommended continued stakeholder involvement as the Facilities Assessment with Criteria and Testing measures, weighting, and scoring approach is developed; and

WHEREAS, On June 22, 2010, the Board of Education conducted a work session on school modernizations that included discussion of the recommended Facilities Assessment with Criteria assessment parameters; and

WHEREAS, On June 22, 2010, the Board of Education requested that stand-alone special education centers receive a separate assessment to determine the need for future systemic capital improvements; now therefore be it

Resolved, That the attached listings of Facilities Assessment with Criteria and Testing assessment parameters (Attachment A) be applied in the assessment of schools identified to be appended to the queue for modernization in Fiscal Year 2011; and be it further

Resolved, That further refinement of the Facilities Assessment with Criteria and Testing methodology, including identification of measures, weights, and the overall scoring approach, be developed with stakeholder input, including Montgomery County Council of Parent and Teacher Associations, Inc. representatives, as well as other stakeholders who participated in the Facilities Assessment with Criteria and Testing Review Committee; and be it further

Resolved, That the completed Facilities Assessment with Criteria and Testing methodology be presented to the Board of Education in September 2010 for review; and be it further

Resolved, That following Board of Education review of the completed Facilities Assessment with Criteria and Testing methodology, the school assessment process be conducted in Fiscal Year 2011 for the schools identified for assessment; and be it further

Resolved, That the attached list of schools (Attachment B) be those that are assessed in Fiscal Year 2011; and be it further

Resolved, That the Facilities Assessment with Criteria and Testing scores for assessed schools be published as part of the Fiscal Year 2013–2018 Capital Improvements Program in November 2011; and be it further

Resolved, That the newly assessed schools be appended at the end of the list of schools already in the queue for modernization so that the schedule for schools previously assessed remains unchanged; and be it further

Resolved, That the Rock Terrace School, the Carl Sandburg Learning Center, and the Stephen Knolls School have their facility conditions assessed for systemic capital improvement needs, and that the capital maintenance projects necessary to maintain these

facilities in good condition be identified for consideration in a future Capital Improvements Program until such time as the programs can be collocated with other Montgomery County Public Schools facilities.

RESOLUTION NO. 375-10 Re: **AN AMENDMENT TO RECOMMENDATIONS FOR FACILITIES ASSESSMENT WITH CRITERIA AND TESTING (FACT) ASSESSMENT PARAMETERS**

On motion of Mr. Kauffman and seconded by Ms. Brandman, the following amendment was adopted unanimously by members present:

WHEREAS, On June 22, 2010, the Board of Education **discussed whether** stand-alone special education centers **should** receive a **special** assessment for **modernization at the same time as the schools identified in Attachment B**; now therefore be it

Resolved, That the Rock Terrace School, the Carl Sandburg Learning Center, and the Stephen Knolls School **be included in the list of schools assessed for modernization (Attachment B)**; however, if the Superintendent of School is ready to address facilities improvements in existing stand-alone special education centers prior to the time established by the FACT assessment, a multi-stakeholder workgroup should be convened to review and made recommendations, including consideration of collocation in accordance with Board Resolution No. 558-07.

RESOLUTION NO. 376-10 Re: **RECOMMENDATIONS FOR FACILITIES ASSESSMENT WITH CRITERIA AND TESTING (FACT) ASSESSMENT PARAMETERS**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Ms. Brandman, the following resolution, as amended, was adopted unanimously by members present:

WHEREAS, Montgomery County Public Schools conducts a systematic process for modernization of older school facilities; and

WHEREAS, Montgomery County Public Schools applies an objective assessment methodology, known as the Facilities Assessment with Criteria and Testing instrument, to score facility conditions and develop a ranking of schools for modernization according to a total assessment score; and

WHEREAS, The Facilities Assessment with Criteria and Testing methodology was reviewed by a multistakeholder committee, known as the Facilities Assessment with Criteria and Testing Review Committee, in March and April 2010 to determine if changes to the methodology were needed; and

WHEREAS, On April 27, 2010, the Facilities Assessment with Criteria and Testing Review Committee made recommendations to the superintendent of schools on revised assessment characteristics of schools, termed “assessment parameters”; and

WHEREAS, On June 15, 2010, the superintendent of schools endorsed the Facilities Assessment with Criteria and Testing Review Committee recommended assessment parameters and recommended continued stakeholder involvement as the Facilities Assessment with Criteria and Testing measures, weighting, and scoring approach is developed; and

WHEREAS, On June 22, 2010, the Board of Education conducted a work session on school modernizations that included discussion of the recommended Facilities Assessment with Criteria assessment parameters; and

WHEREAS, On June 22, 2010, the Board of Education discussed whether stand-alone special education centers should receive a special assessment for modernization at the same time as the schools identified in Attachment B; now therefore be it

Resolved, That the attached listings of Facilities Assessment with Criteria and Testing assessment parameters (Attachment A) be applied in the assessment of schools identified to be appended to the queue for modernization in Fiscal Year 2011; and be it further

Resolved, That further refinement of the Facilities Assessment with Criteria and Testing methodology, including identification of measures, weights, and the overall scoring approach, be developed with stakeholder input, including Montgomery County Council of Parent and Teacher Associations, Inc. representatives, as well as other stakeholders who participated in the Facilities Assessment with Criteria and Testing Review Committee; and be it further

Resolved, That the completed Facilities Assessment with Criteria and Testing methodology be presented to the Board of Education in September 2010 for review; and be it further

Resolved, That following Board of Education review of the completed Facilities Assessment with Criteria and Testing methodology, the school assessment process be conducted in Fiscal Year 2011 for the schools identified for assessment; and be it further

Resolved, That the attached list of schools (Attachment B) be those that are assessed in Fiscal Year 2011; and be it further

Resolved, That the Facilities Assessment with Criteria and Testing scores for assessed schools be published as part of the Fiscal Year 2013–2018 Capital Improvements Program in November 2011; and be it further

Resolved, That the newly assessed schools be appended at the end of the list of schools already in the queue for modernization so that the schedule for schools previously assessed remains unchanged; and be it further

Resolved, That the Rock Terrace School, the Carl Sandburg Learning Center, and the Stephen Knolls School be included in the list of schools assessed for modernization (Attachment B); however, if the Superintendent of School is ready to address facilities improvements in existing stand-alone special education centers prior to the time established by the FACT assessment, a multi-stakeholder workgroup should be convened to review and make recommendations, including consideration of collocation in accordance with Board Resolution No. 558-07.

Re: **TENTATIVE ACTION, POLICY FKB,
MODERNIZATION/RENOVATION**

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

WHEREAS, Policy FKB, *Modernization/Renovation*, sets forth guidelines to establish a systematic approach for replacement of building systems and facilities for Montgomery County Public Schools; and

WHEREAS, The Board of Education Policy Committee has considered and recommended revisions to update Policy FKB, *Modernization/Renovation*; and

WHEREAS, The Montgomery County Board of Education has received the Policy Committee's recommendation and has made additional language changes to the policy on June 22, 2010; and

WHEREAS, The title of Policy FKB, *Modernization/Renovation*, does not accurately describe the contents of the policy; now therefore be it

Resolved, That the Board of Education take tentative action on Policy FKB, *Modernization/Renovation*; and be it further

Resolved, That Policy FKB, *Modernization/Renovation* be sent out for public comment, with a proposed title of "Policy FKB, *Maintenance, Replacement of Building Systems, and Modernization of Montgomery County Public Schools (MCPS) Facilities*".

**Maintenance, Replacement of Building Systems, and Modernization of
Montgomery County Public Schools (MCPS) Facilities**

A. PURPOSE

To establish a systematic approach for replacement of building systems and facilities for Montgomery County Public Schools (MCPS). The approach is intended to address changing educational program standards and aging of building systems

at reasonable cost while providing appropriate spaces for educational programs and services and maintaining a safe, secure, and healthy physical environment for students and staff.

Many schools were built in the decades between 1950 and 1980. Since that time many code requirements have changed and construction methods have been improved, resulting in facilities that are capable of being sustained in good condition over a longer period of time than was the case with older school facilities. A rigorous maintenance program for well-built schools is critical to ensuring that the substantial taxpayer investment in school infrastructure is preserved. This policy recognizes that maintenance and systemic replacement activities need to serve as the primary means for keeping all schools in good condition over the extended life of a facility. At the same time, the policy recognizes that at some point the useful life-cycle of a facility has been reached and major modernization is necessary.

B. ISSUE

School facilities, building systems, and equipment all require various and continuing levels of attention to achieve their expected life-cycle. MCPS views facility maintenance as being on a continuum ranging from routine repairs to replacement of building systems to complete modernization of facilities.

The Board of Education (Board) should determine when funds will be spent on school facilities:

- a) To sustain facilities through routine maintenance of building systems.
- b) To replace building systems on a systematic schedule based on the anticipated life-cycle of these systems.
- c) To modernize facilities when overall physical limitations of the facility can no longer support the educational program or comply with applicable building codes and regulations.

C. POSITION

The pursuit of the systematic life-cycle replacement of building systems and facilities will:

1. Enable school facilities to remain in good condition for a long period of time through the coordinated scheduling of building system repairs and replacements. These activities are based on routine maintenance protocols and anticipated life expectancies of various building systems.
2. Enable appropriate levels of funding to be requested and allocated for

systemic projects that ensure all MCPS facilities stay in good condition.

3. Enable school facilities to be scheduled for complete modernization when overall physical limitations of the facility can no longer support the educational program or current building codes.
4. Maintain all school facilities at consistently high operational levels and maximize the life-span of existing physical plant assets.

D. DESIRED OUTCOME

In order to support its educational programs, MCPS will sustain the life of MCPS facilities through a balanced approach of maintaining and replacing building systems, while also providing for modernization or replacement of facilities when physical limitations of a facility can no longer support the educational program.

E. REVIEW AND REPORTING

The *Educational Facilities Master Plan* (Master Plan) will constitute the official reporting on the annual funding of systematic life-cycle replacement of building systems and facilities. This document will reflect facilities actions taken by the Board, and funds approved by the County Council for systemic capital projects needed to sustain schools in good condition.

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

RESOLUTION NO. 377-10Re **AN AMENDMENT TO POLICY FKB**

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

Resolved, That the Board of Education amend the title of the policy to read:

~~Maintenance, Replace, of Building Systems, and Modernization of~~ **Sustaining and Modernizing** Montgomery County Public Schools (MCPS) Facilities

Re **AN AMENDMENT TO POLICY FKB**

On motion of Mr. Kauffman and seconded by Ms. Berthiaume, the following resolution was placed on the table:

Resolved, That the Board of Education amend the policy at B.c) to read:

To modernize facilities **in a timely manner in accordance with an established queue** when overall physical limitations of the facility can no longer support the educational program or comply with applicable building codes and regulations.

Re **AN AMENDMENT TO POLICY FKB**

The president divided the question, and the following motion failed with Ms. Berthiaume and Mr. Kauffman voting in the affirmative; Ms. Brandman, Dr. Docca, Mr. Durso, Mrs. O'Neill, and Mr. Xie voting in the negative:

Resolved, That the Board of Education amend the policy at B.c) to read:

To modernize facilities **in a timely manner ...**

RESOLUTION NO. 378-10Re **AN AMENDMENT TO POLICY FKB**

The president divided the question and the following motion was adopted unanimously by members present:

Resolved, That the Board of Education amend the policy at B.c) to read:

To modernize facilities **in accordance with an established queue** when overall physical limitations of the facility can no longer support the educational program or comply with applicable building codes and regulations.

RESOLUTION NO. 379-10Re **AN AMENDMENT TO POLICY FKB**

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

Resolved, That the Board of Education amend the policy at Desired Outcomes by adding:

MCPS will provide sufficient holding facilities so as to allow modernization of facilities to be scheduled.

Re **AN AMENDMENT TO POLICY FKB**

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

Resolved, That the Board of Education amend the policy at C.3 to read:

Enable appropriate levels of funding to be requested for complete modernization of school facilities on an established schedule when overall physical limitations of the facility can no longer support the educational program or current building codes.

RESOLUTION NO. 380-10Re **AN AMENDMENT TO POLICY FKB**

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

Resolved, That the Board of Education amend the policy at C. 2 and 3 to read:

2. **Allow the Board to dedicate appropriate levels of funding** for systemic projects that ensure all MCPS facilities stay in good condition.
3. **Allow the Board to dedicate appropriate levels of funding** to complete modernization **on an established queue** when overall physical limitations of the facility can no longer support the educational program or current building codes.

RESOLUTION NO. 381-10Re: **TENTATIVE ACTION, POLICY FKB,
MODERNIZATION/RENOVATION**

On motion of the Policy Committee, the following resolution and policy, as amended, was adopted unanimously by members present;

WHEREAS, Policy FKB, *Modernization/Renovation*, sets forth guidelines to establish a systematic approach for replacement of building systems and facilities for Montgomery County Public Schools; and

WHEREAS, The Board of Education Policy Committee has considered and recommended revisions to update Policy FKB, *Modernization/Renovation*; and

WHEREAS, The Montgomery County Board of Education has received the Policy Committee's recommendation and has made additional language changes to the policy on June 22, 2010; and

WHEREAS, The title of Policy FKB, *Modernization/Renovation*, does not accurately describe the contents of the policy; now therefore be it

Resolved, That the Board of Education take tentative action on Policy FKB, *Modernization/Renovation*; and be it further

Resolved, That Policy FKB, *Modernization/Renovation* be sent out for public comment, with a proposed title of **Sustaining and Modernizing** Montgomery County Public Schools (MCPS) Facilities

SUSTAINING AND MODERNIZING

MONTGOMERY COUNTY PUBLIC SCHOOLS (MCPS) FACILITIES**A. PURPOSE**

To establish a systematic approach for replacement of building systems and facilities for Montgomery County Public Schools (MCPS). The approach is intended to address changing educational program standards and aging of building systems at reasonable cost while providing appropriate spaces for educational programs and services and maintaining a safe, secure, and healthy physical environment for students and staff.

Many schools were built in the decades between 1950 and 1980. Since that time many code requirements have changed and construction methods have been improved, resulting in facilities that are capable of being sustained in good condition over a longer period of time than was the case with older school facilities. A rigorous maintenance program for well-built schools is critical to ensuring that the substantial taxpayer investment in school infrastructure is preserved. This policy recognizes that maintenance and systemic replacement activities need to serve as the primary means for keeping all schools in good condition over the extended life of a facility. At the same time, the policy recognizes that at some point the useful life-cycle of a facility has been reached and major modernization is necessary.

B. ISSUE

School facilities, building systems, and equipment all require various and continuing levels of attention to achieve their expected life-cycle. MCPS views facility maintenance as being on a continuum ranging from routine repairs to replacement of building systems to complete modernization of facilities.

The Board of Education (Board) should determine when funds will be spent on school facilities:

- a) To sustain facilities through routine maintenance of building systems.
- b) To replace building systems on a systematic schedule based on the anticipated life-cycle of these systems.
- c) To modernize facilities in accordance with an established queue when overall physical limitations of the facility can no longer support the educational program or comply with applicable building codes and regulations.

C. POSITION

The pursuit of the systematic life-cycle replacement of building systems and facilities will:

1. Enable school facilities to remain in good condition for a long period of time through the coordinated scheduling of building system repairs and replacements. These activities are based on routine maintenance protocols and anticipated life expectancies of various building systems.
2. Allow the Board to dedicated appropriate levels of funding for systemic projects that ensure all MCPS facilities stay in good condition.
3. Allow the Board to dedicate appropriate levels of funding to complete modernization of school facilities on an established queue when overall physical limitations of the facility can no longer support the educational program or current building codes.
4. Maintain all school facilities at consistently high operational levels and maximize the life-span of existing physical plant assets.

D. DESIRED OUTCOME

In order to support its educational programs, MCPS will sustain the life of MCPS facilities through a balanced approach of maintaining and replacing building systems, while also providing for modernization or replacement of facilities when physical limitations of a facility can no longer support the educational program. MCPS will provide sufficient holding facilities so as to allow modernization of facilities to be scheduled.

E. REVIEW AND REPORTING

The *Educational Facilities Master Plan* (Master Plan) will constitute the official reporting on the annual funding of systematic life-cycle replacement of building systems and facilities. This document will reflect facilities actions taken by the Board, and funds approved by the County Council for systemic capital projects needed to sustain schools in good condition.

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

Re: LUNCH AND CLOSED SESSION

The Board of Education recessed for lunch and closed session from 12:35 to 1:35 p.m.

RESOLUTION NO. 382-10Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated July 8, 2010.

RESOLUTION NO. 383-10 Re: **DEATH OF DANA L. WYCKOFF,
CLASSROOM TEACHER, ON PERSONAL
ILLNESS LEAVE FROM S. CHRISTA
MCAULIFFE ELEMENTARY SCHOOL**

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

WHEREAS, The death on June 7, 2010, of Mrs. Dana L. Wyckoff, classroom teacher at S. Christa McAuliffe Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the 1.8 years Mrs. Wyckoff had worked for Montgomery County Public Schools, she created a learning environment that was child-centered and supportive; and

WHEREAS, Mrs. Wyckoff was always willing to be helpful with the total school needs and her sense of humor and caring for others made her a wonderful asset to the school system; 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 Mrs. Wyckoff 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. Wyckoff's family.

RESOLUTION NO. 384-10Re: **DEATH OF DOROTHY L. O'KEEFE, SECRETARY
ON PERSONAL ILLNESS LEAVE FROM
PUPIL PERSONNEL SERVICE UNIT**

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

WHEREAS, The death on June 13, 2010, of Mrs. Dorothy L. O'Keefe, secretary in the Pupil Personnel Service Unit, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the 11.11 years Mrs. O'Keefe had worked for Montgomery County Public Schools, she constantly demonstrated her initiative, dependability, and professionalism at all times; and

WHEREAS, Mrs. O'Keefe was patient and understanding, and displayed a positive attitude when assisting staff members; 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 Mrs. O'Keefe 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. O'Keefe's family.

RESOLUTION NO. 385-10Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 9, 2010:

- **Scott R. Steffan**, currently principal intern, Highland Elementary School, as principal, Highland Elementary School.

RESOLUTION NO. 386-10Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 9, 2010:

- **Stephanie D. Brant**, currently principal intern, Fox Chapel Elementary School, as principal, Gaithersburg Elementary School.

RESOLUTION NO. 387-10Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 9, 2010:

- **John D. Ewald**, currently principal, Westbrook Elementary School, as principal, College Gardens Elementary School.

RESOLUTION NO. 388-10Re: APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective August 2, 2010:

- **Stanislaw S. Damas**, currently attorney in private practice, as director, Department of Association Relations.

RESOLUTION NO. 389-10Re: APPOINTMENT

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Dr. Docca, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective July 9, 2010:

- **Moriah A. Martin**, currently staff development teacher, James Hubert Blake High School, as Administrative Assistant, Office of Human Resources and Development.

RESOLUTION NO. 390-10Re: APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective July 9, 2010:

- **Helen A. Nixon**, currently coordinator, Roberto W. Clemente Middle School, as coordinator, Teacher Recruitment and Staffing, Department of Recruitment and Staffing, Office of Human Resources and Development.

RESOLUTION NO. 391-10Re: APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective July 9, 2010:

- **Kisha Logan**, currently arts resource teacher, A. Mario Loiederman Middle School, as magnet coordinator, A. Mario Loiederman Middle School

RESOLUTION NO. 392-10Re: PRELIMINARY PLAN - BEVERLY FARMS

**ELEMENTARY SCHOOL MODERNIZATION
PROJECT**

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

WHEREAS, The architect for the proposed Beverly Farms Elementary School modernization project, Muse Architects, has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Beverly Farms 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 plans report for the Beverly Farms Elementary School modernization project developed by Muse Architects.

RESOLUTION NO. 393-10Re: CLOSED SESSION RESOLUTION

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Mr. Kauffman, 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, July 26, 2010, in Room 120 of the Carver Educational Services Center to meet from 5:30 to 6:30 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107 (d) of the *Education Article*; consult with counsel to obtain legal advice, as permitted under Section 10-508(a)(7) of the *State Government Article*; review and adjudicate appeals in its quasi-judicial capacity; consult with counsel to obtain legal advice, as permitted under Section 10-508(a)(7) of the *State Government Article*; and discuss matters of an administrative function outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*); and be it further

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

RESOLUTION NO. 394-10Re: REPORT OF CLOSED SESSION

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

On June 28, 2010, by unanimous vote of members present, the Board of Education voted to conduct a closed session as permitted under the *Education Article § 4-107 (d)* and *State Government Article §10-508(a), et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in a closed session on June 28, 2010, from 5:30 to 6:15 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 10-508(a) of the *State Government Article*): T-2010-6, 2010-9, and 2010-10.
2. Reviewed and approved the Decision and Order for Appeal 2010-3.
3. Discussed the Human Resources Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
4. Discussed matters of an administrative function (dues for the Maryland Association of Boards of Education and National School Boards Association) outside the purview of the Open Meetings Act (Section 10-508(a) of the *State Government Article*).

In attendance at the closed session for appeals were Chris Barclay, Laura Berthiaume, Shirley Brandman, Judy Docca, Michael Durso, Tim Hwang, Phil Kauffman, Patricia O'Neill, Roland Ikheloa, Suzann King, Glenda Rose, Laura Steinberg, and Patrick Clancy. At 5:55 p.m., after the discussion of the appeals and Decisions and Orders, Patrick Clancy left the meeting. At 5:55 p.m., Dr. Weast joined the Board of Education to discuss dues to MABE and NSBA. At 6:10 p.m., the following staff joined the Board in closed session: Larry Bowers, Brian Edwards, Carole Goodman, Ursula Hermann, LaVerne Kimball, Frieda Lacey, Erick Lang, Jody Leleck, Sherry Liebes, Chris Richardson, Frank Stetson, Adrian Talley, and Dana Tofig.

RESOLUTION NO. 395-10Re: **APPOINTMENT OF STUDENT MEMBER OF THE BOARD TO THE POLICY COMMITTEE**

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

WHEREAS, On November 13, 2001, the Board of Education formally established a Policy Committee when it adopted revisions to Policy BFA (*Policysetting*); and

WHEREAS, The Policy Committee consists of not less than three members serving staggered terms of three years each; and

WHEREAS, Pursuant to Policy BFA, the Board may appoint the student member to serve as a fourth full member of the committee; and

WHEREAS, Mr. Timothy Hwang's term expired on June 30, 2010; now therefore be it

Resolved, That Mr. Alan Xie, student member, be appointed to serve as a member of the Board of Education's Policy Committee until the expiration of his term of office on June 30, 2011.

RESOLUTION NO. 396-10Re: **APPEALS**

On motion of Ms. Brandman seconded by Mr. Kauffman, 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 10-508(a) of the *State Government Article of the Annotated Code of Maryland*; now therefore be it

Resolved, That the Board of Education hereby decides 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>
2010-11	Placement
2010-12	Magnet
2010-14	Placement
T-2010-9	Student Transfer
T-2010-10	Student Transfer
T-2010-11	Student Transfer
T-2010-12	Student Transfer
T-2010-14	Student Transfer
NEC-2010-15	Student Assignment

Re: **BOARD COMMITTEE UPDATES**

Ms. Brandman reported that the Committee on Special Populations has reviewed the Special Education Continuous Improvement Team's report and the report would be scheduled for Board review and discussion.

Re: **NEW BUSINESS**

There were no new items of business.

Re: **ITEMS OF INFORMATION**

The following reports were available:

- 1. Legal Fees Report
- 2. Construction Progress Report

RESOLUTION NO. 397-10Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of July 8, 2010, at 2:10 p.m.

PRESIDENT

SECRETARY

JDW:gr

RESOLUTION	BARCLAY	BERTHIAUME	BRANDMAN	DOCCA	DURSO	KAUFFMANN	O'NEILL	XIE
FACT	0	A	A	A	A	A	A	A
Policy FKB	0	A	A	A	A	A	A	A

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

MONTGOMERY COUNTY BOARD OF EDUCATION
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Attachment A

Facilities Assessment with Criteria and Testing (FACT)

Recommended Assessment Parameters

July 8, 2010

Educational Program Related Parameters

Assessment Parameters	Assess Differently by School Level			Assess Same Way at All Schools
	High	Middle	Elementary	
<u>Assess School Spaces Against Current Educational Specifications:</u> <i>See notes at bottom of page for standards.</i>				
<u>Core Square Footage:</u>				
Administrative Suite	X	X	X	
Instructional Media Center	X	X	X	
Multipurpose Room / Cafeteria / Kitchen	X	X	X	
<u>Classrooms Square Footage:</u>				
Kindergarten classrooms	NA	NA	X	
Regular classrooms	X	X	X	
<u>Science Labs Square Footage:</u>				
	X	X	NA	
<u>Support Square Footage:</u>				
"Specials" Support	NA	NA	X	
Instructional Support	X	X	X	
Electives / Specialty Support	X	X	NA	
<u>Assess School Site:</u> <i>Make assessment score proportional or weighted according to overall site size.</i>				
Parking	X	X	X	
Student Drop-off / Bus Loop	X	X	X	
Ballfields / Playfields	X	X	X	
Playground Area	NA	NA	X	
<u>Assess Safety & Security:</u>				
Presence of administrative security vestibule				X
Visibility of main entrance & parking lot from admin. area				X
Separation of public spaces from educational spaces				X
<u>Assess Open Plan Schools:</u> <i>Include consideration of windowless classrooms, acoustics, and type of walls.</i>				
				X

Attachment A (continued)

Facilities Assessment with Criteria and Testing (FACT)

Recommended Assessment Parameters

July 8, 2010

Physical Infrastructure Parameters

Assessment Parameters	Assess Differently by School Level			Assess Same Way at All Schools
	High	Middle	Elementary	
<p><i>Primarily assess building systems that cannot be replaced on a systemic schedule. Examples of replaceable components include roofs, boilers, and windows. Examples of nonreplaceable components include HVAC duct work, building structure and foundation, and full building accessibility.</i></p>				
<p><u>Assess Schools Against Current Facility Design Guideline:</u> See attached for details of each parameter.</p>				
Site				X
Building				X
Security				X
Fire Alarm / Sprinkler				X
Exterior Walls				X
Interior Walls				X
Windows				X
Doors				X
Mechanical Systems				X
Plumbing Systems				X
Electrical Systems				X
<p><u>Assess School Utility and Energy Efficiency:</u> <i>Ligthing, HVAC, and Plug-in sources of energy use each represent approximately one third of total energy consumption at schools.</i></p>				
BTUs per square foot	X	X	X	
Electrical cost per square foot:	X	X	X	
<p><u>Assess School Maintenance Costs:</u> <i>Consider either total square foot costs for a period of years, (2003 to 2009), or trend in these costs since 2003. Use MAXIMO data.</i></p>				
Total maintenace cost per square foot	X	X	X	
<p><u>Assess Degree of School Use After Hours:</u> <i>Use Community Use of Public Facilities (CUPF) records</i></p>				
Hours of community use	X	X	X	

Attachment B

July 8, 2010

Schools in Next Round of Assessment for Modernization

Elementary Schools (alphabetical order)
Belmont ES
Broad Acres ES
Bradley Hills ES
Burnt Mills ES
Cedar Grove ES
Cloverly ES
Cold Spring ES
Damascus ES
Darnestown ES
Diamond ES
Dufief ES
East Silver Spring ES
Fallsmead ES
Fields Road ES
Fox Chapel ES
Gaithersburg ES
Germantown ES
Greenwood ES
Piney Branch ES
Poolesville ES
Rosemary Hills ES
Sherwood ES
South Lake ES
Stedwick ES
Stonegate ES
Strathmore ES
Summit Hall ES
Takoma Park ES
Twinbrook ES
Washington Grove ES
Watkins Mill ES
Whetstone ES
Woodfield ES
Woodlin ES

Middle Schools (alphabetical order)
Argyle MS
Baker MS
Banneker MS
Frost MS
Loiederman MS
Neelsville MS
Newport Mill MS
North Bethesda MS
Redland MS
Ridgeview MS
Silver Spring International MS

High Schools (alphabetical order)
Northwood HS**

<u>TOTAL SCHOOLS</u>	
Elementary Schools	34
Middle Schools	11
High Schools	0
Total Schools	45
<u>ALTERNATIVE PROGRAM CENTER</u>	
Blair G. Ewing Center for Alternative Programs	1
<u>HOLD CENTERS</u>	
<u>Elementary Centers:</u>	
North Lake	1
Radnor	1
Grosvenor	1
Fairland	1
<u>Secondary Center:</u>	
Woodward*	
TOTAL FACILITIES	50

* The Woodward Holding Center will be modernized following completion of the Tilden Middle School modernization on Tilden Lane. Therefore, Woodward Holding Center will not need to be assessed in this new round of assessments.

** Since Northwood High School is the only high school to be added to the queue for high school modernizations, it will not be necessary to assess its condition since it will be added at the end of the current queue of high schools.