

APPROVED
25-2010

Rockville, Maryland
September 16, 2010

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, Rockville, Maryland, on Thursday, September 16, 2010, at 10:00 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. Larry Bowers, Acting Secretary/Treasurer

Absent: Mr. Christopher Barclay
Mr. Alan Xie
Dr. Jerry Weast

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

RESOLUTION NO. 447-10 Re: **RESOLUTION FOR CLOSED
SESSIONS**

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

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 September 16, 2010, in Room 120 from 9:00 to 10:00 a.m. and 12:00 to 1:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County discuss the Human Resources Monthly Report and Appointment, 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 September 16, 2010, to acquit its administrative functions including the superintendent search process 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. 448-10 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for September 16, 2010.

RESOLUTION NO. 449-10 Re: **HISPANIC HERITAGE MONTH**

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, The United States Congress passed a joint resolution 22 years ago proclaiming the period of September 15 through October 15 as National Hispanic Heritage Month; and

WHEREAS, Hispanic Americans or Latinos represent a prominent and rapidly increasing minority population in the United States, and comprise 23.3 percent of the overall enrollment of Montgomery County Public Schools; and

WHEREAS, President Barack Obama nominated Sonia Sotomayor to become the first Hispanic American to serve as an associate justice on the U.S. Supreme Court on May 26, 2009, and she took her seat on August 8, 2009; and

WHEREAS, Hispanic Americans or Latinos have enriched and strengthened our nation through their contributions and accomplishments in the fields of politics, medicine, education, business, technology, science, and the arts; and

WHEREAS, Hispanic American or Latino students are participating in increasing numbers on Advanced Placement and SAT exams; now therefore be it

Resolved, That on behalf of the Montgomery County Board of Education, the superintendent of schools, and the staff members, students, and families of Montgomery County Public Schools, we hereby declare September 15 to October 15, 2010, to be observed as "Hispanic Heritage Month."

Re: **PUBLIC COMMENTS**

There were no public comments.

Re: **BOARD/SUPERINTENDENT
COMMENTS**

Dr. Docca commented that the first week of school was successful, and she thanked all staff for their hard work and dedication. She mentioned the following events: (1) two successful students were profiled in the POST; (2) African Heritage Month celebration; (3) NAACP Parents' Council; (4) there is a book written by Carole Goodman and Christopher Berry, *Great Assistant Principals and the (Great) Principals Who Mentor Them: A Practical Guide*; (5) many schools translate their newsletters; (6) the Damascus High School band provide great music in the parade; (7) Ms. Flores won a contest by Team SOS and cast for a video; and (8) Flag Day at John T. Baker Middle School.

Ms. Berthiaume encouraged the community to attend the Community Roundtable discussion on October 13 and 28, 2010.

Mrs. O'Neill thanked the building service workers during the elections for helping with the Board of Elections and making sure the schools were open and clean.

Mr. Bowers commented that students in the MCPS Class of 2010 set an all-time record on the SAT, far outranking the state and the nation. In 2010, MCPS graduating seniors earned a mean score of 1653 on the SAT, the highest composite score in the district since the SAT exam was redesigned five years ago to add a writing subtest. That score represents an increase of 38 points over the Class of 2009. Two highly respected national organizations on early childhood education—the Foundation for Child Development and Pre-K Now, a campaign of the Pew Center on the States—released a report late last month that details how MCPS created its high-quality early childhood and prekindergarten programs.

Dr. Lacey reported that more than 12,000 parents, students, and community members attended the third annual MCPS Back-to-School Fair on August 28, the largest crowd ever. The Department of Family and Community Partnerships gave away about 5,200 backpacks and bags filled with school supplies to families in need. More than 200 MCPS employees participated in the Back-to-School Fair.

Mr. Bowers stated that 157 MCPS seniors have been selected as semifinalists for the prestigious National Achievement Scholarship competition. The number of semifinalists is up by eight students from last year. The seniors come from 16 MCPS high schools. Winners of the \$2,500 scholarships will be announced in the spring.

Re: **ORAL UPDATE ON THE OPENING OF SCHOOLS**

Mr. Larry Bowers, chief operating officer, and Dr. Frieda Lacy, deputy superintendent of schools, commented on the beginning of school. More than 144,000 students reported for the first day of school, about 2,200 more than the previous year. Students at six schools returned to brand-new or dramatically renovated buildings. As part of MCPS' ongoing efforts to promote good nutrition choices for students, school cafeterias began posting signs that feature caloric information about food items. Three principals were present to offer their perspectives on the opening of school and the readiness of staff and students.

The Board received an update on the August 30 opening of schools, which was a success. Enrollment of 144,000 students was higher than expected. Administrators, teachers, and central office staff have made adjustments to balance out class sizes and bus assignments. Principals from three MCPS schools reported on smooth openings at their campuses and commended the work of their building services staff, teachers, school-based support staff, and central office administrators for contributing to such a successful opening. There was a short video on the opening of school that featured many excited students and teachers beginning instruction.

Board members commented on the following points:

1. the opening was very smooth;
2. there is a need for flexibility since the economics are dire;
3. oversized classes; and
4. foreign language and multi-levels of instruction.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed from 11:30 to 1:00 for lunch and closed session.

RESOLUTION NO. 450-10 Re: **CONTRACTS OF \$25,000 OR MORE**

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

WHEREAS, Funds have been budgeted for the lease/purchase of off-the-lot, new vehicles through Montgomery County Government Bid No. 0367000079GH; and

WHEREAS, Funds have been budgeted for the lease/purchase of vehicles and trucks through the Maryland-National Capital Park and Planning Commission Bid No. B30-145; and

WHEREAS, Funds have been budgeted for lease/purchase of snowplow and pump parts through Bid No. 7117.3; and

WHEREAS, The acquisition of off-the-lot, new vehicles, vehicles and trucks, snowplow and pump parts through lease/purchase agreements has been reviewed by legal counsel; now therefore be it

Resolved, That off-the-lot, new vehicles in the amount of \$613,529 be leased/purchased for a five-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

Resolved, That vehicles and trucks in the amount of \$291,638 be leased/purchased for a five-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

Resolved, That snowplow and pump parts in the amount of \$95,731 be leased/purchased for a five-year term under a Leasing Agreement with Banc of America Public Capital Corporation; and

Resolved, That the superintendent of schools and the president of the Board of Education 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:

03670 00079GH	Off-the-Lot, New Vehicles	
	<u>Awardee</u> Criswell Chervolet, Inc.	\$613,529
610-08	Boiler/Pressure Vessel/Hot Water Generator Installation, Repairs, and Inspection—Extension	
	<u>Awardee</u> Hurley Company	\$100,000
75070 00453BE	Fleet Equipment, Parts, and Service	
	<u>Awardee</u> Gaithersburg Equipment Company	\$ 95,731
8126121	Montgomery County Solid Waste Disposal	
	<u>Awardee</u>	

	Montgomery County Office of Finance	\$500,000
B30-145	Vehicles and Trucks	
	<u>Awardee</u> Central Truck Center, Inc.	\$291,638
RQ08-920 588-69A	Remanufactured/Recycled Toner Cartridges and Related Items/Services—Extension	
	<u>Awardee</u> EIS Office Solutions, Inc.*	\$530,000
RQ10-166 154-59A-B	Food-Fresh and Frozen Bread Products—Extension	
	<u>Awardee</u> Hadley Farms, Inc.	\$ 25,460
1056.2	Unemployment Insurance Cost Control Program—Extension	
	<u>Awardee</u> Unemployment Tax Service, Inc.	\$ 25,000
1099.2	Procurement Card Services	
	<u>Awardee</u> American Express Corporate Services †	
4042.5	Boiler Supplies and Associated Materials—Extension	
	<u>Awardees</u>	
	Best Plumbing Specialties, Inc.	\$ 21,500
	Capp, Inc.	26,000
	H. M. Sweeny Company	30,000
	M&M Controls, Inc.	5,000
	Noland Company	65,000
	R. E. Michel Company, Inc.	31,000
	Southern Utilities Company, Inc.	<u>75,000</u>
	Total	\$253,500
4075.5	Plumbing Supplies—Extension	
	<u>Awardees</u>	
	Apple Specialties, Inc.	\$110,000
	Best Plumbing Specialties, Inc.	160,000
	Colt Plumbing Company	14,000

	Ferguson Enterprises, Inc.	114,000
	Noland Company	31,000
	R. E. Michel Company, Inc.	65,000
	Thomas Somerville Company	27,000
	Wolverine Brass, Inc.	<u>1,605</u>
	Total	\$522,605
4195.1	Grant Evaluator for Smaller Learning Communities Program Grant—Extension	
	<u>Awardee</u>	
	Pacific Research & Evaluation, LLC	\$ 30,000
4301.1	Bridges Transitions Annual Subscription—Extension	
	<u>Awardee</u>	
	Bridges Transitions Company	\$ 60,000
4302.1	Apex Learning Digital Curriculum	
	<u>Awardee</u>	
	Apex Learning, Inc.	\$ 26,900
4303.1	Reading Assistant Site Licenses	
	<u>Awardee</u>	
	Scientific Learning Corporation	\$ 57,820
4304.1	Hearing and Vision Audio Equipment	
	<u>Awardee</u>	
	Phonak, Inc.	\$ 80,181
7118.5	Heavy Equipment, Tractor, and Mower Parts—Extension	
	<u>Awardees</u>	
	J. David Mullinix & Sons, Inc.	\$ 40,000
	Lawn and Power Equipment	<u>70,000</u>
	Total	\$110,000
7920.1	Technology Modernization Miscellaneous Equipment	
	<u>Awardee</u>	
	Fox Micro International, Inc.	\$ 70,000
9154.4	Industrial Hygiene and Laboratory Services—Extension	

Awardee

Yoti N N & Associates, Inc.*

\$ 100,000

TOTAL PROCUREMENT CONTRACTS OVER \$25,000

\$3,492,364

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

†This contract does not charge an annual fee and returns a rebate.

RESOLUTION NO. 451-10

Re: **CONTRACT AWARD – LIFE
INSURANCE PLAN ADMINISTRATION**

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, by Resolution 563-58, established an employee benefit plan in 1958 to provide life and health insurance to eligible employees; and
WHEREAS, The Board of Education expanded the Employee Benefit Plan by Resolutions 448-72, 457-72, and 43-76 to include dental coverage, vision coverage, a prescription drug plan, and dependent life insurance; and

WHEREAS, The Board of Education has periodically bid elements of the Employee Benefit Plan for the welfare of its employees and to reduce administrative costs; and

WHEREAS, Montgomery County Public Schools has joined with the Montgomery County Government, Montgomery College, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban Sanitary Commission to solicit proposals to administer their life insurance plans, effective January 1, 2011; and

WHEREAS, Having been duly advertised under Request for Proposal No. 4193.2, life insurance firms were asked to submit proposals for consideration; and

WHEREAS, Montgomery County Public Schools, the Montgomery County Government, Montgomery College, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban Sanitary Commission engaged the services of a benefit consultant, Aon Consulting, Inc., to assist them in the evaluation of proposal responses; and

WHEREAS, The evaluation has identified that Prudential Financial, Inc. best meets the needs of Montgomery County Public Schools; and

WHEREAS, Montgomery County Public Schools and its employees will continue to have a high-quality life insurance plan and will achieve an estimated \$430,000 in annual savings from this award; now therefore be it

Resolved, That a contract for administering the Montgomery County Public Schools life insurance plan be awarded to Prudential Financial, Inc. for thirty-six months; and be it further

Resolved, That the superintendent of schools and the president of the Board of Education be authorized to execute the documents necessary for this transaction.

RESOLUTION NO. 452-10 Re: **CONTRACT AWARD – DENTAL PLANS**

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, by Resolution 563-58, established an employee benefit plan in 1958 to provide life and health insurance to eligible employees; and

WHEREAS, The Board of Education expanded the Employee Benefit Plan by Resolutions 448-72, 457-72, and 43-76 to include dental coverage, vision coverage, a prescription drug plan, and dependent life insurance; and

WHEREAS, The Board of Education has periodically bid elements of the Employee Benefit Plan for the welfare of its employees and to reduce administrative costs; and

WHEREAS, Montgomery County Public Schools has joined with the Montgomery County Government, Montgomery College, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban Sanitary Commission to solicit proposals to administer their dental plans, effective January 1, 2011; and

WHEREAS, Having been duly advertised under Request for Proposal No. 4178.2, dental plan administrators were asked to submit proposals for consideration; and

WHEREAS, Montgomery County Public Schools, the Montgomery County Government, Montgomery College, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban Sanitary Commission engaged the services of a benefit consultant, Aon Consulting, Inc., to assist them in the evaluation of proposal responses; and

WHEREAS, The evaluation has identified that Aetna Dental Inc. best meets the needs of Montgomery County Public Schools; and

WHEREAS, Montgomery County Public Schools and its employees will continue to have a high-quality dental plan; now therefore be it

Resolved, That a contract for administering the Montgomery County Public Schools dental plan be awarded to Aetna Dental Inc. for thirty-six months; and be it further

Resolved, That the superintendent of schools and the president of the Board of Education be authorized to execute the documents necessary for this transaction.

RESOLUTION NO. 453-10 Re: **CONTRACT AWARD – MEDICAL
PLAN ADMINISTRATION**

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, by Resolution 563-58, established an employee benefit plan in 1958 to provide life and health insurance to eligible employees; and

WHEREAS, The Board of Education expanded the Employee Benefit Plan by Resolutions 448-72, 457-72, and 43-76 to include dental coverage, vision coverage, a prescription drug plan, and dependent life insurance; and

WHEREAS, The Board of Education has periodically bid elements of the Employee Benefit Plan for the welfare of its employees and to reduce administrative costs; and

WHEREAS, Montgomery County Public Schools has joined with the Montgomery County Government, Montgomery College, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban Sanitary Commission to solicit proposals to administer their medical plans, effective January 1, 2011; and

WHEREAS, Having been duly advertised under Request for Proposal No. 1156.2, Medical Plans, medical plan providers were asked to submit proposals for consideration; and

WHEREAS, Montgomery County Public Schools, the Montgomery County Government, Montgomery College, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban Sanitary Commission engaged the services of a benefit consultant, Aon Consulting, Inc., to assist them in the evaluation of proposal responses; and

WHEREAS, Three of the six vendors that submitted proposals were selected for finalist interviews and were asked to commit to best and final pricing, performance guarantees, and specific contractual commitments; and

WHEREAS, The evaluation has identified that UnitedHealthcare, CareFirst Inc., and Kaiser Permanente best meet the needs of Montgomery County Public Schools; and

WHEREAS, Montgomery County Public Schools and its employees will continue to have high-quality medical plans and will achieve an estimated \$331,000 in annual savings on administrative fees from this award; now therefore be it

Resolved, That a contract for administering the Montgomery County Public Schools medical plans be awarded to UnitedHealthcare, CareFirst Inc., and Kaiser Permanente;

and be it further

Resolved, That the superintendent of schools and the president of the Board of Education be authorized to execute the documents necessary for this transaction.

RESOLUTION NO. 454-10 Re: **CONTRACT AWARD – VISION PLAN
ADMINISTRATION**

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, by Resolution 563-58, established an employee benefit plan in 1958 to provide life and health insurance to eligible employees; and

WHEREAS, The Board of Education expanded the Employee Benefit Plan by Resolutions 448-72, 457-72, and 43-76 to include dental coverage, vision coverage, a prescription drug plan, and dependent life insurance; and

WHEREAS, The Board of Education has periodically bid elements of the Employee Benefit Plan for the welfare of its employees and to reduce administrative costs; and

WHEREAS, Montgomery County Public Schools has joined with the Montgomery County Government, Montgomery College, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban Sanitary Commission to solicit proposals to administer their vision plans, effective January 1, 2011; and

WHEREAS, Having been duly advertised under Request for Proposal No. 4296.1, vision benefit firms were asked to submit proposals for consideration; and

WHEREAS, Montgomery County Public Schools, the Montgomery County Government, Montgomery College, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban Sanitary Commission engaged the services of a benefit consultant, Aon Consulting, Inc., to assist them in the evaluation of proposal responses; and

WHEREAS, The evaluation has identified that National Vision Administrators, LLC, best meets the needs of Montgomery County Public Schools; and

WHEREAS, Montgomery County Public Schools and its employees will continue to have a high-quality vision benefit at current costs; now therefore be it

Resolved, That a contract for administering the Montgomery County Public Schools vision plan be awarded to National Vision Administrators, LLC; and be it further

Resolved, That the superintendent of schools and the president of the Board of Education be authorized to execute the documents necessary for this transaction.

RESOLUTION NO. 455-10 Re: **AWARD OF CONTRACT – WATKINS
MILL HIGH SCHOOL STORMWATER
DISCHARGE**

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, Watkins Mill High School was identified as requiring stormwater repairs; and

WHEREAS, Funds were allocated in the Capital Improvements Program for these repairs; and

WHEREAS, The following proposal was received on July 21, 2010, for the repair of above-ground stormwater management structures for Watkins Mill High School:

<u>Contractor</u>	<u>Amount</u>
Highway and Safety Services, Inc.	\$172,779

and

WHEREAS, The work included in this project is largely self-performed by the contractor, and there is limited opportunity for Minority Business Enterprise participation, therefore no Minority Business Enterprise goal was set; and

WHEREAS, Highway and Safety Services, Inc. currently holds a contract with the Montgomery County Government; and

WHEREAS, Highway and Safety Services, Inc. has completed similar work successfully for Montgomery County Public Schools and other jurisdictions; now therefore be it

Resolved, That a \$172,779 contract be awarded to Highway and Safety Services, Inc. to repair the above ground stormwater management structures at Watkins Mill High School, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 456-10 Re: **ROCKVILLE HIGH SCHOOL – DEED
OF DEDICATION**

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 Mayor and Council of Rockville requested a Deed of Dedication at Rockville High School, located at 2100 Baltimore Road, Rockville, Maryland; and

WHEREAS, The proposed Deed of Dedication, consisting of 30,006 square feet along the frontage of the school, will be used as right-of-way for a public street and all public utilities and appurtenant facilities; and

WHEREAS, The area described in the Deed of Dedication will not be used for school programming or recreational purposes and will provide improved public right-of-way to Baltimore Road; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Deed of Dedication of 30,006 square feet of land at Rockville High School to the Mayor and Council of Rockville.

RESOLUTION NO. 457-10 Re: **UTILIZATION OF THE FISCAL YEAR
2011 PROVISION FOR FUTURE
SUPPORTED PROJECTS FUNDS**

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 above-noted grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 16-1374, approved May 27, 2010; and

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

WHEREAS, Sufficient appropriation is available, within the Fiscal Year 2011 Provision for Future Supported Projects, to permit the above-noted transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized by the Montgomery County Board of Education to receive and expend \$344,677 within the Fiscal Year 2011 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Bottled Milk Containers Project	\$ 200,000
Infants and Toddlers Project— <i>American Recovery and Reinvestment Act of 2009</i>	139,334
American Indian Education Project	<u>5,343</u>
Total	<u>\$ 344,677</u>

and be it further

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

RESOLUTION NO. 458-10 Re: **HUMAN RESOURCES MONTHLY
REPORT**

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 approve the Human Resources Monthly Report dated September 16, 2010.

RESOLUTION NO. 459-10 Re: **DEATH OF MS. NICOLE SUMNER,
CLASSROOM TEACHER,
QUINCE ORCHARD HIGH 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 death on August 22, 2010, of Ms. Nicole Sumner, classroom teacher at Quince Orchard High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the 24.7 years that Ms. Sumner worked for Montgomery County Public Schools, she created a classroom atmosphere that fostered respectful and effective teamwork and promoted positive interpersonal relationships among her students; and

WHEREAS, Ms. Sumner's concept of teaching new curriculum was, "If it makes sense to me, I can make it make sense to them," thus providing them with the expectations and tools to become successful; 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 Ms. Sumner 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 Ms. Sumner's family.

RESOLUTION NO. 460-10 Re: **DEATH OF MS. MELISSA WOODS,
DIRECTOR I, DIVISION OF
TECHNOLOGY INNOVATION, OFFICE
OF CHIEF TECHNOLOGY OFFICER**

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 August 25, 2010, of Ms. Melissa J. Woods, Director I in the Division of Technology Innovation, Office of Chief Technology Office, has deeply saddened

the staff, students, and members of the Board of Education; and

WHEREAS, During the 22.7 years that Ms. Woods worked for Montgomery County Public Schools, she was highly regarded by staff and leadership for her knowledge of fiscal, human resources, and Baldrige processes; and

WHEREAS, With loyalty, commitment, and integrity, Ms. Woods created a culture of professional growth and high expectations to support the school system's strategic plan; 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 Ms. Woods 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 Ms. Woods' family.

RESOLUTION NO. 461-10 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective October 4, 2010:

- Lily V. (Vicky) Lake-Parcan, currently principal, Silver Spring International Middle School, as director, Middle School Instruction and Achievement

RESOLUTION NO. 462-10 Re: **SUPERINTENDENT SEARCH
PROCESS AND TIMELINE**

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

WHEREAS, On August 24, 2010, Dr. Jerry D. Weast, superintendent of schools, announced his plans to retire effective June 30, 2011; and

WHEREAS, It is necessary for the Board of Education to seek a replacement for Dr. Weast, and the Board requires specialized professional consultant assistance to fulfill its statutory duty to appoint a superintendent of schools; now therefore be it

Resolved, That the Board of Education announces its intention to conduct a national search that will seek the most qualified candidate for Superintendent of the Montgomery County Public Schools using the attached timeline as a guide; and be it further

Resolved, That the Board of Education desires the assistance of a search firm/consultant to

find the most qualified candidate for Superintendent; and be it further

Resolved, That in accordance with Board Policy DJA, *MCPS Procurement Practices*, and the Board of Education hereby authorizes competitive bidding through the Request for Proposals (RFP) for the unique services of a search firm/consultant to assist the Board with the superintendent selection process.

DRAFT SUGGESTED Timeline for Superintendent Search Process

(Please note: The Board is not bound by this timeline and will change the dates and processes as necessary.)

Date	Activity
September 16, 2010	All-day Board meeting: ► Adopt resolutions regarding securing search firm and search process.
September 20, 2010	Request for Proposals (RFP) issued for selecting a search firm.
October – November 2010	Preparation of promotional package that markets system and position while providing key facts (posted on web site, available to prospective consultant and prospective candidates).
October 22, 2010	RFP proposals deadline.
November - December 2010	Selection of search firms for interviews. Selection of search firm. New Board members installed. One-day Board retreat regarding search process (with search firm).
December 2010 -January 2011	Advertise position: ► Publications: Post, NY Times, and Education Week. ► Web sites: NSBA, AASA, individual states' school board and administrator associations. ► MCPS communication vehicles: web, press release, Bulletin, QuickNotes, Blog, Facebook, Twitter, etc. ► Search firm also solicits potential candidates.
January 2011	Solicit input from community regarding attributes of superintendent. Search firm interviews Board and individual members regarding profile/attributes of desired candidate and needs of school system to be addressed by the superintendent.
February - March 2011	Search firm's second round of meetings with Board members (as appropriate). Search firm submits recommendation of semifinalists. Board members review information from search firm, meet with search firm, develop slate of semifinalists, decide on interview format, and develop interview questions. Interview semi-finalists.
April 2011	Board meets with search firm regarding interviews with semifinalists, develops slate of finalists, and any interview questions. Conduct background check of finalists, including visits to school districts of sitting or recent superintendents. Interview finalists.

May 2011	Meet with search firm, select candidate, and commence negotiations with successful candidate regarding terms of employment.
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**Re: UPDATE ON PREKINDERGARTEN
SPECIAL EDUCATION**

Mr. Bowers invited the following people to the table: Mrs. Chrisandra A. Richardson, associate superintendent, Office of Special Education and Student Services; Mrs. Felicia Piacente, director, Division of Prekindergarten, Special Programs, and Related Services; Mrs. Deann M. Collins, principal, Montgomery Knolls Elementary School; Mrs. Kathryn S. Rupp, principal, Fields Road Elementary School; Ms. Robin Williams Evans, parent; and Mr. Wayne Evans, parent.

Board members received a report on prekindergarten (pre-K) special education. Montgomery County Public Schools (MCPS) believes that parents are a child's first teachers and play a critical role in their child's education. This connection is particularly important during the infant, toddler, and preschool years. Staff members in the Division of Prekindergarten, Special Programs, and Related Services in the Office of Special Education and Student Services realize the importance of a family's first contact with the school system and start early to build partnerships and positive relationships with them. For children, enrollment in early childhood education programs represents the beginning of their educational experiences. A positive start can have a favorable impact on their educational future.

MCPS continues to successfully respond to the increasing needs and the growing number of students, ages birth through 5, who qualify for special education services. In Fiscal Year (FY) 2010, 4,417 students with disabilities or developmental delays received support through an Individual Family Services Plan (IFSP) with the Montgomery County Infants and Toddlers Program, or through an Individualized Education Program (IEP) in a prekindergarten (pre-K) special education program. In FY 2006, MCPS served 3,460 children from birth to age 5, representing an increase in the number of students served of more than 27 percent in five years. Attachment A illustrates the growth in the number of students receiving services through both programs.

Providing a continuum of special education services at the pre-K level aligns with the MCPS strategic plan, *Our Call to Action: Pursuit of Excellence*, Goal 1, Ensure Success for Every Student. The strategic plan also states that "MCPS is committed to providing students with disabilities access to the general education environment to the maximum extent appropriate." This commitment is supported by two major pieces of federal legislation that drive the delivery of special education services—the *Individuals with Disabilities Education Improvement Act of 2004* (and the *Elementary and Secondary Education Act*, known as the *No Child Left Behind Act of 2001*).

Programs and services for preschoolers are based on the premise that early intervention is effective in helping children achieve developmental milestones and/or offsetting the impact of educational disabilities on young children. Program activities promote growth in the

essential learning domains of communication, exploration, movement, play, and socialization. In MCPS, most pre-K special education services are delivered in early childhood special education settings, providing high-quality instructional programs for children with disabilities.

The goal of early intervention is to provide our youngest learners the support they need to succeed in kindergarten and beyond. In response to increased rigor in the curriculum, MCPS supported the needs of a growing population by increasing inclusive opportunities along a continuum of special education services for 3- and 4-year-olds with disabilities. Least Restrictive Environment (LRE) mandates in IDEA state that “to the maximum extent appropriate,” children with disabilities must be “educated with children who are not disabled.” The report provided the Board of Education information about early intervention services in the Infants and Toddlers Program, and the array of preschool special education services available to better prepare young learners for success in school.

All kindergarten students in Maryland participate in the Maryland Model for School Readiness (MMSR) assessment each fall. This assessment tool measures whether students are entering kindergarten ready to learn by evaluating students in the areas of social/personal development, language/literacy acquisition, mathematical thinking, scientific thinking, social studies, arts, and physical development. The FY 2010 Maryland State Department of Education report (Attachment B) reveals that kindergartners receiving special education services made the greatest increase of any NCLB subgroup in MCPS on the MMSR, moving from 22 percent “fully ready” in FY 2002 to 44 percent “fully ready” in FY 2010.

According to the MCPS Program Budget FY 2011, June 2010, the budget for Infants and Toddlers is \$20,412,861, and the budget for pre-K special education is \$28,585,601. Given the limited federal funds available to support these programs, the FY 2012 budget process will include a complete review of expenditures and anticipated growth.

MCPS is committed to high-quality early intervention services and to forming relationships and partnerships with families. A continuum of inclusive opportunities and rigorous pre-K instruction will lead to positive educational results for children and families, now and in the future. During 2009–2010, MCPS served 44.1 percent of 3- through 5-year-old students with disabilities in a regular early childhood setting greater than 80 percent of the time, ranking 18th out of 24 jurisdictions statewide.

To that end, the Office of Special Education and Student Services will work with the Office of Curriculum and Instructional Programs and stakeholders to examine how and where MCPS delivers pre-K special education services and work to increase inclusive opportunities for students. MCPS must continue to move in this direction in order to ensure that the school system is in compliance with federal and state mandates. Should additional PEP classes be needed, appropriate locations will be explored for the 2010–2011 and 2011–2012 school years. In response to enrollment growth and recent guidance from MSDE regarding the provision of services in the LRE, MCPS continues to examine services to ensure that all students receive the supports that they need to be successful.

Re: **DISCUSSION**

Mrs. O'Neill thanked those who presented the program as well as the parents for sharing their story about their son.

Ms. Brandman asked about the reference that there is a choice for parents between staying in the infant program or exiting the program and determining if their child is eligible for pre-K special education services. What are the consequences? Staff replied that in the past as children approach age 3, they automatically exit the Infants and Toddler Program, and it is determined if they are eligible for pre-K special education services. Effective February 1, IF {???SOMETHING IS MISSING HERE} there is still the special education eligibility, then parents can remain extended IFSP or IEP, which family's choice. Once the family chooses the IEP process, they cannot return to IFSP.

Ms. Brandman asked staff to clarify the consequences of that choice. Staff replied that the natural environment for the IFSP is the home, play group, etc. The prekindergarten special education looks like small group instruction at a school. The services may be similar, but the setting is different by family choice and preference. The Maryland State Department of Education (MSDE) received a grant to pilot the program which ends June 30, 2011. Staff is waiting for additional information from MSDE.

Ms. Brandman inquired about information in the paper that the described Maryland model for school readiness. This is how MCPS assesses students who come through the PEP [SPELL OUT ACRONYM?] program and are ready for the next step. Does MCPS assess students in all of the PEP programs on the same standard, irrespective which program they are in? Staff responded that the Maryland Model for School Readiness is given to all kindergarten students in the early school year. The report indicates whether students are fully ready or approaching readiness. MCPS is interested in the special education subgroup because it points successful completion of prekindergarten programs.

Ms. Brandman asked if MCPS has the ability for its students in various PEP programs to go back after they have been assessed at kindergarten. Staff replied that MCPS does have that capacity to look at each group. Students are tracked from prekindergarten and what the recommendation was for kindergarten.

Ms. Brandman noted that in the paper there is a chart on the percent of students exiting who are recommended for kindergarten services in a general education environment in their home school. What does MCPS glean from that data? Staff thought that there are more children with more intensive need across multiple developmental domains.

Ms. Brandman thought there is a need for more supportive programs if the students are not ready for kindergarten. Staff thought that was true seeing growth and the number of classes for students with autism.

Ms. Brandman asked the parents about their experiences. She noted that MCPS programs support parents. She asked what their experience was and if there are things MCPS should

explore in terms of parental support. The parents thought that Infants and Toddlers Program developed great relationships that continue to help them. Also, there was excellent feedback every time they meet with the child, and details on the follow-up needed by the program and parents. This has continued with the prekindergarten program through emailing and talking, with feedback from home/school, communication with the nurse and the nurse tech, and contact with the daycare through the Arc of Montgomery County. The parents stated that they are well supported through the county.

Ms. Berthiaume had two questions: (1) as MCPS plans for facilities, what projections are there increased growth; is MCPS able to project five years from now how many children are expected on the autism spectrum, and how many on the various ends of the autism spectrum; and (2) is MCPS participating in any studies with any organizations such as NIH, Department of Education, or Centers for Disease Control to work together collaboratively to understand to causes of autism. Staff commented that they are not aware of MCPS participating in studies. If an organization wants to work with MCPS, it is through Shared Accountability. Second, there are outstanding medical facilities and support for infants and toddlers, along with Child Find, that help identify students at a younger age, which helps in long-range facilities planning. Staff meets with facilities planners every month in order to identify where there are needs for classes and schools. There is a lot of work with facilities and staffing.

Mrs. O'Neill noted that the paper states that MCPS is 18th out of 24 jurisdictions in inclusive education for prekindergarten. Staff noted that the state send out consensus data that show LRE for preschool programs across all environments defined for young children. There are 11 school districts with no children in private school systems. MCPS ranked 18th when looking at LRE students receiving service at 80 percent of the time.

Ms. Berthiaume noted that there are a number of rural counties in Maryland with only one high school. Second, people move to MCPS with severely disabled students, thereby increasing our relative population compared to some places such as Allegany or Garrett counties. Staff replied that it is true, but MCPS tries to compare itself with larger counties, such as Baltimore or Prince George's.

Mrs. O'Neill asked about the stakeholder group projecting forward what types of programs are needed and engaging the community. She noted that prekindergarten special education for economical disadvantaged kids is very important. Staff stated that the goal is to set it up with a project team approach with a charge statement, identify stakeholders, and identify a set of deliverables and recommendations. Clearly MCPS needs to continue to offer a range of services for students. Also, staff needs to look at those locations that have existing programs, like at Montgomery Knolls Elementary School, and support inclusion in the building. Is there space available to support special education prekindergarten programs to expand those classes?

Mrs. O'Neill wanted to know if MCPS has the flexibility to respond. If a class is expecting to have six students, does staff make accommodations in the real world for more students? Staff noted that there is always need for a variety of classes because students come in as

they turn 3, not with a cutoff date. To add another class of students with emotional disability, staff needs a reserve and to work with principals and program staff. Children move and are identified along the way, and MCPS identifies the need, looking and working through other offices.

RESOLUTION NO. 463-10 Re: **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, September 27, 2010, in Room 120 of the Carver Educational Services Center to meet from 5:30 to 6:00 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. 464-10 Re: **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 August 26, 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 August 26, 2010, from 1:05 to 2:20 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-2010-19, T-2010-21, T-2010-23, T-2010-24, T-2010-25, T-2010-27, T-2010-28, 2010-18, 2010-19, 2010-20, 2010-21, 2010-23, 2010-24, and 2010-25.

2. Reviewed and approved the Decisions and Orders for Appeals T-2010-16, NEC-2010-17, DCC-2010-18, and T-2010-20.
3. Discussed the Human Resources Appointment 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 (superintendent search process and selection of recipients of the Distinguished Service Awards) 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, Phil Kauffman, Patricia O'Neill, Roland Ikheloa, Suzann King, Glenda Rose, Laura Steinberg, and Patrick Clancy. At 2:15 p.m., after the discussion of the appeals and Decisions and Orders, Patrick Clancy left the meeting, and Dr. Weast joined the Board of Education to discuss the Distinguished Service Awards.

RESOLUTION NO. 465-10 Re: **MINUTES**

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 approves minutes for the meetings of July 1, July 8, and July 26, 2010.

RESOLUTION NO. 466-10 Re: **APPEALS**

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 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>	<u>Disposition</u>
T-2010-29	Student Transfer	Affirmed
DCC-2010-30	Student Assignment	Affirmed
2010-26	Alternative Placement	Dismissed
2010-29	Alternative Placement	Dismissed
2010-30	Early Entrance to Kindergarten	Affirmed
2010-31	Early Entrance to Kindergarten	Affirmed
2010-32	Early Entrance to Kindergarten	Affirmed
2010-34	Early Entrance to Kindergarten	Affirmed

RESOLUTION NO. 467-10

Re: **REPORT OF THE SPECIAL
EDUCATION CONTINUOUS
IMPROVEMENT TEAM**

On motion of the Special Populations Committee, the following resolution was adopted unanimously by members present:

WHEREAS, The Board of Education recognizes its obligation to special education students and their families to exercise oversight of the delivery of special education programs and services and to establish appropriate policies and approve appropriate funding; and

WHEREAS, The Board of Education created the Special Education Continuous Improvement Team (SECIT) Advisory Committee to provide guidance on specific topics that could assist the Board of Education in meeting this obligation; and

WHEREAS, From January 2008 through December 2009, the SECIT focused its efforts on studying, evaluating and analyzing Transition Services; and

WHEREAS, The SECIT and MCPS staff reviewed current practices, studied relevant materials, consulted with experts and then devoted the 2009-2010 school year to drafting a comprehensive report; and

WHEREAS, The SECIT has prepared a final report with recommendations regarding Transition Services which was presented to the Board of Education's Special Populations Committee in May 2010; now therefore be it

Resolved, That Board of Education adopts the recommendations of the SECIT Advisory Committee final report on Transition Services.

Re: **DISCUSSION**

Ms. Brandman asked staff to prepare a timeline for pulling together a project team to implement the recommendations of the Special Education Continuous Improvement Team.

Re: **NEW BUSINESS**

There was no new business. However, Mr. Durso asked for information and possible Board discussion on athletics in the consortia and EFO assignment. Mrs. O'Neill suggested that these topics be assigned to Board committees.

Re: **ITEMS OF INFORMATION**

The following documents were available as information:

1. Legal Fees Report
2. Construction Progress Report

RESOLUTION NO. 468-10

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of September 16, 2010, at 2:30 p.m.

PRESIDENT

SECRETARY

JDW:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION
INDEX
September 16, 2010**

ADJOURNMENT	24
APPOINTMENT	15
APPEALS	22
APPROVAL OF THE AGENDA	2
AWARD OF CONTRACT – WATKINS MILL HIGH SCHOOL STORMWATER DISCHARGE.....	12
BOARD/SUPERINTENDENT COMMENTS	3
CLOSED SESSION RESOLUTION.....	21
CONTRACT AWARD – DENTAL PLANS.....	9
CONTRACT AWARD – LIFE INSURANCE PLAN ADMINISTRATION.....	8
CONTRACT AWARD – MEDICAL PLAN ADMINISTRATION.....	10
CONTRACT AWARD – VISION PLAN ADMINISTRATION	11
CONTRACTS OF \$25,000 OR MORE.....	4
DEATH OF MS. NICOLE SUMNER, CLASSROOM TEACHER, QUINCE ORCHARD HIGH SCHOOL.....	14
DEATH OF MS. MELISSA WOODS, DIRECTOR I, DIVISION OF TECHNOLOGY INNOVATION, OFFICE OF CHEF TECHNOLOGY OFFICER	14
HISPANIC HERITAGE MONTH.....	2
HUMAN RESOURCES MONTHLY REPORT.....	13
ITEMS OF INFORMATION	23
LUNCH AND CLOSED SESSION	4
MINUTES	22
NEW BUSINESS	23
ORAL UPDATE ON THE OPENING OF SCHOOLS.....	4
PLEDGE OF ALLEGIANCE	2
PUBLIC COMMENTS	3

REPORT OF CLOSED SESSION 21

REPORT OF THE SPECIAL EDUCATION CONTINUOUS IMPROVEMENT TEAM..... 23

RESOLUTION FOR CLOSED SESSIONS 1

ROCKVILLE HIGH SCHOOL – DEED OF DEDICATION..... 12

SUPERINTENDENT SEARCH PROCESS AND TIMELINE 15

UPDATE ON PREKINDERGARTEN SPECIAL EDUCATION..... 17

UTILIZATION OF THE FISCAL YEAR 2011 PROVISION FOR FUTURE SUPPORTED
PROJECTS FUNDS 13