

APPROVED  
4-2011

Rockville, Maryland  
February 8, 2011

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, Rockville, Maryland, on February 8, 2011, at 10:20 a.m.

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

Absent: None

RESOLUTION NO. 33-10 Re: **RESOLUTION FOR CLOSED SESSIONS**

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

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

Resolved, That the Board of Education of Montgomery County conduct closed sessions on February 8, 2011, 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 Monthly Human Resources and Development Report as permitted under Section 10-508(a)(1) of the *State Government Article* with a subsequent vote in open session; and be it further

Resolved, That the Board of Education of Montgomery County discuss the Sexual Harassment Quarterly Report as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on February 8, 2011, 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. 34-10

Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for February 8, 2011.

RESOLUTION NO. 35-10

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

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

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

WHEREAS, In Resolution Number 4114.3, adopted on December 7, 2010, the Board of Education authorized several lease/purchases under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and

WHEREAS, Resolution Number 4114.3 needs to be amended by clarifying that the proceeds of the lease/purchase financing for the above-referenced equipment may be used to reimburse Montgomery County Public Schools accounts to the extent that such equipment has been or will be acquired before closing; now therefore be it

Resolved, That Resolution Number 4114.3, adopted December 7, 2010, be amended to add the provision authorizing proceeds of the lease/purchase financing from the above-referenced equipment may be used to reimburse Montgomery County Public Schools accounts to the extent that such equipment has been or will be acquired before closing; 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:

05091      Appliances and Retail—Extension

Awardee

The Home Depot, U.S.A, Inc.

\$150,000

1308.1	Skylight Replacement and Greenhouse Reglazing**	
	<u>Awardee</u>	
	CDCI, Inc.	\$700,000
S10-092	Fuel Site Inspection, Maintenance, and Repair	
	<u>Awardee</u>	
	L.A. Fritter and Son, Inc.	\$ 75,000
XX09-1 12006- 69A	Scanners and Forms, Maintenance, Repairs	
	<u>Awardee</u>	
	Scantron Corporation	\$ 75,000
1142.5	Scan Forms	
	<u>Awardees</u>	
	Data Management Corporation	\$ 552
	FORMost Graphic Communications, Inc.	28,688
	Maryland Business Forms, Inc.	6,450
	Micrographic Communications*	<u>4,446</u>
	Total	\$ 40,136
4038.7	Closed Circuit Television Equipment—Extension	
	<u>Awardees</u>	
	Alarmax Distributors, Inc.	\$124,902
	Graybar Electric Company, Inc.	32,363
	Halifax Security, Inc.*	67,078
	Security Cameras Direct*	<u>21,537</u>
	Total	\$245,880
4064.9	Art Tools—Extension	
	<u>Awardees</u>	
	Commercial Art Supply	\$ 22,203
	DGS Educational Products, Inc.*	9,184
	Dick Blick Art Materials	1,903
	Elgin School Supply Company, Inc.	150,972
	Integrity School Supplies*	5,246
	Midwest Model Supply Company, Inc.	1,805
	National Art & School Supplies	234,645
	Pyramid Paper Company	<u>36,947</u>
	Total	\$462,905

4089.7	Laminating Supplies—Extension	
	<u>Awardee</u>	
	Pyramid Paper Company	\$213,540
4100.5	Fire Alarm Parts	
	<u>Awardees</u>	
	Halifax Security, Inc., dba N. American Video*	\$ 2,070
	Integrated Products & Services, Inc.	7,020
	International Systems of America, LLC	17,000
	Maryland Fire Equipment Corporation	7,992
	Silmar Electronics*	<u>43,577</u>
	Total	\$ 77,659
4115.4	Microscopes—Extension	
	<u>Awardees</u>	
	Cynmar Corporation*	\$ 13,335
	Fisher Science Education	<u>27,048</u>
	Total	\$ 40,383
4144.3	Technology Laboratory Workstations—Extension	
	<u>Awardees</u>	
	Diversified Educational Systems	\$ 40,000
	Pepco, Inc./Patton Educational Products Company	5,000
	Satco Supply	<u>5,000</u>
	Total	\$ 50,000
4222.1	Online Skills Assessment—Extension	
	<u>Awardee</u>	
	PreVisor	\$ 99,815
4244.1	Consulting Services—Professional Development for Teaching American History	
	<u>Awardee</u>	
	Education Consulting Services, Inc.	\$ 60,000
4310.1	Consulting Services—Teaching American History Evaluation	
	<u>Awardee</u>	
	Karen Kortecamp	\$ 66,000

7120.5	Elementary Mathematics Supplies—Extension	
	<u>Awardees</u>	
	Center Enterprises, Inc.	\$ 350
	Eric Armin, Inc. dba EAI Education	13,715
	ETA/Cuisenaire*	17,786
	School Specialty, Inc.	<u>5,046</u>
	Total	\$ 36,897
7124.4	Pest Control Materials	
	<u>Awardees</u>	
	J.C. Ehrlich Chemical Company, Inc.*	\$ 17,923
	Univar USA	<u>17,567</u>
	Total	\$ 35,490
7195.1	Computer Supplies—Extension	
	<u>Awardees</u>	
	Carolina Imaging Products*	\$180,000
	Hartford Computer Hardware, Inc.	30,000
	Quill Corporation	1,000
	The Tree House, Inc.*	289,000
	Triplenet Pricing, LLC*	<u>400,000</u>
	Total	\$900,000
9006.4	Shade/Upholstery Materials—Extension	
	<u>Awardees</u>	
	Crown Shade Company	\$194,869
	Frankel Associates, Inc.	35,015
	Mileham & King, Inc.	2,000
	Tedco Industries, Inc.	<u>29,346</u>
	Total	\$261,230
9018.4	Operable Wall System Preventive Maintenance	
	<u>Awardee</u>	
	Modern Door & Equipment Sales, Inc.	\$ 35,000
9019.5	Roofing Supplies—Extension	
	<u>Awardees</u>	
	American Builders & Contractors Supply Company, Inc.	\$ 53,174
	The Roof Center, Inc.	297,966

	Seamless Gutter Supply of Maryland, Inc.	<u>50,685</u>
	Total	\$401,825
9021.7	Doors and Door Hardware—Extension	
	<u>Awardees</u>	
	American Door Company	\$ 26,945
	Brunswick Door Company	16,873
	Capitol Building Supply, Inc.	43,575
	Liberty Lumber & Supply Company	<u>45,657</u>
	Total	\$133,050
9022.6	Building Materials	
	<u>Awardees</u>	
	Capitol Building Supply, Inc.	\$ 1,300
	Liberty Lumber & Supply Company	34,728
	Patuxent Materials, Inc.	<u>19,349</u>
	Total	\$ 55,377
9073.6	Weight Training Supplies and Equipment—Extension	
	<u>Awardees</u>	
	American Fitness & Sport Supply, Inc.	\$17,095
	Concept2, Inc.	9,250
	Fitness Lifestyles	23,536
	Fitness Resource	133,852
	Gym Source	27,562
	Heartline Fitness Products, Inc.	55,015
	Sport Supply Group, Inc.	<u>8,341</u>
	Total	\$274,651
9099.4	Security System Installation/Cabling at Various Locations—Extension	
	<u>Awardee</u>	
	EAI Security Systems, Inc.	\$ 50,000
9181.4	Masonry Thru-Wall Flashing and Waterproofing—Extension**	
	<u>Awardee</u>	
	Walker Willis/T/A Custom Masonry	\$263,150
9182.5	Concrete Removal and Replacement at Various Locations**	
	<u>Awardee</u>	
	Finley Asphalt & Sealing, Inc.	\$300,000

9300.4	Chain Link Fencing, Gates, and Backstops at Various Locations**	
	<u>Awardee</u>	
	Hercules Fence Company	\$194,790
9428.1	Energy Management System at Piney Branch Elementary School	
	<u>Awardee</u>	
	Control Systems Sales, Inc.*	\$230,400
9429.1	Energy Management Systems at Various Locations	
	<u>Awardees</u>	
	Control Sources, LLC	\$ 83,953
	Control Systems Sales, Inc.*	<u>64,000</u>
	Total	\$ 147,953
9430.1	Energy Management Automation Systems at Various Locations	
	<u>Awardee</u>	
	Control Sources, LLC	\$ 253,981
9697.1	Safety Rails, Work Platform Projects	
	<u>Awardee</u>	
	Walker Willis/T/A/Custom Masonry	\$ 150,000
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$6,080,112

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

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

RESOLUTION NO. 36-10                      Re:    **CONTRACT APPROVAL FOR BID NO.  
4087.9, OFFICE AND SCHOOL SUPPLIES—  
EXTENSION**

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

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

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

## 4087.9 Office and School Supplies—Extension

Awardees

AFP Industries, Inc.*	\$180,880
Business Stationers	4,542
DGS Educational Products, Inc.*	8,322
Elgin School Supply Company, Inc.	391
Impact Office Products	23,945
Integrity School Supplies*	93,418
Interstate Office Supply Company*	100,991
OfficeMax	2,837
Pyramid Paper Company	544,266
Quill Corporation	152,449
Rudolph's Office & Computer Supply, Incorporated*	636
Standard Stationery Supply Company, Inc.	163,071
Star Poly Bag, Inc.*	<u>10,353</u>
Total	\$1,286,101

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

RESOLUTION NO. 37-10            Re:    **ACCEPTANCE OF SOMERSET  
ELEMENTARY SCHOOL ADDITION  
PROJECT**

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

WHEREAS, On behalf of the Board of Education, Board Member Shirley Brandman inspected the Somerset Elementary School addition project on Wednesday, January 5, 2011; now therefore be it

Resolved, That the Board of Education accept the Somerset Elementary School addition project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the drawings and specifications, and all contract requirements have been met.

RESOLUTION NO. 38-10            Re:    **ARCHITECTURAL APPOINTMENT—  
WAYSIDE ELEMENTARY SCHOOL  
MODERNIZATION FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to perform a feasibility study for the Wayside Elementary School modernization project; and

WHEREAS, Funds for conducting feasibility studies 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, Inc. as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, BeeryRio, Inc. was the architectural firm who designed the previous addition project completed in 2008; and

WHEREAS, Staff in the Montgomery County Public Schools Department of Facilities Management has negotiated a fee for the necessary architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with the architectural firm of BeeryRio, Inc. to provide feasibility study services for the Wayside Elementary School modernization project for a fee of \$38,150.

RESOLUTION NO. 39-10

Re: **ARCHITECTURAL APPOINTMENT—NEW  
ELEMENTARY SCHOOL HOLDING  
FACILITY (WARING STATION SITE)  
FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to perform a feasibility study for the new elementary school holding facility (Waring Station site) project; and

WHEREAS, Funds for conducting feasibility studies 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, P.C. as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff in the Montgomery County Public Schools Department of Facilities Management has negotiated a fee for the necessary architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with the architectural firm of Proffitt & Associates Architects, P.C. to provide feasibility study services for the new elementary school holding facility (Waring Station site) project for a fee of \$44,560.

RESOLUTION NO. 40-10

Re: **AWARD OF CONTRACT—COLD SPRING  
ELEMENTARY SCHOOL REROOFING  
PROJECT**

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

WHEREAS, The following sealed bids were received on January 12, 2011, for the Cold Spring Elementary School reroofing project:

<u>Bidder</u>	<u>Amount</u>
J. E. Wood & Sons Co., Inc.	\$391,512
Orndorff & Spaid, Inc.	419,956
Cole Roofing Company, Inc.	503,830
Interstate Corporation	595,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 20 percent; and

WHEREAS, The low bidder, J. E. Wood & Sons Co., Inc., has submitted 20.3 percent Maryland Department of Transportation-certified Minority Business Enterprise participation, of which 19.4 percent is African American and 0.94 percent is other minority owned; and

WHEREAS, J. E. Wood & Sons Co., Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$391,512 contract be awarded to J. E. Wood & Sons Co., Inc. for the Cold Spring Elementary School reroofing project in accordance with drawings and specifications.

RESOLUTION NO. 41-10

Re: **AWARD OF CONTRACT—LAYTONSVILLE  
ELEMENTARY SCHOOL REROOFING  
PROJECT**

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

WHEREAS, The following sealed bids were received on January 4, 2011, for the Laytonsville Elementary School reroofing project:

<u>Bidder</u>	<u>Amount</u>
Orndorff & Spaid, Inc.	\$663,432
R.D. Bean, Inc.	671,371
J. E. Wood & Sons Co., Inc.	731,366
Cole Roofing Company, Inc.	865,044
Interstate Corporation	950,000
Vatica Contracting, Inc.	982,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 20 percent; and

WHEREAS, The low bidder, Orndorff & Spaid, Inc., has submitted 20.6 percent Maryland Department of Transportation-certified Minority Business Enterprise participation, of which 20.0 percent is African American and 0.6 percent is other minority owned; and

WHEREAS, Orndorff & Spaid, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$663,432 contract be awarded to Orndorff & Spaid, Inc. for the Laytonville Elementary School reroofing project in accordance with drawings and specifications.

RESOLUTION NO. 42-10

Re: **AWARD OF CONTRACT—LEASING OF  
RELOCATABLE CLASSROOMS  
EXTENSION**

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

WHEREAS, Funds are appropriated annually in the Capital Budget for relocatable classroom buildings; and

WHEREAS, It is necessary to have a bid in place for the procurement and lease of new relocatable classroom units so that staff can proceed immediately to place units at various school sites and for the replacement of older units; and

WHEREAS, On March 10, 2009, Mobile Modular Management Corporation was awarded the unit price contract; and

WHEREAS, Mobile Modular Management Corporation has agreed to honor its 2009 pricing for new relocatable classroom units on a five-year lease for Fiscal Year 2012; now therefore be it

Resolved, That the Mobile Modular Management Corporation contract to lease new relocatable buildings be extended at a rate of \$515 per month per unit on an as-needed basis, with a one-time delivery charge of \$300 for a five-year lease period.

RESOLUTION NO. 43-10            Re:    **CONSULTANT APPOINTMENT—  
AMERICANS WITH DISABILITIES ACT OF  
1990 INSPECTIONS AT VARIOUS  
FACILITIES**

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

WHEREAS, The United States Department of Justice has identified deficiencies in 18 schools related to compliance with the *Americans with Disabilities Act of 1990* as a part of the *Project Civic Access* initiative; and

WHEREAS, The deficiencies have been corrected; and

WHEREAS, It is necessary to appoint a consulting firm to inspect and provide comprehensive reports to the Department of Justice to satisfy the terms of the citations; and

WHEREAS, Environmental Management Group, Inc. has completed the original assessments and provided staff in the Montgomery County Public Schools Department of Facilities Management with a proposal based on the Montgomery County contract; and

WHEREAS, Staff in the Montgomery County Public Schools Department of Facilities Management has reviewed the proposal and finds it reasonable based on the required scope of work; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with Environmental Management Group, Inc. for \$29,910 to provide inspection and comprehensive reporting services related to compliance with the *Americans with Disabilities Act of 1990*.

RESOLUTION NO. 44-10            Re:    **CONSULTANT APPOINTMENT—SECURITY  
SYSTEMS FOR VARIOUS PROJECTS**

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

WHEREAS, It is necessary to appoint a firm to provide professional design services for security systems; and

WHEREAS, A Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified East West Telecom, Inc. as the most qualified firm to provide the necessary professional design services for security systems; and

WHEREAS, Staff in the Montgomery County Public Schools Department of Facilities Management will negotiate fees for the necessary security system design services based on the size and complexity of individual projects; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with the firm of East West Telecom, Inc. to provide professional design services for security systems as requirements arise, with the total contract amount not to exceed \$100,000.

RESOLUTION NO. 45-10                      Re:    **FISCAL YEAR 2011 SPECIAL  
APPROPRIATION REQUEST FOR  
RELOCATABLE CLASSROOMS**

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

WHEREAS, The Board of Education's Requested Fiscal Year 2011–2016 Capital Improvements Program includes \$2.2 million in the Fiscal Year 2012 Capital Budget for relocatable classrooms to accommodate student population changes for the 2011–2012 school year; and

WHEREAS, These funds are programmed to be expended during summer 2011 but will not be available until the County Council takes final action on the Board of Education's Capital Improvements Program request in May 2011; and

WHEREAS, The contracts for the relocation and installation work for the Fiscal Year 2012 relocatable classroom moves must be executed prior to May 15, 2011, in order to have the units ready for the start of school in August 2011; and

WHEREAS, The appropriation authority to expend the funds programmed for Fiscal Year 2012 must be approved by the County Council before the Board of Education can enter into contracts; now therefore be it

Resolved, That the Board of Education request a Fiscal Year 2011 special appropriation in the amount of \$2.2 million to accelerate the requested Fiscal Year 2012 appropriation to provide for the execution of contracts for relocatable classroom moves planned for summer 2011 to address school enrollment changes in time for the beginning of the 2011–2012 school year; and be it further

Resolved, That this request be forwarded to the county executive and the County Council for action.

RESOLUTION NO. 46-10                      Re:    **GARRETT PARK ELEMENTARY SCHOOL—  
DEED OF EASEMENT**

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

WHEREAS, The Board of Education requires a utility and access easement across property titled to the Town of Garrett Park in connection with the modernization of Garrett Park Elementary School, located at 4810 Oxford Street in Garrett Park; and

WHEREAS, The easement, consisting of 10,000 square feet, will allow the Board of Education to construct, install, and maintain utilities to serve the modernized school facility and provide continued access to the school; and

WHEREAS, All costs of construction, installation, and maintenance of the utilities and the driveway shall be at the cost of the Board of Education as a part of the modernization project; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Deed of Easement of 10,000 square feet with the Town of Garrett Park at Garrett Park Elementary School.

RESOLUTION NO. 47-10                      Re:    **FISCAL YEAR 2011 SECOND QUARTER  
CATEGORY AND OBJECT TRANSFERS  
REQUEST**

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

WHEREAS, Montgomery County Public Schools must report each transfer between state categories to the County Executive and County Council; and

WHEREAS, Categorical and object transfers are required at this time for grant-funded projects; now therefore be it

Resolved, That the superintendent of schools be authorized to effect Fiscal Year 2011 categorical transfers of \$288,587 in the following categories:

**The Maryland Technology Proficiency Partnership Project**

	<u>Category</u>	<u>From</u>	<u>To</u>
3	Instructional Salaries		\$ 119,200
4	Textbook and Instructional Supplies		529
5	Other Instructional Costs	\$ 163,195	
12	Fixed Charges	<u>                    </u>	<u>43,466</u>

Total		<u>\$ 163,195</u>	<u>\$ 163,195</u>
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***Individuals with Disabilities Education Act—State Passthrough Coordinated Early Intervening Services Projects***

	<u>Category</u>	<u>From</u>	<u>To</u>
3	Instructional Salaries		\$ 38,200
4	Textbook and Instructional Supplies		35,000
5	Other Instructional Costs	\$ 75,100	
12	Fixed Charges		<u>1,900</u>
	Total	<u>\$ 75,100</u>	<u>\$ 75,100</u>

**Head Start**

	<u>Category</u>	<u>From</u>	<u>To</u>
1	Administration	\$ 23,399	
4	Textbooks and Instructional Supplies	1,880	
5	Other Instructional Costs	17,013	
9	Student Transportation	8,000	
12	Fixed Charges		<u>\$ 50,292</u>
	Total	<u>\$ 50,292</u>	<u>\$ 50,292</u>

Resolved, That the superintendent of schools be authorized to effect Fiscal Year 2011 object transfers of \$557,714 in the following projects:

**The Maryland Technology Proficiency Partnership Project**

	<u>Object</u>	<u>From</u>	<u>To</u>
01	Salaries and Wages		\$ 119,200
02	Contractual Services	\$ 227,971	
03	Supplies and Materials		529
04	Other Expenditures		<u>108,242</u>
	Total	<u>\$ 227,971</u>	<u>\$ 227,971</u>

***Individuals with Disabilities Education Act—Passthrough Project***

	<u>Object</u>	<u>From</u>	<u>To</u>
01	Salaries and Wages		\$ 80,443
02	Contractual Services		249,300
03	Supplies and Materials	\$ 182,243	
05	Equipment	147,500	
	Total	<u>\$ 329,743</u>	<u>\$ 329,743</u>

and be it further

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

RESOLUTION NO. 48-10            Re:    **PRELIMINARY PLANS—WESTBROOK  
ELEMENTARY SCHOOL ADDITION  
PROJECT**

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

WHEREAS, The architect for the proposed Westbrook Elementary School classroom and gymnasium addition project, Muse Architects, P.C., has prepared a schematic design in accordance with the educational specifications; and

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

Resolved, That the Board of Education approves the preliminary plans report for the Westbrook Elementary School classroom and gymnasium addition project developed by Muse Architects, P.C.

RESOLUTION NO. 49-10            Re:    **PRELIMINARY PLANS—BEL PRE  
ELEMENTARY SCHOOL MODERNIZATION  
PROJECT**

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

WHEREAS, The architect for the proposed Bel Pre Elementary School modernization project, Grimm + Parker Architects, has prepared a schematic design in accordance with the educational specifications; and

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

Resolved, That the Board of Education approves the preliminary plans report for the Bel Pre Elementary School modernization project developed by Grimm + Parker Architects.

RESOLUTION NO. 50-10            Re:    **PRELIMINARY PLANS—GEORGIAN  
FOREST ELEMENTARY SCHOOL ADDITION  
PROJECT**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by

Ms. Brandman, the following resolution was adopted unanimously:

WHEREAS, The architect for the proposed Georgian Forest Elementary School addition project, Hord Coplan Macht, Inc., has prepared a schematic design in accordance with the educational specifications; and

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

Resolved, That the Board of Education approves the preliminary plans report for the Georgian Forest Elementary School addition project developed by Hord Coplan Macht, Inc.

RESOLUTION NO. 51-10                      Re:    **MONTHLY HUMAN RESOURCES AND DEVELOPMENT REPORT**

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

WHEREAS. The educators and others who are employed by Montgomery County Public Schools are key partners in the important work and achievement of the school system; now therefore be it

Resolved, That the Board of Education approves the Monthly Human Resources and Development Report with its listings identifying new employees, employee resignations, and other employee status updates; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting.

Re:    **MONTHLY FINANCIAL REPORT**

Mr. Bowers, chief operating officer, reported that the financial report reflects the actual financial condition of Montgomery County Public Schools (MCPS) as of December 31, 2010, and projections through June 30, 2011, based on program requirements and estimates made by primary and secondary account managers. At this time, the revenue projection is on budget, while expenditures have a projected surplus of \$15,000,000. Staff in the MCPS Department of Management, Budget, and Planning will continue to closely monitor both revenues and expenditures.

RESOLUTION NO. 54-10                      Re:    **CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Monday, February 28, 2011, 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*; 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 all such meetings shall continue in closed session until the completion of business.

RESOLUTION NO. 55-10

Re: **REPORT OF CLOSED SESSIONS**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Mrs. O'Neill, the following report was adopted unanimously:

On January 5, 2011, the Board of Education voted unanimously to conduct a closed session as permitted under the *Education Article* Section 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 January 5, 2011, from 6:00 to 8:30 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and discussed collective bargaining negotiations and related matters, as permitted under Section 10-508(a)(9) of the *State Government Article* and Section 4-107(d)(2)(ii) of the *Education Article*.

In attendance at the meeting were Chris Barclay, Laura Berthiaume, Larry Bowers, Shirley Brandman, Stan Damas, Judy Docca, Michael Durso, Brian Edwards, Phil Kauffman, Frieda Lacey, Patricia O'Neill, Ikhida Roland Ikheloa, Glenda Rose, Marshall Spatz, Laura Steinberg, and Jerry Weast.

On January 11, 2011, the Board of Education voted unanimously to conduct a closed session as permitted under the *Education Article* Section 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 January 11, 2011, from 9:00 to 10:05 a.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and approved the closed session minutes from November 9, November 18, November 19, December 1, and December 7, 2010.
2. Received legal advice and considered Appeal 2010-41, as permitted under Section 10-508(a)(7) of the *State Government Article* 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*).

3. Discussed the Monthly Human Resources and Development Report and 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 the Equal Employment Opportunity Report as permitted under Section 10-508(a)(1) of the *State Government Article*.
5. Discussed matters of an administrative function (various items related to strategies for funding the operating budget, including pension contributions, implications of Race to the Top, Governor's budget request, maintenance of effort, and interaction with the County Council and community) which are outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*).

In attendance at the 9:00 a.m. closed session were Chris Barclay, Laura Berthiaume, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Ikhide Roland Ikheloa, Suzann King, Glenda Rose, Laura Steinberg, and Patrick Clancy. At 9:05 a.m., Mr. Clancy left the meeting and the following staff joined the meeting: Larry Bowers, Frieda Lacey, Brian Edwards, Carole Goodman, Bob Hellmuth, Erick Lang, Jody Leleck, Lesli Maxwell, Chris Richardson, Frank Stetson, Dana Tofig, and Jerry Weast.

On January 27, 2011, the Board of Education voted unanimously to conduct a closed session as permitted under the *Education Article* Section 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 January 27, 2011, from 7:00 to 9:00 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and discussed matters of an administrative function (strategies for funding the operating budget) and received legal advice (charter schools and maintenance of effort) which are outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*).

In attendance at the meeting were Chris Barclay, Laura Berthiaume, Larry Bowers, Shirley Brandman, Judy Docca, Michael Durso, Brian Edwards, Ikhide Roland Ikheloa, Phil Kauffman, Patricia O'Neill, and Jerry Weast.

RESOLUTION NO. 56-10                      Re:    **APPEALS**

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

WHEREAS, The Board of Education has met in closed session and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-508(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>
2010-15	Transportation Appeal	Dismissed without prejudice
2010-38	Student Placement	Affirmed
2010-39	Student Expulsion	Oral Argument
2010-42	Student Placement	Affirmed

RESOLUTION NO. 57-10                      Re:    **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes *HB231/SB123—Education - Public Charter School Facility Revolving Loan Fund*, which would provide for state loans to charter school applicants of up to \$100,000 annually and a total of \$500,000 per applicant. Loan proceeds may be used for construction, renovation, or maintenance of charter school facilities. The Maryland State Board of Education or its designee will approve loans and set interest rates for the loans. The bill provides that if a charter school defaults on repayment, the county or the local school board will repay the outstanding balance. Local school boards should not be required to repay loans for which they do not have any origination responsibility. If the state wishes to take a risk, then it should deal with the consequences rather than impose an unfunded mandate on local school boards. Instead, the charter school should rely on individual or institutional cosigners for any loans, whether through the state or privately acquired.

RESOLUTION NO. 58-10                      Re:    **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes *SB189—Public Schools - State Aid for School Construction - Planning and Design Costs*, which would have the state fund planning and design costs of school construction projects and potentially only provide funds for those projects with state planning approval. Moreover, the bill does not address the need for increasing school construction dollars to cover the additional costs of planning and design. The state would only pay for projects that have state planning approval, of which the Montgomery County Public Schools (MCPS) has only a handful. At one time, the Interagency Committee on School Construction did fund planning and design costs. Processes were extremely cumbersome and significantly slowed down the ability of LEAs to move quickly on getting projects designed.

RESOLUTION NO. 59-10                      Re:    **ITEM OF LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by

Dr. Docca, the following resolution was adopted unanimously:

Resolved, That the Board of Education strongly opposes *SB315—Building Opportunities for All Students and Teachers (BOAST) in Maryland Tax Credit*, which provides a tax credit for a contribution or a scholarship for a private school that does not charge more tuition than the average of statewide spending for public school students. Generally, this means a religious school. The credit is 75 percent of the contribution up to \$200,000 annually. The Board of Education has traditionally opposed state measures that would aid private schools. Any available funding is especially needed at this time for public schools.

RESOLUTION NO. 60-10                      Re:    **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports with an amendment, *HB26—Education Funding Formula - Average Daily Attendance*, which reduces the number of students eligible for state foundation aid by the absenteeism rate. The provision would apply beginning in FY 2012. Based on the latest FY 2010 absenteeism rate of 4.5 percent, the bill would reduce foundation aid by 4.5 percent. Because MCPS has generally had superior attendance to other state school districts, the use of average daily attendance rather than enrollment tends to benefit Montgomery County, and generally rewards counties for improved attendance. However, unless the bill is amended to keep the total amount of aid the same, for example, by increasing the foundation amount per pupil to take into account average state absenteeism, then it would result in a decrease in state aid for all districts.

RESOLUTION NO. 61-10                      Re:    **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports with an amendment *HB44/SB53—Education - Waiver from Maintenance of Effort Requirement - Process and Factors*, which modifies the procedures for granting a waiver from the maintenance of effort (MOE) requirement for local contribution to public school funding. The bill establishes a more rational timeline for requesting and determining a waiver, and provides additional criteria by which a waiver request should be evaluated. However, simply adding the county's history of exceeding MOE minimums is extraordinarily broad and subject to significant interpretation. Therefore, the Board requests that the bill be amended to narrow this criterion. Specifically, the Board suggests that (1) any penalty be assessed on the county and (2) a county's history of exceeding MOE be evaluated in the context of the annually published MSDE Education Effort Index.

RESOLUTION NO. 62-10                      Re:    **ITEM OF LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by

Dr. Docca, the following resolution was adopted unanimously:

Resolved, That the Board of Education opposes *SB6—Optional Retirement Program - State and Participating Governmental Unit Employees – Participation*, which closes the State Teacher’s Retirement system after June 30, 2011, and replaces it with a defined contribution program for a more narrowly defined population (superintendent, principals, teachers, clerks, and helper teachers). The current State of Maryland Teachers Pension system is about average nationally, having been improved retroactively in 2006. Previously, the Maryland system was among the worst in the nation in terms of the benefits offered to a teacher with a 30-year teaching career. Pensions serve to attract and retain talented teachers. Without a competitive pension benefit, all Maryland school systems will be at a disadvantage and unable to continue the achievements of the nation’s best schools. Already, the District of Columbia Public Schools starting teacher salaries exceed MCPS starting salaries. Defined contribution plans such as the one proposed by this legislation shift investment return risk to the employee, protecting the employer from variations in required contributions. Individual employees do not have access to institutional money managers and frequently lack the expertise to make investment decisions. As a result, individual employees earn lower returns and are at a greater risk of outliving their resources. Ultimately, these individuals turn to other social welfare programs, offsetting the pension savings. This bill proposes annuity products only, selected and administered by the State Retirement Agency. Annuity products tend to be high cost, lower fixed return, and are subject to the risk that the guaranteed return is less than other available market returns and also are subject to the risk that the entity that offers them encounters financial difficulties. The funds are not protected from that entity’s creditors, as they would be if held in the participant’s name or in an escrow account.

RESOLUTION NO. 63-10                      Re:    **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports *SB104—Judith P. Hoyer Early Child Care and Education Enhancement Program - Annual Report*, which will create consistency and understanding for all Early Childhood and Judith P. Hoyer-funded programs across the state. This bill proposes that MSDE add to the reporting requirements for the Early Child Care and Education Enhancement Program. Specifically, the bill would require the addition of information on expenditures, enrollment, and statewide performance data, including school readiness data disaggregated by program and by jurisdiction.

RESOLUTION NO. 64-10                      Re:    **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports *SB109—Public Institutions of Higher Education - Course Credit - Advanced Placement and International Baccalaureate*

*Examinations*, which seeks to provide parity in credit for the successful completion of Advanced Placement (AP) and International Baccalaureate (IB) examinations. In the 2009–2010 school year, MCPS students took more than 2,400 IB examinations, and over 85 percent of the students scored a 4 or higher. The score of a 4 on an IB examination is aligned with a 3 on an AP examination. Parity in college credit for successful completion of AP and IB examinations has the potential to increase student participation in IB courses.

RESOLUTION NO. 65-10            Re:    **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes *HB127/SB262—State Board of Education - Financial Literacy Curriculum - Graduation Requirement*, which requires the State Board of Education to develop curriculum content for a semester course in financial literacy, implement the curriculum in every high school, and require the course to receive a diploma. MCPS currently offers a 0.5 credit elective course, Personal Finance, not required for graduation. This course is now available to students online, which provides an additional opportunity, beyond the school day, for students to learn about financial literacy.

RESOLUTION NO. 66-10            Re:    **ITEM OF LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. O’Neill seconded by Dr. Docca, the following resolution was adopted with Mr. Barclay, Ms. Brandman, Dr. Docca, Mr. Durso, Mr. Kauffman, Mrs. O’Neill, and Mr. Xie voting in the affirmative; Ms. Berthiaume voting in the negative:

Resolved, That the Board of Education strongly supports *SB167—Higher Education - Tuition Charges - Maryland High School Students*, which exempts individuals who attended and graduated from Maryland high schools from paying non-resident tuition at public institutions of higher education in Maryland. Documented immigrants who are in the country on student visas do not qualify for the exemption, but otherwise the exemption applies regardless of residency status. Because of their inability to establish permanent residency, many immigrants, both documented and undocumented, are considered non-residents for tuition purposes regardless of how long they have lived in Maryland. The governing board of each public institution of higher education must adopt policies to implement the bill. This bill is similar to federal legislation known as the Dream Act.

RESOLUTION NO. 67-10            Re:    **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education strongly supports *SB41—Education - Age for Compulsory Public School Attendance – Exemptions*, since currently, Maryland requires children between the ages of 5 and 15 to attend school. Upon turning 16, a student is

permitted on his/her own to permanently withdraw from school. While school staff must conduct and document an exit interview with any student who seeks drop out, parental approval is not required. The decision to drop out can be life changing. While students drop out for myriad complex reasons reflecting their unique life circumstances, it is often the culmination of a longer process of disengaging from instruction. For dropouts, the consequences can be severe. In our changing economy, workers need at least a high school diploma to compete in the workforce. A 2007 Maryland Task Force to Study Raising the Compulsory Public School Attendance Age to 18 noted that students who drop out of high school face “harsh futures” characterized by lower wages, disproportionate representation in prisons, and shorter overall lifespans. The costs to society were also described, including greater dependency on public assistance among dropouts and high incarceration costs for the population. Raising the compulsory age of attendance alone is not a silver bullet and, in isolation, will not resolve the underlying issues of students dropping out. It is critical that our laws and policies limit the ease by which students can drop out of school, knowing the long-term consequences of such action. Additionally, any real or sustainable impact will take place only if requiring students to stay in school beyond age 16 is accompanied by engaging instruction and personal supports.

**RESOLUTION NO. 68-10                      Re:    ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports with an amendment *HB1—Education - Youth Athletes - Concussions*. The Maryland Public Secondary Schools Athletic Association (MPSSAA) has developed guidelines for LEAs to follow regarding students sustaining head injuries. These guidelines include providing information regarding head injuries, establishing when a player should be removed from an event, and establishing standards for when a student may return to play (students attending MPSSAA member schools may not return to action following a head injury unless they have written clearance from an appropriate medical professional). This bill, as currently drafted, further requires school systems to ensure that any and all youth groups or youth activities that utilize public school facilities have been educated on head injuries and follow fundamental procedures in the event of head injuries. Virtually every youth athletic group in Montgomery County uses MCPS facilities to some extent, whether outside facilities or inside facilities. The school system cannot be held accountable for educating and making certain that all coaches/parents/players participating in non-school-related youth activities are following specific fundamental procedures regarding head injuries. There are perhaps 100,000 children who annually participate in non-school youth athletic activities. The school system does not have the resources to monitor such a program.

**RESOLUTION NO. 69-10                      Re:    ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes *HB73—Vehicle Laws - School Buses - Prohibition on Permitting Sitting on Floor or Standing*, since COMAR already addresses this issue adequately, allowing for standing only at the beginning of the school year and in emergency situations. Penalizing the bus operator or other transportation staff with a fine is not necessary. Additionally, the current first-aid training provided to bus operators and attendants is minimal because the primary first-aid plan is to call an ambulance.

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Progress Report
3. Minority-, Female-, or Disabled-Owned Business Procurement Report for The Second Quarter Of Fiscal Year 2011

Re: **BUDGET WORK SESSION**

**Brief Overview Of The Superintendent'S Recommended Budget**

1. FY 2012 Recommended Operating Budget is \$2,205,722,618.
2. Increase of \$101,534,578 (4.7 percent).
3. Includes a local contribution at the minimum state Maintenance of Effort (MOE) level (increase of \$82.1 million).
4. Increase of \$37.2 million in state aid in Governor's budget compared to previous estimate.
5. Increase of \$5 million in savings from FY 2011 freeze.
6. Total increase in resources of \$42.2 million does not reduce minimum MOE local contribution.
7. County faces penalty of loss of increased state aid if it does not fund MCPS at MOE.
8. Addition of three prekindergarten classes to accommodate 60 income-eligible children (\$284,000).
9. Balance of \$42.2 million in added resources to be used for Retiree Health pre-funding (OPEB).
10. Total OPEB contribution of \$47.9 million available if budget is reduced by county.
11. Local contribution—MOE Level—\$81.2 million increase.
12. State aid—increase of \$64.6 million. State to replace \$32.3 million in federal aid.
13. Federal aid—federal stimulus aid will end after FY 2011—loss of \$49 million.
14. Enrollment increase—\$17.2 million.
15. Special education—\$3.3 million.
16. ESOL—\$901,000.
17. New schools/space—\$861,000.
18. Continuing salaries—\$14.6 million.
19. Employee benefits—\$33.0 million.
20. Inflation and other expenditures—\$8.3 million.
21. Budget reductions include \$6.0 million all from central office and support services, and potential reductions of 650 positions and \$48.0 million not included in recommendation.

**Re: DISCUSSION**

Mr. Durso asked for clarification of the \$14.6 million in continuing salaries. Staff explained that it is a combination of changes in the payroll from the current year to new FY 2012 operating budget, which is a combination of increments, steps, lapse/turnover, and longevities, among other items.

In a discussion about central office nonrecommended reductions, Mr. Kauffman asked for the breakdown of possible positions, stipends, and other supports. Staff commented that the process has not started at this point with regard to positions. Staff will provide a list of stipends and other supports.

Mr. Barclay pointed out that it was important to understand the budget and any possible reductions that might be necessary in June. The Board may be interested in moving in another direction. Therefore, the Board should frame its questions to understand any choices or direction for the operating budget.

Ms. Berthiaume asked about the central office positions, and the impact of delivery of the instruction. What is the superintendent referencing? Staff stated that there is no proposal to reduce any position in central office since it depends on the funding approved by the County Council.

Mr. Barclay commented that the conversation is not complete today, and these are real people and families involved in reductions. It is incumbent on the Board to understand the impact and numbers, but to be respectful of the process. It creates stress for those employees who potentially are in that circumstance.

Mrs. O'Neill noted that the Board does not know the magnitude of the reductions and the budget will be based on the Council's funding and the impact on MCPS. Council members have been telegraphing that they will not make MOE. The Spending Affordability Guidelines (SAG) are not reflected in the overview. Her point was that there could be millions more above the non-recommended reductions when the final funding is approved in May for Board action in June.

**Budget Review By Office****K-12 Instruction and Office Of School Performance (Chapter 1)**

1. Priorities include achieving Adequate Yearly Progress (AYP) in all subgroup;; eliminating the achievement gap, and reducing variance among schools in student achievement.
2. The challenges include ensuring that any changes in class size do not have an adverse impact on student achievement and achieving AYP with more subgroup vulnerability due to annual Measurable Objective (AMO) increasing.
3. The Office of School Performance (OSP) priorities include monitoring the 25 high schools and Thomas Edison High School of Technology, 38 middle schools, 131

elementary schools, and five special schools; leading the selection of principals, as well as monitoring and evaluating their performance, while providing support to them and to upcoming leaders; and collaborating with all other MCPS offices to facilitate communication with schools, staffing, implementation of curriculum, support of students with special needs, and administration of assessments.

4. OSP challenges include continuing to provide support to the schools during a time of declining budgets and reduced resources; ensuring that each schools has an appropriate plan leading to increased student achievement in a climate conducive to optimal learning experiences; and providing programs such as High School Plus, Online Pathway to Graduation, and Minimal-fee and Revenue-based Summer School to the student at the highest risk of not meeting graduation requirements.

Re: **DISCUSSION**

Mr. Barclay remarked about a handout that listed the number of positions and programs that had been reduced over the past two years. In the presentation, there were the priorities of OSP that includes AYP. Since there were 34.2 position reductions in FY 2010, Mr. Barclay asked if there was impact on middle schools because 15 schools did not make AYP. What is the relationship? Middle schools are struggling in performance. Can the school system meet its mission with those reductions? Staff remarked that Middle School Reform has been stalled because of lack of appropriate funding from the County Council.

Mrs. O'Neill noted that the MCCPTA does not want class size increased. Research shows that class size does not make a difference unless you can achieve 18:1. As a parent, she wanted a reasonable class size with a quality teacher where a teacher would know each child. Where is MCPS with combination classes? Staff explained that there will be more not less with non-recommended reductions. There will be every effort made to not destroy employee morale and trust with this budget. The data from MCPS show that it makes a big difference to have lower class size in the early years. That is the reason that this operating budget is funded.

Mrs. O'Neill asked staff to dispel the myth that MCPS can save money by eliminating the foreign languages of Japanese and Italian. Staff explained that elective courses are offered based on the interest and enrollment of students.

Mrs. O'Neill further pointed out that a lot of people are concerned about safety and security. The community is concerned about EFO/SRO; however, the list of non-recommended reductions includes lunch hour aides and security assistants. In elementary schools, the lunch hour aides play a vital role in helping to manage behavior during the students' free time. Dr. Weast pointed out that he was in favor of SROs, but they are paid for and supervised by another agency, the Montgomery County Department of Police.

Mr. Durso noted that research has not offered a definitive answer on class size, but MCPS believes there is an effect. He wanted to know if rising class size has accelerated schools not making AYP. Dr. Weast agreed it has been one factor, but there are others, such as

poverty, mobility, and language. Staff agreed and teachers are concerned that they will not be able to meet each student's needs and engagement in the classroom.

Mr. Durso asked for the number of consulting principals and teachers. Staff stated that there are three consulting principals and 24 consulting teachers.

Mr. Durso wanted to know the number of teachers for the added period of the Middle School Magnet Consortium. Staff explained that there are about eight to nine additional teacher positions.

Mr. Durso hoped that the system and county was not gambling with the decrease in SROs since other systems are either holding the line or increasing SROs. Staff stated that they are clearly aware of the issues the system is facing. Everything has an impact in the schools, such as a reduction in 60 building service workers.

Mr. Kauffman thought that part of the problem is that the funding body believes that MCPS has absorbed reductions in the past without an impact, and they continue to believe that. Part of the argument is to make it clear to the County Council that the non-recommended reductions will have a devastating impact on the education of children in Montgomery County, and it will be difficult for the school system to regain what has been lost through budget reductions. Dr. Weast noted that the past impact has been made negated by the employees working harder and smarter with trust in the Board because it has fought for the employees. It has taken a decade to achieve outstanding student scores.

Mr. Kauffman asked staff how they arrived at the non-recommended reductions of staff development teachers. Staff explained that the list was not recommended, but one of several scenarios.

Mr. Kauffman asked for clarification on the average class size, such as 22.2 students in elementary school. Staff stated that there are maximum class sizes that are averaged based on program.

Mr. Kauffman asked for the rationale for the increase in professional part-time staff. Staff explained that the part time is for a variety of support functions in the schools. The increase is a realignment from secondary schools for more needs in the elementary schools. Mr. Kauffman was interested in what was done with those funds and the rationale for the increase. Staff offered to get back to the Board with a more complete answer.

Mr. Kauffman asked for clarification on consultants and contractual services. Staff stated they would get back to Mr. Kauffman with the explanation.

Ms. Berthiaume commented that EFO/SRO and the politics involved, and she thought it would be sad to have security become a political football. One Councilmember stated that if the school system thought it was important, MCPS should fund it. With that back and forth, there could be insufficient funding for security in the schools. However, security is a baseline fundamental duty.

Ms. Berthiaume noted that middle school AYP is not getting done with the special education component. In the elementary school non-recommended reductions, the recommendation is to zero out Reading Recovery. Those positions are primarily working with diagnosed or undiagnosed children with special needs as well as limited English proficient children. How did MCPS come to the conclusion that it could do without that program? Staff explained that MCPS cannot live without these programs. Reading Recovery has been in place for 20 years, and it is very intense but expensive program. Reading Recovery also as a staff development component in instructing teachers on how to instruct reading.

Ms. Berthiaume requested information on the efficacy of what OSP does, especially during difficult budget times. What measures are in place? What analyses have been undertaken? What are qualitative and quantitative measures to evaluate services? Staff did not know of any studies that had been done. OSP work regards student achievement overall and individual schools. Monitoring and supervision are the primary aspects of the office. Progress is measured through the M-Stat groups. The office evaluates principals, and it monitors the concerns that come from the public. The office maintains a relationship with the clusters. There are surveys to the principals about the provided services and supports.

Mr. Xie asked about class size and the variance between classes in the same school. Last year, 240 positions were eliminated by increasing class size by one student. How many of the positions are filled as opposed to unfilled positions? Staff replied that most of the positions are filled. There are some positions where there is a long-term substitute.

Ms. Brandman asked about comparative increases and decreases in middle schools. At the middle school level, there is a significant increase in contractual services. At the high school level, there is a decrease. What does it represent? Staff explained that contractual services are for the software replacement of the circulation system in the school libraries.

Mr. Kauffman asked how the system manages stipends, part-time, and other categories. Is a number allocated to individual schools? Staff replied that stipends are allocated to schools based on fixed stipends and activity which are in the contract. Also, there are guidelines for other levels of schools for specific activities. Professional part time is held centrally for activities to support programs.

Mr. Kauffman asked for clarification of "miscellaneous" for middle schools. Staff volunteered to get the details, but it covers athletic allocations and other activities.

Mr. Kauffman inquired about changing 12-month positions to 10-month positions, i.e., close the schools for a month. Staff stated that there were programs in the schools, such as day care. Also, the school is the hub and provides information to the community.

Mr. Kauffman inquired about consolidation in the Office of School Performance. Staff will evaluate.

Office of The Deputy Superintendent Of Schools (Chapter 2)

Priorities include monitoring, integration and alignment, compliance, family outreach and engagement, human relations compliance, and direct school/family support (parent visits, Edline activation, and parent support).

**Re: DISCUSSION**

Mr. Barclay stated he was a proponent of Family and Community Partnerships. He wanted to know how many parent community coordinators were in the budget and where they are assigned.

Mr. Kauffman inquired about the Department of Family and Community Partnerships and asked for clarification on "other contractual" and "miscellaneous." Where could there be a 10 percent reduction?

Office of Shared Accountability (Chapter 3)

1. Strategic priorities include timely, responsive, and useful information that promotes continuous improvement; annual reporting on strategic data points; Seven Keys to College Readiness research and reporting; monitoring tools and prediction models; and evaluation of program and initiative.
2. Services and supports include compliance with federal, state, and local mandates; financial and program audits; training and support; climate surveys; online solutions for testing; survey administration and timely sharing of data; consultation services; and external research requests.

**Re: DISCUSSION**

Regarding the Program Evaluation Unit, Ms. Berthiaume inquired about the seven positions evaluating summer school and similar studies. This is nice, but 95 percent of school districts across the country do not have that luxury. Comparing that with Reading Recovery, she suggested this unit could be a cost savings.

Mr. Barclay focused on the Program Evaluation Unit, and he wanted to know the ability of the school system to evaluate programs and assess what is/isn't working for the system. Therefore, the administration and Board can determine what can be eliminated or consolidated. How is this done with such a small staff? Staff replied that the department is blended with cross-functional work projects. Dr. Lacey stated that there is a process that works with each office and prioritizes the work to be evaluated. When the evaluation is completed and shared at the ELT meeting, there is a template for an action plan, and programs have been eliminated, such as CAPP.

Mr. Xie thought the only changes were under salaries and wages and \$45,000 in support services. Staff explained that it is for continuing salary costs.

Mr. Durso stated that principals do not see what this office provides and the schools will have the most reductions. Staff replied that they are working with school staff to explain

what they do and process requests from schools.

Office of Curriculum and Instructional Programs (Chapter 4)

1. Priorities include direct support to schools; program, initiative, and project management; curriculum, assessment, professional development, and instructional resources; and communication and collaboration.
2. Services and supports include student programs; parent resources and partnerships; and multi-stakeholder input.

Re: **DISCUSSION**

Mr. Durso asked about the community's concern about career education, especially with Wheaton/Edison. Where does this come under this office? Staff replied that organization has eliminated 40 positions within the office, and the Division of Career and Technology Education (CTE) has been collapsed, with Science, Technology, Engineering, and Mathematics (STEM) to combine functions in order to avoid duplication.

Ms. Brandman asked how many instructional leadership positions came from the former Office of Organizational Development.

Mr. Kauffman noted specific input from the community in the Downcounty Consortium and support for this consortium. He noted that the same support was not heard from the Northeast Consortium. Over time, what is staff's sense of support for these programs? Should the Board undertake a review? Staff replied that there is still significant support of the consortia based on choice of programs.

Ms. Berthiaume noted that under the Office of Curriculum and Instructional Programs there are 20 potential reductions in CTE. How would that be operationalized? What is the impact on programs and internships?

Office of Special Education and Student Services (Chapter 5)

1. Priorities include services for students with disabilities from birth through age 21; rigorous high-quality instruction for students with disabilities to ensure career and college readiness; overall well-being of every students; and disproportionality.
2. Services and supports include individualized student support; equitable access to high-quality instruction; enhanced communication with parents, schools, and the community; and interagency collaboration.

Re: **DISCUSSION**

Ms. Brandman asked about hours-based staffing in middle schools. How many schools? She asked for the working range of budget implications in making all middle schools hours-based staffing.

Mr. Kauffman inquired about the proposals in changing staff ratios in the secondary learning centers. What considerations have been looked at? How will AYP and academic

needs be met? Staff explained that program and student needs were reviewed last summer. The consideration was to change the ratio but meet the needs of all students.

Mrs. O'Neill noted Identity and the Mental Health Association providing partnerships. Has the reimbursement been reduced? Staff stated that the reimbursement was \$62,500 through a proposal and a Memorandum of Understanding.

Mr. Durso asked what was the biggest challenge for special education. Staff replied that it was communicating with stakeholders and focus on instruction. Also challenging was students meeting the AYP standards with special education students taking grade-level assessments.

Mr. Kauffman asked for the number of special education students in non-public placements? Has it gone up or down?

#### Office of The Chief Operating Officer (Chapter 6)

1. Priorities include Operating Budget and Capital Improvements/Master Plan aligned with Our Call to Action; Baldrige criteria and training, school and office improvement plans, resources provided in an equitable manner, and hiring for excellence and equity.
2. Supports and services include management of resources; recruitment, selection, hiring, training, and support to retain qualified staff; nutrition and food services/health and wellness; environmental stewardship; technology for students and staff learning and efficiencies; and employee benefits programs.

#### Re: **DISCUSSION**

Mr. Barclay asked about contractual services with the increase from \$279,000 up to \$639,000. Staff noted that those funds were for the Entrepreneurial Funds with a number of programs, such the Science Resource Center, online courses, technology grants, etc. The increase reflects contributions from partnerships, such as technology.

Mr. Kauffman inquired about the cost impact to the system to add another day of personal leave for employees.

Referring to the non-recommended reductions, Mrs. O'Neill noted the \$1 million in athletics. There was an earlier response about a number of options, such as raising the activity fee, eliminating one of the JV games, reducing high school football assistants to four, cutting back the number of assistants in track, and eliminating spring cheerleading, among others. While it may seem that athletics are not as important as academics, it is the incentive that keeps many students academically eligible and engaged in school.

Ms. Berthiaume requested a breakdown of stipends for teachers. Why are there different stipends per sport?

Again, Ms. Berthiaume wanted to know why MCPS charges for online courses when in-school courses are free.

Mr. Durso asked about the positions of 80 bus route supervisors. Staff explained that one of the critical issues in transportation was to improve supervision of bus drivers, and the ratio is now one supervisor to 205 employees.

Mr. Kauffman inquired about athletics with regard to parking fees and gate receipts. Where does that money go? Staff explained that it remains at the school and becomes part of the total allocation for athletics and stipends.

Mr. Barclay inquired about employee benefits and where could MCPS save money, such as a change in employee contributions. Staff replied that MCPS has managed employee benefits very well, including ascertaining where funds could be saved. There is a concern with cost sharing by shifting 10 percent [of health care costs?] to employees, which would be \$1,500 per employee. This would cost about three times more for a family plan.

Mr. Barclay asked if there were efficiencies that could be realized with the prescription drug plan. What are the options? Staff explained that MCPS is self-insured. MCPS collects the funds and pays the claims. If there is a cost shift to the employee, it will have a significant impact on the employee. In cost savings, there are generic drugs and keeping employees within the network.

Mr. Barclay stated that this topic has to be talked about. Staff commented that it was an issue for negotiations. Mr. Barclay understood the process, but this is a topic to understand and work on if there is significant underfunding from the county.

Ms. Berthiaume wanted to know how much is collected in fees and is paid out in claims. Could MCPS move to a \$20 co-pay? Why does MCPS insurance cover orthodontia? What does the dental plan cover? Mr. Barclay added that he wanted to know what an increase in fees for insurance would mean to an employee. Mr. Kauffman was interested in knowing if the benefits design and premiums in cost sharing was in the employees' contracts.

#### Office of The Chief Technology Officer (Chapter 7)

Priorities include virtual community center; interactive and innovative classroom technologies; student growth and performance (real time); critical human capital and operations management; and anywhere, anytime collaborative communities.

#### Re: **DISCUSSION**

Ms. Brandman noted that we need to do more with less. Is there a way we capture the savings using technology?

Mr. Kauffman asked for a breakdown of costs, such as other contractual and miscellaneous. Staff replied that there is a cycle of refreshment of technology. There is software maintenance, contractual services, and telecommunications services.

Office of Human Resources and Development (Chapter 8)

1. Priorities include Professional Growth Systems for teachers, A&S, and supporting services; high-quality professional development for staff; excellence and equity in the workforce; recruiting and retaining highly qualified teachers and paraeducators; and hiring a diverse workforce that reflects the values of MCPS.
2. Services and supports include planning A&S meetings/facilitating meetings; certification renewal and reclassification studies; managing the CPD course initiation process; fingerprinting/conducting investigations; supporting staff through the Employee Assistance Program; substitute teacher system; and coordinating employee recognition events.

**Re: DISCUSSION**

Mr. Kauffman inquired about the \$1.6 million for university partnerships. How is this offset and budget-neutral? Staff explained that the basic plan is that MCPS gets candidates who are in schools serving as long-term substitutes. Mr. Barclay pointed out that this is a pool of substitutes and future MCPS teachers.

Mr. Kauffman inquired about the Professional Growth Systems (PGS)—there are eight employees for the supporting staff and 24 consulting teachers. What is the case load? Is there an opportunity for reductions? Staff replied that those numbers have been sharply reduced from the original of 48–49 consulting teachers. Since they work with new and underperforming teachers, the case load is 15 to 16 employees per consulting teacher. Those people working with support staff have a low case load, but they work on training employees for their jobs.

Ms. Brandman inquired about the staff onboarding new employees. Are these positions developing the model or will these positions be full time? Staff replied that these positions are liaisons from MCAAP. There is a broad responsibility in sharing time with a teacher specialist.

\*\* Mr. Berthiaume left the meeting.

Board of Education and Office of the Superintendent (Chapter 9)

1. The Office of Communications priorities include supporting schools, students, and staff; promoting family–school partnerships; supporting school system central services and business operations; and informing stakeholders, including the public, about the school system.
2. The services and supports include emergency communications, districtwide web services, QuickNotes, Parent Connection, the Bulletin, News Update, Webcasts, press releases, Alert MCPS, and Twitter.

Re: **DISCUSSION**

Mr. Barclay noted that most folks point to communications for reductions. Staff pointed out that communications is vital to the community and staff.

Dr. Docca stated that people ask why MCPS spends so much on communications, but the list of services is vast and essential.

Ms. Brandman wanted to know if there were efficiencies with a centralized web page that school can access, such as college information posted centrally. Staff explained that they are in the process of redesigning the web pages for ease of access to information.

Re: **ADJOURNMENT**

The meeting was adjourned by the President at 5:30 p.m.

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PRESIDENT

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SECRETARY

JDW:gr

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