

APPROVED
21-2011

Rockville, Maryland
September 13, 2011

The Board of Education of Montgomery County held a business meeting and closed session at the Carver Educational Services Center, Rockville, Maryland, on September 13, 2011, beginning at 9:03 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. Joshua Starr, Secretary/Treasurer

Absent: None

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

With a quorum present, the Board of Education met in open session at 9:03 a.m.

RESOLUTION NO. 436-11 Re: **RESOLUTION FOR CLOSED SESSIONS**

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 closed sessions on September 13, 2011, in Room 120 from 9:00 a.m. to 10:00 a.m. and 11:30 a.m. to 12:30 p.m.; and be it further

Resolved, That the superintendent of schools brief the Board of Education on the Monthly Human Resources and Development Report and Appointment, 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 receive legal advice and consult with staff and individuals about pending litigation as permitted under Section 10-508(a)(7) and Section 10-508(a)(8), respectively, of the *State Government Article*; and

be it further

Resolved, That the Board receives legal advice as the Board adjudicates and reviews appeals, which is a quasi-judicial function outside the purview of the *Open Meetings Act* and as permitted by Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the meetings continue in closed session until the completion of business.

Re: **CLOSED SESSION**

The Board of Education met in closed session from 9:04 to 10:38 a.m. After a 10-minute break, the Board of Education reconvened in open session at 10:48 a.m.

To view specific sections or the entire meeting, please watch at
<http://www.montgomeryschoolsmd.org/boe/meetings/archive/2011/2011-0913.shtm>

Re: **PLEDGE OF ALLEGIANCE**

The Board of Education, staff, and community members recited the Pledge.

RESOLUTION NO. 437-11 Re: **APPROVAL OF THE AGENDA**

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 approved the agenda and amended it to add Item 2.3 (Superintendent's Annual Mark Mann Excellence and Harmony Award) and to defer the minutes until the September 26, 2011, meeting.

RESOLUTION NO. 438-11 Re: **HISPANIC HERITAGE MONTH**

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

WHEREAS, In 1988, the United States Congress passed a joint resolution proclaiming the period beginning September 15 and ending on October 15 as National Hispanic Heritage Month; and

WHEREAS, Hispanics or Latinos represent a prominent and increasing population in the United States, and within Montgomery County Public Schools, Hispanics or Latinos comprise 25.3 percent of our student population; and

WHEREAS, Hispanics or Latinos continue to serve with honor and distinction in the

United States military and the space program, and lead many nonprofit organizations; and

WHEREAS, Hispanics or Latinos have enriched our culture through their creative contributions in the fields of sports, science and medicine, the arts, politics, education, business, technology, and economics; and

WHEREAS, In Montgomery County Public Schools, there continues to be a concerted effort to ensure that all students excel and are supported in reaching their academic goals; and

WHEREAS, Montgomery County Public Schools' Hispanic or Latino students increased their SAT performance rates with the average SAT score for Hispanic or Latino students increasing from 1,398 in 2009 to 1,452 in 2010; now therefore be it

Resolved, That on behalf of the 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, 2011, to be observed as "Hispanic Heritage Month."

RESOLUTION NO. 439-11

Re: **SUPERINTENDENT'S ANNUAL MARK
MANN EXCELLENCE AND HARMONY
AWARD**

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

WHEREAS, The Superintendent's Annual Mark Mann Excellence and Harmony Award was established in 1991 to honor the highest qualities and most significant accomplishments of the late Dr. Mark Mann, former principal of Parkland Junior High School; and

WHEREAS, The award is presented annually to a Montgomery County Public Schools administrator who has shown exceptional performance in promoting academic excellence, positive human relations, and community outreach; and

WHEREAS, Ms. Catherine A. Jasperse, principal of Rock Creek Valley Elementary School, was chosen as the recipient of the 2011 Mark Mann Excellence and Harmony Award for her dedication to providing a challenging academic program for every student; and

WHEREAS, During her tenure at Rock Creek Valley Elementary School, Ms. Jasperse has greatly improved the academic standard and has made Rock Creek Valley Elementary School a place where students and staff are successfully closing the achievement gap with her excellence in educational leadership and strong relationships with her students, their families, her staff, and her community; now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of schools congratulate Ms. Jasperse on her accomplishments and on receiving the Mark Mann Excellence and Harmony Award.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Troy Kimmel	Farquhar Modernization
2. Joe Griffin	Farquhar Modernization
3. Thomas Hyde	Farquhar Modernization
4. Gail Kahan	Farquhar Modernization
5. Angela Edwards	Farquhar Modernization
6. George Gadbois	Wheaton-Edison
7. James Pekar	Bethesda-Chevy Chase Middle School #2
8. Teddy Springer	Bethesda-Chevy Chase Middle School #2
9. Daniel Durham	Liaison Officer Of Walter Reed Center
10. Lynn Amano	Bethesda-Chevy Chase Middle School #2

Re: **BOARD/SUPERINTENDENT COMMENTS**

Board members commented on the following:

- The opening of school was exciting and staff was well prepared for the first day of school.
- The flag raising ceremony at John T. Baker Middle School was very well done.
- The student member will be attending MCR and MCJC program.
- The use of school as short- and long-term shelters. Staff was commended for the evaluation of the buildings and transportation after the recent floods as well as the earthquake.
- Arcola Elementary School was recognized for its healthy food choices.
- The school materials were distributed even though the Back-to-School Fair was canceled due to weather conditions.

Dr. Starr commented on the following:

- The Department of Family and Community Partnerships deliver a tremendous service to families with school supply distribution.
- There was a great opening of schools this year despite the Earthquake, hurricane and relentless rain.
- Over 30 schools were visited during the first week of school."Listen and Learn" events for staff and community are underway.
- MCPS was honored for focus on nutrition and healthy living.

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

<http://www.montgomeryschoolsmd.org/boe/meetings/archive/2011/2011-0913.shtm>

Re: **LUNCH**

The Board of Education recessed from 12:06 to 1:05 p.m. for lunch only (all closed session items were addressed in the morning).

Re: **BOARD OF EDUCATION FY 2013 OPERATING BUDGET INTERESTS**

Dr. Starr engaged the Board of Education in an exercise to discuss any broad budget interests that the Board may have. This is a useful process to be fully aware of the interests of the Board. It also enhanced transparency and led to a richer discussion of the operating budget over the course of the year. In preparation for this session, it is important that everyone has a common understanding of interest-based problem solving and the importance of focusing on interests and not positions.

The school system is in the early process of developing the operating budget. This exercise will likely yield only preliminary insights from the Board. Administration will be seeking feedback and involvement from our many stakeholders throughout the budget process until its culmination in May 2012.

The Board of Education identified the following process and interests:

Board Role in Budget Process

1. Ensures alignment with strategic plan
2. Outreach to community and stakeholders
3. Advocacy
4. Make sure we are investing in what works (ongoing conversations)
5. Why we are keeping our investments to aligned goals
6. Oversight-to make sure dollars are going to the right goals
7. Input on recommendations and have regular updates on variables
8. Make sure there are no surprises to the community
9. Protect community's interests
10. Distinction of what can be funded, informed by research, data, audits, policies
11. Integrity of problem-solving process
12. Short term and long term planning
13. Thinking about 5 years ahead
14. Ensure that all voices are equally heard and taken into account
15. Unify stakeholders, interest-based, common sharing of interests
16. Understand the interests of funders

Interests

1. Maintain the academic success of our programs
2. Make sure that all students achieve, regardless of demographics
3. Retain and support all staff
4. Continuing to invest to reduce variability
5. Don't balance the budget on the backs of our most vulnerable students
6. Maintain commitment to equitable distribution of resources and to our schools
7. Improve the academic performance of our middle schools
8. Protect classroom resources
9. Ensure that our schools are places where every child can learn something new, for that child, every week
10. Ensure that our schools are places our children want to go to every morning and feel safe
11. Focus on programs that prepare students for the future (college and career)
12. Youth programs for students that promote a healthy life style (after-school)
13. Provide timely and adequate remediation to students not on grade level
14. Ensure we graduate students prepared to be full participants in our democracy (civics and history)
15. Continuing to invest in professional growth
16. Continue to invest in pre-school
17. Continue to invest in technology for students and staff
18. Maintaining and improving our array of special education programs
19. Maximize schools as community assets
20. Provide multiple career paths for college and career
21. Address secondary literacy issues
22. Provide a health and safe environment for all children
23. Address the math curriculum
24. Continuing to invest in things that really engage students and make learning exciting (rich array)
25. Invest in learning opportunities to enhance students' appreciation of our role as environmental stewards.

RESOLUTION NO. 440-11

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

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

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 Bid No. 0367000079; and

WHEREAS, The acquisition of off-the-lot new vehicles through the lease/purchase agreement has been reviewed by legal counsel; now therefore be it

Resolved, That off-the-lot new vehicles in the amount of \$73,174 be lease/purchased for the Department of Transportation for a five-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

Resolved, That off-the-lot new vehicles in the amount of \$21,600 be lease/purchased for the Editorial, Graphics, and Publishing Services for a three-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

Resolved, That off-the-lot new vehicles in the amount of \$118,812 be lease/purchased for the Division of Maintenance for a four-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

Resolved, That off-the-lot new vehicles in the amount of \$118,239 be lease/purchased for the Division of Maintenance for a five-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

Resolved, That the proceeds from the aforementioned financings 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 the president of the Board of Education and the superintendent of schools be authorized to execute the documents necessary for these transactions; and be it further

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

03670058 Unleaded Gasoline—Extension

Awardee

Truman Arnold Companies

\$482,800

0367000079 Off-the-Lot, New Vehicles

Awardees

Criswell Automotive, Inc.

\$310,225

Lindsay Ford, LLC

21,600

Total

\$331,825

RQ08934 Chillers Diagnostic Analysis Preventative Maintenance—Extension
78222A

Awardee

Boland Trane Services, Inc.

\$350,000

1144.3 Grade 2 TerraNova Second Edition—Extension

Awardee

CTB/McGraw Hill	\$328,000
-----------------	-----------

4035.5 HVAC/Refrigeration Equipment and Parts

Awardees

Aireco Supply, Inc.	\$220,000
Applied Industrial Technologies	10,000
Associated Controls, Inc.*	10,000
Boland Trane Services, Inc.	180,000
Capitol Compressor, Inc.	10,000
Capp, Inc.	100,000
Chesapeake Systems, LLC	70,000
Havtech	80,000
H. M. Sweeny Company	90,000
M & M Controls, Inc.	9,000
RPC, Inc.	15,000
Smart Supply Company, Inc.	50,000
United Refrigeration, Inc.	<u>150,000</u>
Total	\$994,000

4042.5 Boiler Supplies and Associated Materials—Extension

Awardees

Best Plumbing Specialties, Inc.	\$ 21,000
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	\$253,000

4075.5 Plumbing Supplies—Extension

Awardees

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	26,000
Wolverine Brass, Inc.	<u>3,000</u>

	Total	\$523,000
4111.4	Overhead Door Installation and Repairs—Extension	
	<u>Awardee</u> Rolling Doors of Maryland, Inc.	\$ 40,000
4301.1	Apex Learning Digital Curriculum—Extension	
	<u>Awardee</u> Apex Learning, Inc.	\$ 30,650
4303.1	Reading Assistant Site-License—Extension	
	<u>Awardee</u> Scientific Learning Corporation	\$ 35,275
7202.2	Bulbs for Promethean Board Projectors	
	<u>Awardee</u> Clinton Learning Solutions, LLC	\$ 237,860
9154.4	Industrial Hygiene and Laboratory Services—Extension	
	<u>Awardee</u> Yoti N N & Associates, Inc.*	\$ 100,000
9435.1	Indoor Air Quality Equipment and Supplies	
	<u>Awardees</u> American Environmental Enterprises	\$ 7,314
	Grainger, Inc.	34,077
	Smart Supply Company, Inc.	<u>43,672</u>
	Total	\$ 85,063
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$3,791,473

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

RESOLUTION NO. 441-11

Re: **FY 2012 SUPPLEMENTAL APPROPRIATION
REQUEST FOR AGING SCHOOLS
PROGRAM FUNDS**

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

WHEREAS, On May 4, 2011, the Board of Public Works approved the allocation of \$8.6 million in funding for the Aging Schools Program to those jurisdictions that will participate in the Fiscal Year 2011 Aging Schools Program; and

WHEREAS, The Interagency Committee on Public School Construction and the Board of Public Works approved \$849,278 for Montgomery County Public Schools; and

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

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

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

Resolved, That the Board of Education request a Fiscal Year 2012 supplemental appropriation and amendment to the Fiscal Year 2013–2018 Capital Improvements Program in the amount of \$849,278 to fund eligible projects in the Aging Schools Program; and be it further

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

RESOLUTION NO. 442-11 Re: **PRECONSTRUCTION/CONSTRUCTION
MANAGEMENT SERVICES – WESTBROOK
ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, The Fiscal Year 2012 Capital Improvements Program includes construction funds for the Westbrook Elementary School addition project; and

WHEREAS, Construction is scheduled to begin in January 2012 and to be completed by August 2013; and

WHEREAS, Staff in the Department of Facilities Management has recommended that this project be completed using a construction management delivery system due to its complexities and the scope of work; and

WHEREAS, A Consultant Selection Committee, utilizing procedures adopted by the Board of Education on April 20, 2006, identified Hess Construction + Engineering Services as the most qualified firm to provide the necessary management services; and

WHEREAS, The management services will be implemented in two phases; and

WHEREAS, The initial phase will consist of preconstruction services for constructability reviews and the development of the construction implementation schedule; and

WHEREAS, Staff in the Department of Facilities Management has negotiated a fee for the preconstruction services; and

WHEREAS, The second phase will consist of general construction management services, and a fee for this phase will be negotiated once the preconstruction services are completed; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with Hess Construction + Engineering Services to provide preconstruction services for constructability reviews and the development of the construction implementation schedule for the Westbrook Elementary School addition project for a fee of \$37,500.

RESOLUTION NO. 443-11 Re: **BRADLEY HILLS ELEMENTARY SCHOOL –
GRANT OF EASEMENT AND RIGHT-OF-
WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Bradley Hills Elementary School, located at 8701 Hartsdale Avenue Road in Bethesda; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 1,350 square feet, is needed for the installation of a water main, meter vault, and appurtenances as a part of the school addition project; and

WHEREAS, The Board of Education will assume responsibility for the initial expense and liability of damages or injury resulting from the installation as a part of the school construction project; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the expense and liability for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of

1,350 square feet to the Washington Suburban Sanitary Commission at Bradley Hills Elementary School.

RESOLUTION NO. 444-11 Re: **DARNESTOWN ELEMENTARY SCHOOL –
GRANT OF EASEMENT AND RIGHT-OF-
WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Darnestown Elementary School, located at 15030 Turkey Foot Road in Gaithersburg; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 2,960 square feet, is needed for the installation of a water main, meter vault, and appurtenances as a part of the school addition project; and

WHEREAS, The Board of Education will assume responsibility for the initial expense and liability of damages or injury resulting from the installation as a part of the school construction project; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the expense and liability for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 2,960 square feet to the Washington Suburban Sanitary Commission at Darnestown Elementary School.

RESOLUTION NO. 445-11 Re: **UTILIZATION OF THE FY 2012 PROVISION
FOR FUTURE SUPPORTED PROJECTS**

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

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. 17-150, approved May 26, 2011; 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 2012 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 \$458,937 within the Fiscal Year 2012 Provision for Future Supported Projects, as specified below:

Project	Positions*	Amount
Support for Families and Students with Emotional Disabilities and in Alternative Programs	.46	\$ 175,750
Title I—Part A		31,637
Title II—Part D, Maryland Technology Proficiency Partnership		15,001
Defined Contribution Plan Educational Website Cost Sharing		25,000
<i>Individuals with Disabilities Education Act (IDEA)—Adequate Yearly Progress</i>		87,761
Medical Assistance/Autism Waiver		<u>123,788</u>
Total	.46	\$ 458,937

Positions*

.46 social worker

and be it further

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

RESOLUTION NO. 446-11

Re: **SUPERINTENDENT'S RECOMMENDATION FOR THE MODERNIZATION OF WHEATON HIGH SCHOOL AND THE THOMAS EDISON HIGH SCHOOL OF TECHNOLOGY**

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

WHEREAS, On March 28, 2011, the Board of Education directed staff to conduct a feasibility study for Wheaton High School and the Thomas Edison High School of Technology and facilities that included two concepts: (1) two buildings on one site (Option A); and (2) one building with separate entrances, separate identities, and separate driveways (Option B); and

WHEREAS, The Wheaton High School/Thomas Edison High School of Technology

Facility Advisory Committee met from April 2011 through June 2011 and completed the feasibility study; and

WHEREAS, The Wheaton High School/Thomas Edison High School of Technology Facility Advisory Committee selected Option A, the two-building option, as the preferred option; and

WHEREAS, The recommended Option A will be less disruptive to school operations during the construction phase and will cost less than Option B; and

WHEREAS, The draft report of the feasibility study was available for public comment from July 18, 2011, through August 19, 2011; and

WHEREAS, The superintendent of schools reviewed and carefully considered the input from the Wheaton High School/Thomas Edison High School of Technology Facility Advisory Committee and the community at-large and concurs with the recommendation; now therefore be it

Resolved, That Option A, the two-building option, is selected for the modernization of Wheaton High School and the Thomas Edison High School of Technology; and be it further

Resolved, That the completion date of the entire project be August 2018, pending approval of funding by the Montgomery County Council for construction funds in the Fiscal Year 2013–2018 Capital Improvements Program.

RESOLUTION NO. 447-11 Re: **SUPERINTENDENT’S RECOMMENDATION
FOR THE MODERNIZATION OF WILLIAM H.
FARQUHAR MIDDLE SCHOOL**

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

WHEREAS, Funds were approved in the Fiscal Year 2011–2016 Capital Improvements Program to begin a feasibility study in Fiscal Year 2011 for the modernization of William H. Farquhar Middle School; and

WHEREAS, The modernization of William H. Farquhar Middle School is scheduled for construction during the 2013–2014 and 2014–2015 school years, with completion in August 2015; and

WHEREAS, The Facility Advisory Committee for the William H. Farquhar Middle School modernization met from March through June 2011 and completed a feasibility study; and

WHEREAS, The draft of the feasibility study for the modernization of William H.

Farquhar Middle School was available for public comment from July 18, 2011 through August 19, 2011; and

WHEREAS, The Facility Advisory Committee recommended the land swap option with a two-story school building, identified as Option One in the feasibility study, as the preferred option; and

WHEREAS, Staff in the Department of Facilities Management recommends the land swap option with a three-story school building, identified as Option Two in the feasibility study, as the three-story building offers a smaller building footprint that allows more land for site amenities and green space; and

WHEREAS, The recommended Option Two requires review and approval by the Maryland-National Capital Park and Planning Commission; and

WHEREAS, Staff in the Department of Facilities Management recommends the relocation of students to the Tilden Holding Center and construction of the replacement facility at the location of the current building, identified as Option Four in the feasibility study, as the back-up plan in the event that the Maryland-National Capital Park and Planning Commission does not support the land swap option; and

WHEREAS, The superintendent of schools concurs with the recommendations by staff in the Department of Facilities Management; now therefore be it

Resolved, That the Board of Education strongly supports the land swap option with a three-story school building, identified as Option Two in the feasibility study, is selected for the modernization of William H. Farquhar Middle School; and be it further

Resolved, That the relocation of students to the Tilden Holding Center and construction of the replacement facility at the location of the current building, identified as Option Four in the feasibility study, is the back-up plan if the Maryland-National Capital Park and Planning Commission does not support the land swap option; and be it further

Resolved, That staff in the Department of Facilities Management begins the process with the Maryland-National Park and Planning Commission to facilitate the land swap option; and be it further

Resolved, That design development for the replacement school on the undeveloped land adjacent to William H. Farquhar Middle School begin in fall 2011, and construction for the replacement facility begin in summer 2013, pending approval by the Montgomery County Council for construction funds as part of the Fiscal Year 2013–2018 Capital Improvements Program.

RESOLUTION NO. 448-11 Re: **HUMAN RESOURCES AND DEVELOPMENT
MONTHLY 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 achievements 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.

RESOLUTION NO. 449-11 Re: **HUMAN RESOURCES APPOINTMENT**

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 following personnel appointment be approved effective September 26, 2011:

Dana M. Tofig, currently director of strategic communications and outreach, Achieve, Inc., as director, Department of Public Information and Web Services, Office of Communications.

Re: **ORAL UPDATE ON THE
SUPERINTENDENT'S TRANSITION REPORT**

Dr. Starr stated that he was pleased to share with the Board the work of the transition team, which will provide him with an assessment of what Montgomery County Public Schools (MCPS) is doing well and what areas need additional focus. The team reviewed a great deal of data and delved into the operations of our school system in order to give him a deeper understanding of the work done to date. The team reviewed documents, conducted numerous interviews, and held focus groups to hear from stakeholders and to understand the dynamics of MCPS. This will be the first of several dialogues with the Board about the report and what Dr. Starr has been learning in his initial months as superintendent of schools.

This report, as well as my "Listen and Learn" events, will provide Dr. Starr with a strong foundation of knowledge to lead our work going forward. It is clear to him that while much good work has gone on in MCPS, MCPS is a district poised for even greater success.

RESOLUTION NO. 450-11

Re: **FINAL ACTION, POLICY IOD, EDUCATION
OF ENGLISH LANGUAGE LEARNERS**

On recommendation and motion of the Policy Committee, the following resolution was adopted unanimously:

WHEREAS, Policy IOD, Education of English Language Learners, reaffirms the education of English language learners as a high priority for Montgomery County Public Schools and also ensures compliance with federal and state mandates regarding the education of English language learners; and

WHEREAS, The draft of Policy IOD, Education of English Language Learners, was tentatively adopted by the Montgomery County Board of Education on March 8, 2011, and was sent out for public comment; and

WHEREAS, The Montgomery County Board of Education has received comments and the Board of Education Policy Committee's recommendations; now therefore be it

Resolved, That the Montgomery County Board of Education adopt Policy IOD, Education of English Language Learners, as updated in the attached committee recommended draft.

A. PURPOSE

To reaffirm the education of English language learners as a high priority for Montgomery County Public Schools (MCPS)

To ensure compliance with federal and state mandates regarding the education of English language learners

B. ISSUE

Success for every student is based on the premise that quality education is a fundamental right of every child. Language should not be a barrier that impedes English language learners in their effort to secure equal educational opportunities in MCPS. English language learners have become an increasingly diverse group of students, representing many countries and languages, coming from all socioeconomic levels, and having varied educational and experiential backgrounds. There must be special instructional and support programs to meet the challenges faced by English language learners, including services such as counseling, parent outreach, and bilingual assessments that will help eliminate barriers that might prevent students from participating fully in educational programs. Instruction should enable students to learn English as quickly as possible while at the same time ensuring that they do not fall behind their grade-level peers in content areas.

C. POSITION

1. It is the intent of the Montgomery County Board of Education to:
 - a) Hold English language learners to the same high expectations of learning established for all students;
 - b) Assure that English language learners develop full proficiencies in academic and interpersonal English in the domains of listening, speaking, reading, and writing, consistent with expectations for all students;
 - c) Assure that English language learners reach challenging content and performance standards in all content areas, including reading and language arts, mathematics, social studies, science, career and technology education, the fine arts, health, and physical education, consistent with those for all students;
 - d) Provide appropriate instruction to English language learners regardless of their previous education, cognitive abilities, or special needs and that reflects their English language proficiency levels;
 - e) Evaluate English language learners with appropriate and valid assessments that are aligned with federal, state, and local standards and that take into account the English language proficiency levels and cultural backgrounds of the students; and
 - f) Recognize that the academic success of English language learners is a responsibility shared by the students, all educators, the family, and the community.

2. The English for Speakers of Other Languages (ESOL) Program
 - a) Each school, in collaboration with the Office of Curriculum and Instructional Programs and the Office of School Performance, will provide an ESOL program to respond to the range of needs of eligible English language learners. ESOL is a specialized English language development instructional program for eligible English language learners who need to develop proficiency in the four language skills of listening, speaking, reading, and writing academic and interpersonal standard American English.
 - b) The ESOL curriculum:
 - (1) Is research based;

- (2) Is based on age-appropriate levels of English language proficiency;
- (3) Is aligned with the English language proficiency standards in the Maryland State Department of Education English language proficiency state curriculum;
- (4) Is aligned with the reading and writing purposes of the MCPS English/Reading/Language Arts curriculum;
- (5) Is reflective of the many cultural and linguistic backgrounds represented by English language learners; and
- (6) Is taught using the content, strategies, and thinking processes that students encounter as they pursue an education in MCPS.

c) Related ESOL Services

- (1) Schools will employ appropriate, relevant, and culturally sensitive approaches to ensure that parents of English language learners are informed about and become involved in their children's education.
- (2) MCPS will provide ESOL counseling to assist ESOL program participants in their new school and community environment.
- (3) MCPS will provide assessments that minimize cultural and linguistic biases for English language learners who are suspected of having a disability.

- d) Staff development in the instructional needs of English language learners is an integral component of a quality ESOL program. Staff development opportunities will be made available to all staff.

3. Identification and Completion

- a) An English language proficiency assessment will be administered by qualified and trained assessors to all students whose home language is not standard American English at the time they initially enroll in MCPS to identify English language learners eligible for the ESOL program and determine their level of English proficiency.
- b) Students participating in the ESOL program will be considered

English proficient and designated as Reclassified English language learners upon meeting the criteria established by Maryland State Guidelines.

- c) Performance of students who have exited from the ESOL program will be monitored by the English language learner team in each school and appropriate accommodations will be provided for a period of two years.
- d) Identification and program completion procedures will be evaluated periodically and revised as necessary.

D. DESIRED OUTCOMES

- 1. Services of the ESOL program will be offered to all eligible English language learners and will be designed to accommodate diversity in student backgrounds and levels of English language proficiency.
- 2. The expectation for success for students participating in the ESOL program will be consistent with expectations for all students in MCPS.

E. IMPLEMENTATION STRATEGIES

The superintendent of schools will:

- 1. Issue administrative procedures for the development, maintenance, and evaluation of appropriate programs for English language learners in MCPS;
- 2. Allocate staff and material resources annually, based on documented needs and within existing budgetary constraints;
- 3. Apply for appropriate federal financial assistance, where available, to implement this policy; and
- 4. Work collaboratively with other county agencies and community organizations to access resources and help meet the needs of English language learners and their families.

F. REVIEW AND REPORTING

- 1. Each year, the academic progress of ESOL program participants will be reported to the Montgomery County Board of Education through the annual report.
- 2. MCPS will fulfill all federal and state reporting requirements for current and past ESOL program participants.

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

RESOLUTION NO. 451-11 Re: **NON-SUBSTANTIVE CHANGES TO FOUR POLICIES:**

On recommendation and motion of the Policy Committee, the following resolution was adopted unanimously:

WHEREAS, Policy HDA is recommended to be updated to include substitute teachers and home and hospital teachers in the Montgomery County Education Association bargaining unit; and,

WHEREAS, Given that the employee organization recognized as the Montgomery County Association of Administrative and Supervisory Personnel is now identified as the Montgomery County Association of Administrators and Principals, Policy HDB is recommended to be updated to reference Montgomery County Association of Administrators and Principals as the exclusive representative and negotiating agent for the public school employees in its bargaining unit; and,

WHEREAS, Given that the employee organization recognized as the Montgomery County Council of Supporting Services Employees is now identified as the Service Employees International Union Local 500, Policy HDC is recommended to be updated to reference Service Employees International Union Local 500 as the exclusive representative and negotiating agent for the public school employees in its bargaining unit; and,

WHEREAS, Policy HDD is recommended to be updated to reference Montgomery County Association of Administrators and Principals as the exclusive representative and negotiating agent for the public school employees in its bargaining unit; and

WHEREAS, The Montgomery County Board of Education has received the Montgomery County Board of Education Policy Committee's recommendation; now therefore be it

Resolved, That the Montgomery County Board of Education approve nonsubstantive changes to Policy HDA, Designation of the Montgomery County Education Association as Exclusive Representative; Policy HDB, Designation of the Montgomery County Association of Administrators and Principals as Exclusive Representative; Policy HDC, Designation of the Service Employees International Union Local 500 as Exclusive Representative of Noncertificated Nonsupervisory Employees; and Policy HDD, Designation of the Montgomery County Association of Administrators and Principals as Exclusive Representative of Noncertificated Supervisory Employees as reflected in the attached revised policies.

Re: **POLICY HDA, DESIGNATION OF THE MCEA
AS EXCLUSIVE REPRESENTATIVE**

WHEREAS, On September 10, 1981, the Montgomery County Education Association complying with requirements of the *Annotated Code of Maryland, Education Article, Section 6-405*, requested the opportunity to enter into negotiations with the Montgomery County Board of Education (Board of Education) on the subject of redefining the composition of the bargaining unit; and

WHEREAS, The Montgomery County Federation of Teachers requested negotiations with the Board of Education on the subject of redesigning the composition of the bargaining unit; and

WHEREAS, The Montgomery County Association of Administrative and Supervisory Personnel requested negotiations with the Board of Education on the subject of redesigning the composition of the bargaining unit; and

WHEREAS, Separate negotiations have occurred between all organizations requesting negotiations on this issue and the representative of the Board of Education; and

WHEREAS, On November 10, 1981, the Board of Education determined that there will be two units of certificated employees in Montgomery County; and

WHEREAS, One of these units consists of all positions on the A to D salary schedule as of November 10, 1981, plus pupil personnel workers, social workers, psychologists, specialists and substitutes; and

WHEREAS, The superintendent of schools, those persons designated by the Board of Education to act in a negotiations capacity pursuant to the public school laws, and temporary employees, except for substitutes and home and hospital teachers, are excluded from any unit; and

WHEREAS, On November 24, 1981, the Montgomery County Education Association submitted certification that it has a membership enrollment of the majority of the public school employees in the unit named in this resolution as provided under the *Annotated Code of Maryland, Education Article, Section 6-405*; and

WHEREAS, Proof of such certification has been properly forwarded to the Maryland State Department of Education; and

WHEREAS, No other employee organizations have certified that they have a membership enrollment of at least 10 percent of the total number of employees in such unit; and

WHEREAS, The Montgomery County Education Association did not request an election under *The Annotated Code of Maryland, Education Article, Section 6-405*; now

therefore be it

Resolved, That in accordance with the provisions of the *Annotated Code of Maryland, Education Article, Section 6-405 (e) Designation without an election*, the Board of Education hereby designates the Montgomery County Education Association as the exclusive representative of all public school employees in the unit named in this resolution; and be it further

Resolved, That the superintendent of schools and those persons designated by the Board of Education to act in a negotiations capacity consistent with Resolution 588-79, pursuant to the *Annotated Code of Maryland, Education Article, Section 6-405* and temporary employees, except for substitutes and home and hospital teachers, are excluded from any unit.

Re: **POLICY HDB, DESIGNATION OF THE
MCAASP AS EXCLUSIVE
REPRESENTATIVE**

WHEREAS, On September 10, 1981, the Montgomery County Education Association complying with the requirements of the *Annotated Code of Maryland, Education Article, Section 6-405*, requested the opportunity to enter into negotiations with the Montgomery County Board of Education (Board of Education) on the subject of redefining the composition of the bargaining unit; and

WHEREAS, The Montgomery County Federation of Teachers requested negotiations with the Board of Education on the subject of redesigning the composition of the bargaining unit; and

WHEREAS, The Montgomery County Association of Administrative and Supervisory Personnel requested negotiations with the Board of Education on the subject of redesigning the composition of the bargaining unit; and

WHEREAS, Separate negotiations have occurred between all organizations requesting negotiations on this issue and the representatives of the Board of Education; and

WHEREAS, On November 10, 1981, the Board of Education determined that there will be two units of certificated employees in Montgomery County; and

WHEREAS, One of these units consists of all positions on the F to K salary schedule as of November 10, 1981, except pupil personnel workers, social workers, psychologists, and specialists, and included in this unit are the positions of directors and assistant directors, supervisors and assistant supervisors, administrative assistants, coordinators, principals and assistant principals, and all other similarly situated positions now and in the future; and

WHEREAS, The superintendent of schools, those persons designated by the Board of

Education to act in a negotiations capacity pursuant to the public school laws, and temporary employees are excluded from any unit; and

WHEREAS, On November 23, 1981, the Montgomery County Association of Administrative and Supervisory Personnel submitted certification that it has membership enrollment of the majority of the public school employees in the unit named in this resolution as provided under the *Annotated Code of Maryland, Education Article, Section 6-405*; and

WHEREAS, Proof of certification has been properly forwarded to the Maryland State Department of Education; and

WHEREAS, No other employee organization have certified that they have a membership enrollment of at least 10 percent of the total number of employees in such unit; and

WHEREAS, The Montgomery County Association of Administrative and Supervisory Personnel did not request an election under the *Annotated Code of Maryland, Education Article, Section 6-405*; and

WHEREAS, On November 30, 1981, the Board of Education determined that the superintendent of schools, those persons designated by the Board of Education to act in a negotiations capacity consistent with Resolution 588-79 are excluded from this unit, pursuant to the *Annotated Code of Maryland, Education Article, Section 6-405* and temporary employees are excluded from any unit; and

WHEREAS, On July 1, 2009, the Montgomery County Association of Administrative and Supervisory Personnel changed its name to the Montgomery County Association of Administrators and Principals; now therefore be it

Resolved, That in accordance with the provisions of the *Annotated Code of Maryland, Education Article, Section 6-405 (e) Designation without an election*, the Board of Education "reaffirms" the Montgomery County Association of Administrators and Principals as the exclusive representative of all public school employees in the unit named in this resolution, and continuously as provided by law.

Re: **POLICY HDC, RECOGNITION OF A
SUPPORTING SERVICES EMPLOYEES
ORGANIZATION**

WHEREAS, On May 12, 1970, the Montgomery County Board of Education (Board of Education) determined that seven supporting services organizations be represented jointly under the title of the Montgomery County Council of Supporting Services Employees; and

WHEREAS, On May 12, 1970, the Board of Education granted the Montgomery County

Council of Supporting Services Employees the exclusive right to represent its supporting services employees in the mutual development of guidelines regarding salary and other working conditions for input into the budget; and

WHEREAS, In 1978, the *Annotated Code of Maryland, Education Article, Section 6, Subtitle 5*, was amended to establish organizations of noncertificated public school employees; and

WHEREAS, The Service Employees International Union (SEIU) Local 500, in accordance with the requirements of the *Annotated Code of Maryland, Education Article, Section 6-506*, requested the opportunity to enter into negotiations with the Board of Education on the subject of establishing a bargaining unit for noncertificated nonsupervisory employees; and

WHEREAS, The SEIU Local 500, Montgomery County Council of Supporting Services Employees (SEIU Local 500, MCCSSE) was properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, The employee organization recognized as the Montgomery County Council of Supporting Services Employees (MCCSSE) is now identified as the Service Employees International Union (SEIU) Local 500, and has continued to serve as the exclusive representative and negotiating agent for the public school employees in its bargaining unit; now therefore be it

Resolved, That in accordance with the provisions of the *Annotated Code of Maryland, Education Article, Section 6-506 (e) Designation without an election*, the Board of Education reaffirms SEIU Local 500 as the exclusive representative of noncertificated nonsupervisory employees.

Re: **POLICY HDD, DESIGNATION OF THE
MCAASP AS EXCLUSIVE
REPRESENTATIVE OF NONCERTIFICATED
SUPERVISORY EMPLOYEES**

WHEREAS, In August 2006, the Montgomery County Association of Administrative and Supervisory Personnel (MCAASP), in accordance with the requirements of *The Annotated Code of Maryland, Education, Section 6-506*, requested the opportunity to enter into negotiations with the Board of Education on the subject of establishing a bargaining unit of noncertificated supervisory employees; and

WHEREAS, On September 14, 2006, the Board of Education directed the superintendent to enter into negotiations with any interested employee organization to determine the composition of a unit of noncertificated supervisory employees who were not then currently in a bargaining unit; and

WHEREAS, Both MCAASP and the Service Employees International Union (SEIU)

Local 500 requested negotiations with the Board of Education on the subject of the composition of the bargaining unit; and

WHEREAS, Negotiations have occurred involving both organizations requesting negotiations on this issue and the representatives of the Board of Education; and

WHEREAS, On March 26, 2007, the Board of Education approved the formation of a bargaining unit of noncertificated supervisory employees; and

WHEREAS, The unit is to consist of noncertificated supervisory employees who provide responsible direction to other employees and exercise independent judgment, are responsible for the evaluation of at least two other employees, and who do not report to members of the SEIU Local 500 bargaining unit, and all other similarly situated positions now and in the future; and

WHEREAS, The unit shall include those positions identified in the attachment to the Board's resolution of March 26, 2007, but only to the extent those positions meet the description of the unit set forth above and may include other positions meeting the unit description in the future; and

WHEREAS, Management personnel, confidential employees, and those persons designated by the Board of Education to act in a negotiations capacity, all pursuant to Section 6-501 of *The Annotated Code of Maryland*, Education, and temporary employees are excluded from any unit; and

WHEREAS, On May 22, 2007, MCAASP submitted certification that it has membership enrollment of at least 30 percent of the public school employees in the unit named in this resolution as provided under *The Annotated Code of Maryland*, Education, Section 6-506; and

WHEREAS, On May 29, 2007, MCAASP submitted certification that it has membership enrollment of the majority of the public school employees in the unit named in this resolution as provided under *The Annotated Code of Maryland*, Education, Section 6-506; and

WHEREAS, As of the May 28, 2007 deadline, no other employee organization has certified having a membership enrollment of at least 10 percent of the total number of employees in such unit; and

WHEREAS, MCAASP did not request an election under *The Annotated Code of Maryland*, Education, Section 6-506; now therefore be it

Resolved, That in accordance with the provisions of the *Annotated Code of Maryland*, Education, Section 6-506 (e) *Designation without an election*, the Board of Education hereby designates the Montgomery County Association of Administrative and Supervisory Personnel as the exclusive representative of all public school employees in

the unit named in this resolution effective June 13, 2007, and continuing as provided by law; and be it further

Resolved, That management personnel, confidential employees, and those persons designated by the Board of Education to act in a negotiations capacity, all pursuant to Section 6-501 of *The Annotated Code of Maryland*, Education, are excluded from this unit, pursuant to *The Annotated Code of Maryland*, Education, Section 6-506, and temporary employees are excluded from any unit.

RESOLUTION NO. 452-11 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 closed sessions on Monday, September 26, 2011, in Room 120 of the Carver Educational Services Center to meet from 5:30 to 6:00 p.m. The Board of Education anticipates that the closed session will include a discussion of personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107(d) of the *Education Article*; the review and adjudication of appeals in its quasi-judicial capacity; consultation with counsel to obtain legal advice on those appeals, as permitted under Section 10-508(a)(7) of the *State Government Article*; a discussion of matters of an administrative function outside the purview of the *Open Meetings Act* (Section 10-502(b) of the *State Government Article*); and the Board will publish a more detailed Resolution for Closed Session when particular topics for discussion are indentified; and be it further

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

RESOLUTION NO. 453-11 Re: **REPORT OF CLOSED SESSION**

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

On August 24, 2011, the Board of Education voted unanimously by members present to conduct a closed session as permitted under the *Education Article* Section 4-107(d) and *State Government Article* Section 10-508(a), *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in a closed session on August 24, 2011, from 9:10 to 11:26 a.m. in Room 120 of the Carver Educational Services Center,

Rockville, Maryland, and:

1. Received legal advice on appeals and adjudicated the following appeals: T-2011-24, T-2011-31, T-2011-33, T-2011-36, T-2011-38, NEC-2011-41, T-2011-42, T-2011-43, 2011-19, 2011-22, 2011-23, 2011-25, 2011-26, and 2011-27, as permitted under Section 10-508(a)(7) of the *State Government Article* and in its quasi-judicial capacity outside the purview of the *Open Meetings Act*, with a subsequent vote in open session.
2. Received a briefing by the superintendent on the Monthly Human Resources and Development Report and Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. Considered Board appointments to the Maryland Association of Boards of Education's committees, which is an administrative function and outside the *Open Meetings Act*, and to the extent, if any, it may be within the purview of the Act as permitted under Section 10-508(a)(1) of the *State Government Article* with a subsequent vote in open session.
4. Discussed nominees for the Consolidated Retiree Health Benefits Trust, as permitted under Section 10-508(a)(1) of the *State Government Article*.
5. Received legal advice concerning the recent Opinion of the Open Meetings Compliance Board and legal advice on pending litigation, as permitted under Section 10-508(a)(7) and (8) of the *State Government Article*.
6. Received a briefing by the superintendent on his transition plan, which is an administrative function and outside the *Open Meetings Act*, and to the extent, if any, it may be within the purview of the Act as permitted under Section 10-508(a)(1) of the *State Government Article*.

In attendance at the 9:10 a.m. closed session were Chris Barclay, Laura Berthiaume, Shirley Brandman, Michael Durso, Phil Kauffman, Patricia O'Neill, Alan Xie, Ikhide Roland Ikheloa, Suzann King, Glenda Rose, Laura Steinberg, Kristen Koger, and Patrick Clancy. At 10:10 a.m., Ms. Koger left the meeting and the following staff joined the meeting: Larry Bowers, Sherwin Collette, Brian Edwards, Chris Garran, Carole Goodman, Don Kress, Frieda Lacey, Erick Lang, Chris Richardson, Joshua Starr, Frank Stetson, Adrian Talley, and Darryl Williams. At 11:09 a.m., Mr. Clancy left the meeting.

Re: **MINUTES FOR JULY 7 AND JULY 25, 2011**

When the agenda was amended, the Board of Education deferred approval of the minutes until September 26, 2011.

RESOLUTION NO. 454-11 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 dispositions of which will be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
T-2011-45	Student Transfer	Affirmed
T-2011-46	Student Transfer	Affirmed
T-2011-47	Student Transfer	Affirmed
T-2011-48	Student Transfer	Affirmed
2011-29	Highly Gifted Center	Affirmed
2011-31	Early Entrance to Kindergarten	Affirmed
2011-32	Highly Gifted Center	Affirmed
2011-34	Student Expulsion	Hearing Officer
2011-36	Early Entrance to Kindergarten	Affirmed

Re: **COMMITTEE UPDATES**

The Financial Management Committee met on September 12, 2011, with the next meeting on December 5, 2011, and the Joint meeting of the Strategic Planning and Communications and Public Engagement committees met on September 6, 2011.

Re: **NEW BUSINESS**

There was no new business.

Re: **ITEMS OF INFORMATION**

The following documents were available for information:

1. Legal Fees Report
2. Construction Progress Report
3. Update On Contract Awards For On-Call Heating, Ventilation, Air Conditioning Replacement Services, And On-Call Construction Services

RESOLUTION NO. 455-11 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of September 13, 2011, at 4:51 p.m.

PRESIDENT

SECRETARY

JPS:gr

Resolution	Barclay	Berthiaume	Brandman	Docca	Durso	Kauffman	O'Neill	Xie
Wheaton/Edison	A	A	A	A	A	A	A	A
Farquhar	A	A	A	A	A	A	A	A
Policy IOD	A	A	A	A	A	A	A	A

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