

APPROVED  
22-2012

Rockville, Maryland  
July 30, 2012

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, on July 30, 2012, beginning at 5:00 p.m.

Present: Mr. Christopher Barclay, Vice President  
in the Chair  
Dr. Judy Docca  
Mr. Michael Durso  
Mr. Philip Kauffman  
Mr. John Mannes  
Mrs. Patricia O'Neill  
Dr. Joshua Starr, Secretary/Treasurer

Absent: Ms. Shirley Brandman  
Ms. Laura Berthiaume

# 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 5:00 p.m.

RESOLUTION NO. 357-12 Re: **RESOLUTION FOR CLOSED SESSION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on July 30, 2012, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, from 5:00 to approximately 6:00 p.m.; and be it further

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

Resolved, That the superintendent of schools brief the Board on individual candidates for appointments, with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the superintendent of schools provide the Sexual Harassment Quarterly Report to the Board, which is an administrative function and outside the purview of the *Open Meetings Act*, and be it further

Resolved, That the superintendent of schools brief the Board on capital budget strategy, which is an administrative function outside the purview of the *Open Meetings Act*, and be it further

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

Re: **OPEN SESSION**

The Board of Education met in closed session from 5:02 to 6:19 p.m. After a break, the Board of Education reconvened in open session at 6:28 p.m.

To view specific sections or the entire meeting, please watch at <http://www.montgomeryschoolsmd.org/boe/meetings/archive/2012/2012-0730.shtm>

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. 358-12 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for July 30, 2012.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Tom Hearn	Concussions

Re: **DISCUSSION**

Mr. Durso referred to Mr. Hearn's testimony. He asked about the statement that the August 2010 state Concussion policies "do not require notice to the school nurse or to the principals, which appears to be required under current MCPS regulations." Also, Mr. Durso asked about the recommendations to limit the number of full contract practices per week in football and eliminate repetitive header drills in soccer.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mr. Kauffman asked that the staff remind Montgomery County Delegation of the Board's platform during the special General Assembly. Mrs. O'Neill pointed out that the legislature should be reminded that funds derived from gambling are supposed to be designated for education.

Dr. Starr provide an update on how our schools performed against the state's Annual Measurable Objectives.

Mr. Barclay asked for clarification of the AMO chart presented during the superintendent's comments.

Dr. Starr also commented on preparations for the new school year as well as summer school.

RESOLUTION NO. 359-12 Re: **CONTRACTS OF \$25,000 OR MORE**

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

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

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

## MBU-528-11 Ice Cream—Extension

<u>Awardee</u>	
Briggs Ice Cream	\$150,000

## 290731 Fuel Management System—Extension

<u>Awardee</u>	
Octagon Services, Inc.	\$218,310

## 4095.5 Lamps—Extension

<u>Awardees</u>	
Capitol Lighting and Supply	\$ 19,380
C. N. Robinson Lighting Supply Co.	70,356
Competitive Edge	3,583
Scott Electric	7,161
Vehicle Maintenance Program, Inc.	1,308

	Video Service of America, VSA Inc.	<u>6,244</u>
	Total	\$108,032
4260.1	Social Work Services for Students in Alternative Programs—Extension	
	<u>Awardee</u>	
	Family Support Center	\$184,500
4801.5	Supplies and Repairs of String Instruments	
	<u>Awardees</u> (See note)	
	Lashof Violins, LLC*	
	Potter Violin Company	
	Guitar Center, Inc.	
	Washington Music Sales Center, Inc.*	
	Wood Bridge Music Shop, Inc.*	
	Total	\$ 25,000
7085.3	Information Technology Support and Integration Services—Extension	
	<u>Awardees</u> (See note)	
	Bell TechLogix	
	Ciber, Inc.	
	Data Networks	
	Ease Technologies, Inc.	
	Net Results, Inc.	
	Total	\$200,000
9013.8	Industrial and Technology Hand Tools—Extension	
	<u>Awardees</u>	
	Fastenal Company	\$ 28,200
	Liberty Lumber and Supply Company	1,000
	Metco 8,057	
	Paxton/Patterson, LLC	8,107
	Powerhouse Tool and Supply, Inc.*	19,727
	Republic Drill/APT Corporation	85,627
	RSR Electronics	7,000
	School Specialty, Inc.	1,500
	Sid Tool Company	<u>5,000</u>
	Total	\$164,218
9065.9	Lacrosse Supplies and Equipment	
	<u>Awardees</u>	
	BSN Sports, Inc.	\$ 42,086

	Longstreth Sporting Goods, LLC*	2,555
	Pyramid Paper Company	3,709
	Sports Stop Inc.	9,425
	Harrow Sports, Inc.	<u>10,719</u>
	Total	\$ 68,494
9096.4	Corridor Lockers for Various Facilities**	
	<u>Awardee</u>	
	Partition Plus, Inc.	\$150,000
9103.10	Groceries and Staples—Extension	
	<u>Awardees</u>	
	Cains Food	\$ 16,278
	Dori Foods, Inc.	418,641
	Eastern Food Services, Inc.*	31,162
	Feesers, Inc.	29,423
	Interstate Gourmet Coffee Roasters, Inc.	19,693
	Kellogg's Food Away From Home	51,416
	Mr. Enterprises, Inc.*	265,396
	PFG-Carroll County Foods, Inc.*	<u>142,991</u>
	Total	\$975,000
9140.1	Miscellaneous Food Services	
	<u>Awardees</u>	
	ConAgra Foods, Inc.	\$ 71,100
	Dori Foods, Inc.	108,203
	Feesers, Inc.	39,895
	Idahoan Foods, LLC	40,080
	J&J Snack Foods Corporation	10,560
	J.R. Simplot Company	41,070
	Land O'Lakes Inc.	403,649
	Let's Do Lunch, Inc.	1,663
	McCain Foods USA, Inc.	44,700
	Midas Foods	39,712
	Performance Food Group, Inc.	223
	Schwan's Food Service, Inc.	108,900
	The J.M. Smucker Company	75,600
	Tyson Sales and Distribution, Inc.	<u>817</u>
	Total	\$ 986,172
9318.6	Public Address System Replacements at Various Locations—Extension**	
	<u>Awardee</u>	

	TI Garden and Associates/Life Safety Solutions	\$ 200,000
9637.2	Fire Alarm Replacement at Various Locations—Extension**	
	<u>Awardee</u> SPC, Incorporated	\$ 800,000
	TOTAL PROCUREMENT CONTRACTS OVER \$25,000	\$ 4,229,726

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

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 360-12      Re:    **AWARD OF CONTRACT—SHERWOOD  
HIGH SCHOOL STAGE LIGHTING,  
RIGGING, AND DIMMER CONTROL  
REPLACEMENT**

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

WHEREAS, The following sealed bid was received on July 5, 2012, for the stage lighting, rigging, and dimmer control replacement project at Sherwood High School:

<u>Bidder</u>	<u>Amount</u>
Texas Scenic Company, Inc.	\$308,795

and

WHEREAS, The bid is within the Department of Facilities Management budget; and

WHEREAS, There are limited opportunities for Minority Business Enterprise subcontracting on this project; and

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

Resolved, That a \$308,795 contract be awarded to Texas Scenic Company, Inc. for the Sherwood High School stage lighting, rigging, and dimmer control replacement project, in accordance with drawings and specifications.

RESOLUTION NO. 361-12      Re:    **CONSULTANT APPOINTMENTS—  
ENVIRONMENTAL STUDIES FOR VARIOUS  
PROJECTS**

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

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

WHEREAS, A Professional Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Apex Companies, LC; ECS Mid-Atlantic, LLC; Schnabel Engineering Consultants, Inc.; and Specialized Engineering as the most qualified firms to provide the necessary professional engineering environmental studies services; and

WHEREAS, Staff in the Department of Facilities Management will negotiate fees for the necessary engineering environmental consulting 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 firms of Apex Companies, LLC; ECS Mid-Atlantic, LLC; Schnabel Engineering Consultants, Inc.; and Specialized Engineering to provide professional engineering environmental consulting services as requirements arise for a fee not to exceed \$25,000 for an individual project.

Re: **FISCAL YEAR 2012 OPERATING BUDGET  
YEAR-END FINANCIAL REPORT**

At the end of each fiscal year, Montgomery County Public Schools (MCPS) typically requests transfers among state categories to align budgeted appropriation with actual expenditures. These transfers are subject to approval by the County Council. For Fiscal Year (FY) 2012, MCPS does not require any transfers among state categories. Nevertheless, it is incumbent to report financial results by state category and the reasons for surpluses in each of the categories to the Board of Education.

Overall, the FY 2012 MCPS Operating Budget ended with an expenditure surplus of \$27,600,000. In addition to the expenditure surplus, there is a revenue surplus of \$700,000, for a total surplus of \$28,300,000.

Due to FY 2011 comprehensive expenditure restrictions, including a hiring freeze, MCPS achieved a reduction of expenditures compared to budget. The FY 2012 Operating Budget included fund balance of \$17.0 million of the total savings as a source of appropriation, leaving fund balance of \$11.9 million available for appropriation in FY 2013 or future years. This unappropriated FY 2011 ending fund balance, together with the FY 2012 surplus of \$28.3 million, equals \$40.2 million available. The County Council used \$17.0 million of the fund balance as a source of revenue for the FY 2013

Operating Budget, leaving an available balance of \$23.2 million. The available fund balance may be used for appropriation over several years to avoid any sudden increase in the need for local contribution to replace fund balance as a revenue source.

During the past fiscal year, staff closely monitored revenue and expenditures. Coordinated by the Office of the Chief Operating Officer, monitoring is led by the Department of Management, Budget, and Planning and the Department of Financial Services, with the assistance of the Office of Human Resources and Development. This financial monitoring process is extremely careful, comprehensive, and detailed. Primary and secondary account managers review each of their accounts on a monthly basis and report expenditure projections for the rest of the fiscal year. Department of Management, Budget, and Planning staff reviews and analyzes these projections using quantitative models, as well as knowledge of previous expenditure patterns and changing circumstances. Implementation of the Financial Management System (FMS), a comprehensive financial system integrated with the Human Resources Information System, has improved the ability to monitor and control expenditures and to implement expenditure restrictions successfully.

The Board of Education received detailed financial status reports throughout the past year. Each month, beginning in November, the Board has discussed the financial status report at its public meetings. These reports have been transmitted to the county executive, the county's Office of Management and Budget, and the County Council. Final FY 2012 expenditures are in line with the trends indicated in the monthly reports. The following summary presents the principal reasons for surpluses in each of the state categories of expenditure.

Category 1, Administration, reflected a surplus of \$861,000. The surplus is a result of greater than budgeted salary lapse and turnover savings (\$900,000). There also are savings in non-position salary accounts, including temporary part-time salaries (\$300,000). The surplus in salary accounts is offset by a deficit of \$350,000 in operating expenses, primarily due to expenditures for information technology applications (that are offset by information technology savings in other categories). Savings in Category 1 are 2.2 percent of budgeted expenditures.

Category 2, Mid-level Administration, reflected a surplus of \$2,804,000. The surplus is primarily a result of savings in position salary accounts due to higher than anticipated lapse and turnover (\$2,000,000). There also are savings in professional part-time salaries and other non-position salary accounts (\$500,000) and in a variety of operating expenses, including consultants and local travel (\$300,000). Savings in Category 2 are 2.1 percent of budgeted expenditures.

Category 3, Instructional Salaries, reflected a surplus of \$12,912,000. The surplus is primarily a result of higher than anticipated salary lapse and turnover savings (\$10,300,000). The higher than anticipated number of retirements and the lower than budgeted rate for new hires significantly affected the surplus in this category. There also are savings in a variety of non-position salary accounts, primarily in the



expenditures for substitutes (\$1,700,000) and savings in professional development and other activities (\$900,000).

Category 4, Textbooks and Instructional Supplies, reflected a surplus of \$634,000. The surplus is a result of reduced central acquisition of instructional materials (\$400,000) and savings in expenditures for professional development training materials (\$200,000).

Category 5, Other Instructional Costs, reflected a surplus of \$87,000. The surplus is a result of lower than anticipated contractual services expenditures (\$200,000), professional development expenditures (\$200,000), local travel (\$100,000) and miscellaneous accounts (\$100,000). Savings are offset partially by higher than budgeted costs for students in state institutions, a new reimbursement mandate approved by the 2011 Maryland General Assembly and implemented in FY 2012 (\$500,000).

Savings in regular instruction program costs in Categories 3, 4, and 5 are 1.6 percent of budgeted expenditures.

Category 6, Special Education, reflected a surplus of \$2,527,000. The surplus is due primarily to higher than anticipated salary lapse and turnover savings (\$2,300,000). There also is a surplus in position salaries due to a required shift of locally funded positions to the *Individuals with Disabilities Education Act* (IDEA) grant (\$2,000,000). This surplus is partly offset by a deficit in substitute salaries (\$700,000), due to the required compliance with federal grant regulations. There also is a deficit in part-time salaries for critical staffing (\$300,000), in non-public tuition for special education students (\$300,000) because more students than expected required non-public placement, and in a variety of contractual and local travel accounts (\$500,000). Savings in Category 6 are 1.0 percent of budgeted expenditures.

Category 7, Student Personnel Services, reflected a surplus of \$113,000. The surplus is the result of higher than anticipated salary lapse and turnover savings. Savings in Category 7 are 1.1 percent of budgeted expenditures.

Category 8, Health Services, reflected a surplus of \$37,000 due to lower than anticipated program needs.

Category 9, Student Transportation, reflected a surplus of \$39,000. The surplus is primarily the result of higher than anticipated lapse and turnover savings (\$3,100,000). Some work budgeted in position accounts is typically charged to regular rate overtime and other non-position accounts that experienced a deficit of \$2,000,000. There also is a surplus in contractual expenses (\$300,000). This surplus is partially offset by higher than projected costs for diesel fuel for school buses (\$1,400,000). Diesel fuel was budgeted at \$2.87 per gallon for FY 2012, and actual diesel fuel costs averaged approximately \$3.40 per gallon.

Category 10, Operation of Plant and Equipment, reflected a surplus of \$6,016,000. The

surplus results primarily from lower utilities expenditures resulting from energy conservation savings and lower electricity prices (\$4,000,000) and lower than budgeted prices for natural gas (\$1,700,000). Utilities savings are reflected in the estimates in the FY 2013 Operating Budget. The surplus also is the result of salary savings due to higher than anticipated lapse and turnover (\$1,400,000). The surplus is partially offset by higher than anticipated non-position salary expenditures, primarily resulting from moving schools undergoing modernizations during winter break (\$500,000), and deficits in a variety of contractual and other operating expenditures (\$600,000). Savings in Category 10 are 5.2 percent of budgeted expenditures.

Category 11, Maintenance of Plant, reflected a surplus of \$183,000. Savings in position salaries due to higher than anticipated lapse and turnover (\$450,000); overtime costs (\$100,000); and worker's compensation costs (\$100,000) are offset by deficits in maintenance supplies (\$200,000) and vehicle operations due to higher fuel costs (\$300,000). Savings in Category 11 are 0.6 percent of budgeted expenditures.

Category 12, Fixed Charges, reflected a surplus of \$1,670,000. The surplus results primarily from savings in social security (FICA) costs due to higher than anticipated salary lapse and turnover savings (\$700,000), university partnership tuition expenses (\$900,000), and worker's compensation expenses (\$250,000). These savings are offset partially by deficits in unemployment insurance payments (\$100,000) and the net of other employee benefit expenses (\$100,000). In addition to the projections for Category 12, the most recent report on the Employee Benefit Plan (EBP) Trust Fund indicates a projected surplus in FY 2012 of \$2,800,000 due to lower than anticipated claims expenses for active employees and retirees. The projected surplus will increase the year-end EBP fund balance. These resources will be available in future years to offset unexpected cost increases. Savings in Category 12 are 0.4 percent of budgeted expenditures.

MCPS also experienced a net surplus in revenue for FY 2012, totaling \$713,000. The reasons for the surplus in revenue include the following:

- An increase in federal Impact Aid (\$203,000)
- Additional tuition income (\$354,000)
- Additional sale of surplus equipment (\$268,000)
- Increased state reimbursement for nonpublic placement of special education students (\$310,000)

This surplus was offset partially by a deficit in decreased state reimbursement for out-of-county living arrangements (\$448,000).

Re: **DISCUSSION**

The Board members thanked Dr. Spatz for his years of excellent service to Montgomery County Public Schools and his explanation of the budget process to the Board, staff, and the community.

RESOLUTION NO. 362-12      Re:    **HUMAN RESOURCES AND DEVELOPMENT  
APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 31, 2012:

**Timothy B. Warner**, currently community liaison for the African American and faith communities, Montgomery County Executive's Office of Community Partnerships, as Chief Engagement and Partnership Officer, Office of the Deputy Superintendent of Teaching, Learning, and Programs

RESOLUTION NO. 363-12      Re:    **HUMAN RESOURCES AND DEVELOPMENT  
APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 31, 2012:

**Michael D. Bayewitz**, currently principal, Broad Acres Elementary School, as director of school performance, Office of School Support and Improvement

RESOLUTION NO. 364-12      Re:    **HUMAN RESOURCES AND DEVELOPMENT  
APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 31, 2012:

**Karin Tulchinsky Cohen**, currently special education teacher, High Road Academy, as coordinator, special initiatives, Department of Instructional Programs

RESOLUTION NO. 365-12      Re:    **HUMAN RESOURCES AND DEVELOPMENT  
APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 31, 2012:

**Tina W. Shrewsbury**, currently principal intern, Luxmanor Elementary School, as principal, Waters Landing Elementary School

RESOLUTION NO. 366-12      Re:    **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 31, 2012:

**Peter A. Daddone**, currently signature program coordinator, James Hubert Blake High School, as magnet coordinator, Argyle Magnet Middle School for Digital Design and Development

Re:    **BOARD'S OPERATING BUDGET INTERESTS**

Dr. Starr noted that the Board generated list is grouped into three categories—Instruction, Staff and Other. He took the board language and designated it to be either a position or an interest. If the two are grouped together it reflects work done at the board table to restate the position as an interest. If it stands alone it was his determination of which category (position or interest) the statement fits into. At the last meeting there was a need to continue to determine whether the language denotes a position or an interest, reframe positional language as interest language, reduce redundancy and prioritize.

#### **INSTRUCTION**

Position:      Secondary literacy

Interest:      Address student performance issues

Position:      Appropriately tailoring instruction so each child can learn at his/her own pace in each subject

Interest:      Meet the needs of each individual child

Position:      Opportunities for African-American and Latino students, including access to higher level courses

Interest:      Ensure all students, regardless of race, have equity of access to appropriate and higher level courses

Interest:      Continue to reduce variability of performance

Position:      Offer adequate access to technological immersion for the changing world

Interest:      Enable graduates to be globally competitive

- Position: Improve instruction in the middle years and prepare middle school students for high school  
Interest: Pay attention to areas of great need, in particular middle school
- Position: Continue to support our challenging academic programs  
Interest: Focus on all students
- Position: Provide remediation to struggling students  
Interest: Focus on all students
- Position: Support physical development of our students including nutrition, exercise, and safe athletic instructional practices  
Interest: Meet the needs of the whole child (full agreement)
- Position: Address problems of concussions  
Interest: Foster the health and well-being of students (Moved here)
- Interest: Support the whole child through programs that support social and emotional well-being (full agreement)
- Interest/Position?: Promote discovery and exploration into extra-curricular and other opportunities for students (divide into two and/or incorporate into others, list as an interest)
- Position: Support whole child development through continued investment in music and art instruction  
-Possible Word Change—investment in music, art, and extra-curricular activities  
-Code all interests related to whole child
- Interest: Maintain and improve our special education programs (could change to focus on all students with an emphasis on special education students)
- Position: Promote hands-on and other out of the box curriculum delivery strategies (Wording change needed: ensuring/promoting/developing instructional strategies and curriculum that engages students through innovative delivery methods, 21<sup>st</sup> century physical spaces)
- Position: Review the validity of credit recovery and high school plus (Possible Additions/Changes: Take hard look at current strategies to meet whole child needs, provide interventions to students; Remediation)
- Position: Continue to support and expand career pathways and career and technical education  
Interest: Prepare students to be college and career-ready; Provide multiple paths

for students to be college and career-ready

Position: Ensure local school culture is such that every child feels safe at school every day

Interest: Provide safety for students (and staff?), feeling and being safe  
Does new work need to be done to promote well-being and comfort?  
Are there safety issues to address?

Interest: Promote school cultures, such that every student and adult feels safe

Position: Review position allocations that have not kept up with enrollment  
Alignment of resources and needs? Enrollment increases?

Possible Interest:?

Ensure budget is aligned to the systems' needs  
-Enrollment  
-Alignment issues

Position: Develop a strategic plan to deploy technological resources

Interest: Provide state of the art technology to students and teachers (move into curriculum area)—engaging for kids

### **STAFF**

Interest: Retain and support staff

Position: Review our Professional Growth Systems

Interest: Ensure systems have integrity; are fair, valid, and successful; provide equitable capacity-building and support

Position: Protect classroom resources

Interest: Make sure staff has what they need to do the job they're asked to do;  
Minimize adverse impact on the classroom in difficult budget decisions

Position: Diversity in hiring, promotions, and retention

Interest: Recognize that diverse backgrounds and a diverse workforce strengthen us

### **OTHER**

Interest: Maintain commitment to equitable distribution of resources

Interest: Environmental stewardship

Interest: Begin sustainable restoration---Sustainability

Position: Offer innovative feedback to students, parents, teachers, and administrators

Interest: Adequate communication to ensure all levels of the system capably function together

Position: Develop a strategic plan to deploy technological resources  
 Interest: Provide state of the art technology to students and teachers (moved into curriculum area)—engaging for kids

Position: Continue to make sure the community has information about college and career program

Underlying interest: Work hard to ensure communities and families know what they need to do to support their kids

Interest: Expand and support community engagement in our schools

Interest: Maximize schools as community assets

Interest: Invest in innovation

Position: Make sure we know what works

Interest: Allocate resources in the right places. Connect to alignment and best practices.

Position: Address problems of concussions

Interest: Foster the health and well-being of students—Moved to meeting whole child needs

Re: **DISCUSSION**

The Board members agreed with the reframing. The next step will be for the Board to review the budget interests and rank their priorities.

RESOLUTION NO. 367-12 Re: **FUTURE CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Thursday, August 23, 2012, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, to meet from 9:00 to approximately 11:30 a.m.; and be it further

Resolved, That 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 constituting 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 identified; and be it further

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

RESOLUTION NO. 368-12            Re:    **REPORT OF CLOSED SESSION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Kauffman, the following report was approved unanimously by members present:

On July 17, 2012, 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* Section 10-508(a), et seq., of the *Annotated Code of Maryland*.

The Board of Education of Montgomery County met in closed session on July 30, 2012, from 9:06 to 10:31 a.m. in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, and:

1. Reviewed the Decisions and Orders in Appeals T-2012-15 and DCC-2012-19, and received legal advice and adjudicated the following appeals involving student transfers, placements, and Complaint from the Public: T-2012-23, DCC-2012-24, DCC-2012-25, T-2012-28, NEC-2012-29, NEC-2012-32, 2012-6, and 2012-8, 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 legal advice regarding pending litigation in Montgomery County Circuit Court, as permitted under Section 10-508(a)(7) of the *State Government Article*.
3. Discussed an individual candidate for appointment to the Policy Committee, with a subsequent vote in open session, which is an administrative function outside the purview of the *Open Meetings Act* and as permitted under Section 10-508(a)(1) of the *State Government Article*.
4. Received a briefing by the superintendent on the Monthly Human Resources and Development Report, which is an administrative function outside the purview of the *Open Meetings Act*.
5. Received a briefing by the superintendent of schools on an individual candidate for an appointment as a principal, with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
6. Received the Equal Employment Opportunity Quarterly Report, which is an administrative function outside the purview of the *Open Meetings Act*.
7. Discussed the compensation for the superintendent of schools, as permitted under Section 10-508(a)(1) of the *State Government Article*.



In attendance at the 9:06 a.m. closed session were Christopher Barclay, Shirley Brandman, Laura Berthiaume, Judy Docca, Michael Durso, Phil Kauffman, John Mannes, Patricia O'Neill, Ikhide Roland Ikheloa, Suzann King, Glenda Rose, and Patrick Clancy. At 9:53 a.m., Mr. Clancy left the meeting and the following staff and counsel joined the meeting: Larry Bowers, Judy Bresler, Samantha Cohen, Heather Malloy, Joshua Starr, Kimberly Statham, Dana Tofig, and Kimberly Yearns. At 10:26 a.m., Ikhide Roland Ikheloa, Suzann King, Glenda Rose, Larry Bowers, Judy Bresler, Samantha Cohen, Heather Malloy, Kimberly Statham, Dana Tofig, and Kimberly Yearns left the meeting.

RESOLUTION NO. 369-12            Re:    **APPEALS**

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

WHEREAS, The Board of Education has met in closed session and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-508(a) of the State Government Article of the Annotated Code of Maryland; now therefore be it

Resolved, That the Board of Education hereby decides the following appeals reflective of the Board members' votes in closed session, the disposition of which will be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
T-2012-1	Student Transfer	Affirmed
T-2012-16	Student Transfer	Affirmed
NEC-2012-27	Student Placement	Affirmed
DCC-2012-31	Student Placement	Affirmed
NEC-2012-33	Student Placement	Affirmed
T-2012-35	Student Transfer	Affirmed
T-2012-36	Student Transfer	Affirmed
T-2012-37	Student Transfer	Affirmed
NEC-2012-38	Student Placement	Affirmed
NEC-2012-39	Student Placement	Affirmed
T-2012-40	Student Transfer	Affirmed
DCC-2012-41	Student Placement	Affirmed
DCC-2012-43	Student Placement	Affirmed
T-2012-44	Student Transfer	Affirmed
T-2012-46	Student Transfer	Affirmed
2012-9	Magnet Program	Affirmed

Re:    **NEW BUSINESS**

There was no new business.



RESOLUTION NO. 370-12      Re:    **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of July 30, 2012, at 7:38 p.m.

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PRESIDENT

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SECRETARY

JPS:gr