

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on September 12, 2002, to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

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

RESOLUTION NO. 410-02 Re: **APPROVAL OF THE AGENDA**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mrs. King, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its agenda for September 12, 2002, with the addition of a topic on current issues after Human Resources.

RESOLUTION NO. 411-02 Re: **HISPANIC HERITAGE MONTH**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mrs. King, the following resolution was adopted unanimously:

WHEREAS, On August 17, 1988, the United States Congress by joint resolution authorized the President to proclaim annually the period beginning September 15 and ending on October 15 as National Hispanic Heritage Month; and

WHEREAS, In the more than five (5) centuries since the historic encounter between the civilizations of the Old and New Worlds, Hispanic Americans have greatly enhanced the richness of our national character, our language, and our traditions by contributing their unique blend of African, European, and North and South Native American cultures; and

WHEREAS, As the largest ethnic group in the United States, Hispanic Americans also have played a major role in building this nation into one of the greatest of all nations; and

WHEREAS, The continued successful educational efforts of Hispanic American students and partnerships with Hispanic parents, staff, and community members contribute to the present and future success of Montgomery County, the State of Maryland, and our nation as a whole; now therefore be it

Resolved, That on behalf of the superintendent, parents, and staff of Montgomery County Public Schools, the members of the Board of Education hereby declare the period of September 15 to October 15, 2002, to be observed as Hispanic Heritage Month.

Re: BOARD/SUPERINTENDENT COMMENTS

Mrs. King mentioned that she spent several days visiting schools, and she wished the general community could see what she saw. In observing the classrooms and teachers, who had had training during the summer, she could see great things happening now that everyone is aligned with the same educational goals.

Mrs. O'Neill thought the opening of schools was wonderful, and the teachers and students were working hard from the first day, especially those with the extended learning opportunity (ELO) experience over the summer. All the essential questions were put on the wall in every classroom throughout the county, and instructional consistency is obvious to the casual observer. Also, with new enrollees are coming into all schools every day, the enrollment could surpass the projection.

Ms. Cox noted that it is exciting at the beginning of the school year, and there are many new things happening in the schools. She read a letter from a student who had served as an opera production manager and was forwarding wisdom and knowledge to her successor.

Dr. Weast commented that a recent article in *The Washington Post* reported that many families are hard pressed to provide the school supplies that their children need. MCPS is very grateful to companies such as Office Depot, which recently donated 500 backpacks filled with supplies to students at Harmony Hills Elementary School. This is the third year that Office Depot has donated supplies and backpacks. Equally impressive is a partnership between Jones Lane and Glen Haven elementary schools. The PTA at Jones Lane collected 220 backpacks and Jones Lane students packed each bag with new school supplies, along with a personal note to the Glen Haven students who would receive them. Some of the backpacks were reserved for low-income students at Jones Lane who needed them.

Also, last Thursday, Mrs. O'Neill and he joined County Executive Doug Duncan in a press conference to announce the distribution of NOAA Weather Radios to all public and private schools in the county, as well as Montgomery College. The nearly 500 radios were acquired through state and federal funds. They are programmed to receive early storm warnings from the National Weather Service. The radios also provide an automated alert system for other emergencies. They will significantly enhance school safety by improving communications at critical times, particularly when electrical power is not available.

Dr. Weast added that with the announcement this summer of 14 additional National Merit Scholarship winners, the number of Merit Scholarships for 2002 graduates has reached 57. This is 10 more than the previous year's total of 47. The MCPS students won 38 percent of the 149 Merit Scholarships awarded in Maryland.

Mr. Abrams noted that Congresswoman Connie Morella had help MCPS obtain six million

dollars in federal grants.

Mr. Felton congratulated the staff for a successful school opening. There are still adjustments with personnel and students. He is proud and appreciates the work of the superintendent and staff.

**Mrs. King temporarily left the meeting.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Alan Schwartz	Policy on Fees
2.	Judith Docca	SAT Scores
3.	Mary Drury	Construction Trades

RESOLUTION NO. 412-02

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

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

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

WHEREAS, Funds have been budgeted and/or identified for Bid No. 7113.1, SCSI Deluxe Scanner for the Office of Shared Accountability; and

WHEREAS, Funds have been budgeted and/or identified for Bid No. 4106.1, High Volume, Digital Copiers for Newport Mill and Robert Frost Middle Schools; and

WHEREAS, The acquisition of such equipment through lease/purchase arrangements has been reviewed by legal counsel; now therefore be it

Resolved, That Bid No. 7113.1, SCSI Deluxe Scanner for the Office of Shared Accountability, in the amount of \$15,989, be lease/purchased under the Master Lease/Purchase Agreement with Wachovia Bank and that the Board president and superintendent be authorized to execute the necessary documents; and be it further

Resolved, That Bid No. 4106.1, High Volume, Digital Copiers for Newport Mill and Robert Frost Middle Schools, in the amount of \$46,328, be lease/purchased under the Master Lease/Purchase Agreement with Wachovia Bank and that the Board president and superintendent be authorized to execute the necessary documents; and be it further

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

BL99- 273726- 12A	HVAC Filters <u>Awardee</u> Complete Air Filter Company, Inc.	\$ 107,000
7003.6	Audio and Visual Equipment and Supplies <u>Awardees</u> B & H Photo Video Pro-Audio Century Magnetics* C.T.L. Communications Televideo Ltd.* Herman Electronics Kunz, Inc.* Lee Hartman & Sons, Inc. Metropolitan Audio Visual Corporation Nicholas P. Pipino Associates, Inc. Professional Products, Inc. Telestar Corporation* Video Equipment Sales, Inc. Washington Professional Systems Total	\$ 6,674 1,224 640,078 387 32,918 133,480 39,306 27,640 3,975 19,088 36,255 61,155 \$1,002,180
9054.2	Hardwood Wood Chips <u>Awardee</u> Colony Supply Center, Inc.	\$ 55,000
9131.2	Ham and Cheese Stromboli <u>Awardee</u> Carroll County Foods, Inc.	\$ 45,423
TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000		\$1,209,603

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

RESOLUTION NO. 413-02 Re: **ARCHITECTURAL APPOINTMENT – NORTHWEST
HIGH SCHOOL ADDITION**

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

Mr. Abrams, the following resolution was adopted unanimously by members present:

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

WHEREAS, Funds for architectural planning were programmed as part of the FY 2003 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, identified Samaha Associates as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the architectural services; now therefore be it

Resolved, That the Board of Education enter into a contractual agreement with the architectural firm of Samaha Associates to provide professional architectural and engineering services for the Northwest High School addition project for a fee of \$599,800.

RESOLUTION NO. 414-02 Re: **EXTENSIONS OF CONTRACT – ENERGY CONSERVATION LIGHTING RETROFIT AT VARIOUS FACILITIES**

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

WHEREAS, On January 9, 2001, the Board of Education awarded a two-part contract to Custom Energy, LLC, to survey lighting systems and implement recommendations that met certain cost avoidance/savings criteria; and

WHEREAS, The surveys identified lighting system modifications at Piney Branch and Montgomery Knolls elementary schools and Sligo Middle School that will generate annual energy savings in the amount of \$63,000; and

WHEREAS, Funding for these modifications was recently secured under the State of Maryland Qualified Zone Academy Bonds program; now therefore be it

Resolved, That the Board of Education approve the Phase II extensions of the existing contractual agreement with the firm of Custom Energy, LLC, to provide lighting retrofit services at the following schools for the listed prices: \$89,394.73 for Piney Branch Elementary School, \$38,955.88 for Montgomery Knolls Elementary School, and \$93,300.09 for Sligo Middle School.

RESOLUTION NO. 415-02

Re: **EMPLOYEE-FUNDED SECTION 457 DEFERRED
COMPENSATION PROGRAM**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Ms. Cox, the following resolution was adopted with Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mr. Felton, Mr. Lange, and Mrs. O'Neill voting in the affirmative; Mr. Abrams recused himself:#

WHEREAS, The Montgomery County Public Schools is a governmental employer eligible to offer a deferred compensation plan to employees in accordance with Section 457 of the Internal Revenue Code; and

WHEREAS, The Montgomery County Public Schools has offered a tax-deferred annuity program for its employees since 1965, in accordance with Section 403(b) of the Internal Revenue Code as amended; and

WHEREAS, The Economic Growth and Tax Relief Reconciliation Act changed the regulations governing these plans making it advantageous now to offer both a 403(b) and 457 plan to employees; and

WHEREAS, The superintendent of schools has recommended to the Board of Education that a 457 deferred compensation plan be established to permit voluntary employee salary deferrals; now therefore be it

Resolved, That the Board of Education authorizes that a Section 457 deferred compensation program be established for employees of the Montgomery County Public Schools; and be it further

Resolved, That the Montgomery County Public Schools' approved 403(b) tax-deferred annuity providers be authorized to provide 457 deferred compensation plans for employees of the Montgomery County Public Schools; and be it further

Resolved, That the superintendent of schools be authorized to execute the documents necessary to carry out the intent and accomplish the purpose of this resolution.

Re: **RECUSAL**

Mr. Abrams stated that he recused himself from voting on this resolution because it involved an employee-funded program, and he is a current employee of Legg-Mason, which is one of the providers. Furthermore, this item had not gone to the Audit Committee, and he had not been involved with this item in any form.

RESOLUTION NO. 416-02 Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated September 12, 2002.

RESOLUTION NO. 417-02 Re: **DEATH OF JAIME ARZE, BUILDING SERVICE WORK LEADER, SHERWOOD HIGH SCHOOL**

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

WHEREAS, The death on August 13, 2002, of Jaime Arze, building service work leader at Sherwood High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Mr. Arze has been employed by Montgomery County Public Schools for seven and a half years and has always given conscientious attention to his work; and

WHEREAS, Mr. Arze performed his duties in an outstanding fashion, demonstrated good human relations skills with staff, and was always receptive to change and new ideas; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Jaime Arze and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mr. Arze's family.

RESOLUTION NO. 418-02 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective September 16, 2002:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Cynthia Rattley	Acting Community Superintendent	Community Superintendent

**Mrs. King rejoined the meeting.

Re: DIALOGUE ON CURRENT ISSUES – SAT Scores

Mr. Abrams said there had been some coverage of the SAT scores, but it focused on the same old stories. MCPS has made a significant effort to become a data-driven system – to learn from and disaggregate the data. Although not a perfect instrument, the SAT is the longest and most consistent data available to the school system. There is a relationship between early interventions and the SAT on a disaggregated basis, especially for those students who have been in MCPS for their entire school career. Students in the Class of 2001 were in kindergarten in 1985. He thought it was important because (1) the issues are not new and (2) the data could be a predictor. What is new is the ability of the school system to correlate the activities that took place and the outcomes. He hoped that this and other discussions will make MCPS a bold system and lay down a marker. If this occurs, the system stays on a course, and the students stay in MCPS, the school system can predict the outcomes in subcategories, and the community can hold MCPS to that standard. This discussion is important to MCPS, and it is important nationally. With all the rhetoric on testing and accountability, there is no uniformity of measurement or basis to help the public ascertain whether school systems are performing to the desired level of accountability.

Mr. Felton also was concerned as MCPS moves forward with the Call to Action and initiatives in terms of value-added programs. When students come from families where there is support, the students will do well in school. The community is focused on the specific value-added initiatives in MCPS that will have an impact on student learning.

Dr. Lacey stated that (1) the activities are important, (2) MCPS does have predictors, and (3) family involvement is essential. The Board of Education approved the System of Shared Accountability and the equity analysis. Course work is critical. Without honor classes, SAT scores fluctuate 200 points between ethnic groups.

Mr. Abrams asked what were the characteristics of the training or resources that distinguished those scores, other than racial/ethnic classification. Dr. Lacey replied that the factors include the expectations of educators, the rigor in non-honors classes, poverty, the preparation for the SAT, and the quality of the teachers.

Mr. Felton referred to a study that was done four to five years ago that showed that the expectations of the teachers were essential to student learning. Dr. Weast replied that there is an expectation-based training program for all employees. The school system has proved that outcomes can be predicted. It is essential to find the gap before it can be closed, and the gap has been found to start early in a child's education. Furthermore, there is poverty, especially in the minority population, which makes a huge difference in access; one out of four African American children does not enroll in MCPS until high school; and 40 percent of the children do not attend only MCPS.

Dr. Weast had a chart that showed two sets of curves – (1) African-American/Hispanic and

(2) Asian/White. What was found is that students need (1) more rigor, even in the elementary grades (addressed through the K-1 curriculum); (2) consistency in instruction materials/textbooks (addressed through systemwide textbooks); and a more directed instructional approach (addressed through ELO). Furthermore, 80 percent of children who have these issues live in 56 attendance areas out of the 191 schools. Especially at those 56 schools, the school system must ensure that the textbooks and instruction are consistent. Training and incentives for teachers will ensure retention of quality teachers within those 56 schools.

Ms. Cox noted that assessments are the piece that causes teachers to review their expectations in terms of student outcomes and identify the areas for intervention.

Mr. Abrams referred to the differentiation in math and reading that is occurring earlier in a student's career. Therefore, the students who were not encouraged to take honors courses can be identified.

Mr. Burnett remarked that students can opt into honors courses without teacher recommendations. Mr. Felton stated that most of the initiatives have occurred recently.

Mr. Abrams replied that was the point, and the research only received lip service until recently. If the school system stays the course, when will changes occur in the SAT scores? Students receiving the initiatives will be in high school in 2010. One of the challenges is what happens in the meantime for students who have not received the initiatives.

Mr. Felton agreed with Mr. Abrams, but asked what the data reflected for African-American and Hispanic students who are not in poverty. Dr. Weast replied that most of the African-American and Hispanic population (70 percent) is highly concentrated in the 56 attendance zones. The other 30 percent is scattered across the county. These minority populations have increased the number of students taking the SAT and have increase the number of students with high scores. The predictor for high scores on the SAT test is whether or not second grade students are challenged with initiatives. There are three things that must be accomplished: (1) stay the course, (2) continue the initiatives, and (3) help students who have not had the initiatives.

Mr. Felton noted that middle school parents understand the commitment, but their children only have a few short years left of their public schooling. Mr. Burnett remarked that algebra is being offered in the seventh grade to prepare them for their tests in high school. Efforts are being made to look at the children in the "gap."

Mr. Abrams argued that the discussion pointed out there was a need for multiple strategies. The long-term strategy of systemic change does not need to be revised. However, in the interim, the question for the students who do not get the initiatives is twofold – (1) what kind of interventions can be made and (2) what standards can measure the progress for those

interventions. It is not that the “gap” exists, but whether those students who have not had the benefit of the initiatives are making progress with intermediate interventions. All of the reports on the SAT scores contain same old analysis, and it is incumbent upon the school system to educate the community. Also, the press, commentators, and researchers must remember that the 2001 SAT scores reflect students who got their grounding under policies that existed in 1987-88. Until that message is learned, it is hard to evaluate the progress of a contemporary school system.

Dr. Weast remarked that the “gap” will get greater before it starts to narrow. The reason is that the rigor has increased district wide, and those with the initiatives are moving at a faster pace. For the groups that are not doing well, there is a strategy of interventions with summer school, extended learning at the middle school, training, consistent supervision, and shared accountability.

Mr. Abrams thought the mantra has changed from *raise the bar* and *close the gap* to *raise the bar* and *eventually close the gap*. Dr. Weast replied that teachers want to raise the bar for everyone and have different ways to help reach that bar.

Mr. Burnett thought the system could do a better job of emphasizing that parental involvement is essential to student achievement.

Mrs. O’Neill noted that parents are not always focused on the SAT, but students must take it for college. There is a need to talk about college from kindergarten through high school, and there is a need to educate parents about building capacity in each child. Also, the SAT verbal score is built on a lifetime of reading.

Ms. Cox remarked that it had to be a two-way communication and not just the school system giving direction to parents. It is hard for parents to gain access to information that would be helpful for them to partner with the school system to improve student achievement.

Mrs. King noticed that when talking to children about going to college, there should be the recognition that poor families do not expect that it will be a possible to afford college for their children. There is a need to develop partnerships to allow more students to attend college.

Mr. Lange stated that an issue that was emerging through the ombudsman was the need for parental access and clarity for parents on what they are expected to do, regardless of socioeconomic backgrounds.

Mr. Felton thought that the one point to remember was the importance of a list of indicators to help the community, Board, and parents understand student achievement. Dr. Weast stated that the list was available with color-coded indicators by school. Also, there are translated parent brochures on how to access the system, what to look for, and what

questions to ask.

Ms. Cox asked if there was a way to evaluate the effectiveness of the brochure developed for the African-American parents.

Mr. Alnifaidy left the meeting at this point.

Re: ORAL REPORT ON THE OPENING OF SCHOOLS

Dr. Weast introduced the item with the four essential questions: (1) what do students need to know and be able to do, (2) how does the school system know when they have learned it, (3) what will MCPS do when they haven't, and (4) what will the school system do when they already know it.

Staff continued the presentation and emphasized that staff had:

1. Developed a framework for improving teaching and learning
2. Focused on preparing staff in a myriad of ways
3. Trained for strategic professional growth
4. Set skillful course work
5. Started school with ELO experience, and students know the routine
6. Knew the curriculum and teach with consistency
7. Excited parents with information about curriculum and homework objectives
8. Learned from the Summer Institute
9. Focused on instruction, conversation, and accountability with a common language
10. Planned for successful instruction
11. Built a professional learning community
12. Participated in skillful teacher classes to learn the latest teaching strategies

Re: DISCUSSION

Mrs. King was impressed with the classroom instruction and the common language used by teachers. The teachers are excited, ready to teach, and confident.

Mr. Felton talked about the capacity of the school system to support teachers and schools. National and local comments indicate that there is no need for a central office with too many people. However, there is benefit and added value if the central office supports teachers for improved student achievement. How does that message get to the community? Ms. Merry replied that the central office has been streamlined, and the focus is on building high performing local school teams. Dr. Weast believed that parents will make the connection when they observe their local school in action. If there is a demand from teachers, students and parents for more of what the school system is doing, the evidence is clear that there is a need to build more capacity as well as enable and support staff to engage in courageous conversations about academic achievement for students.

Mr. Felton asked how the school system will ensure that parents and the local community understand the capacity of the school system to support teachers, and it is necessary to have that capacity. Mr. Porter thought this could be done by working through stakeholders and engaging parents in discussions about the school system.

Ms. Cox asked if parents were involved in developing the school improvement plan. Do they understand the support of the central office? Staff replied that parents are involved in the planning, and parents are learning the language and organizational structure.

Mrs. O'Neill wanted clarification about the vertical articulation specialists and their duties. Staff replied that the specialist observes the entire program, kindergarten through grade 12, connects the curriculum, and helps with planning and staff development training.

Mr. Burnett inquired if the information shared with the Board would be available at back-to-school nights. Staff replied that they want parents to know the language and be prepared to help their children.

Mr. Lange thought that folks do not realize the commitment, energy, and time that goes into educating children. It is important that the community at large recognizes the value of staff development.

**Mrs. King left the meeting at this point.

**Re: ORAL UPDATE ON TITLE I ENROLLMENT
OPTION**

Staff members summarized the option as mandated by *No Child Left Behind*. They started with the definition of a school that needed improvement and said only Title I schools were subject to the standard of declining for two consecutive years. MCPS had 10 such schools. All children in those schools were eligible to transfer, with priority given to those students who were both low income and low achieving. Transportation is provided. The schools chosen to receive the Title I students were those that exceeded the state's school performance index average, school capacity, and transportation distance. Outreach efforts included meeting with the principals, letters sent to families (translated into the appropriate language), a brochure, school newsletters, community meetings, and newspaper and television reports. The application deadline was June 10, and 110 students were approved for transfer. Those students have been welcomed at the receiving schools. The next step is to strengthen the instructional programs at all Title I schools.

Ms. Cox asked if the process would be modified to include multiple receiving schools. Ms. Muntner replied that it is not clear at this time.

Mr. Felton noted that the concern was that low-income students in low-performing schools would not take advantage of the option. What is being done to ensure that those families

are aware of the option? Staff replied that a letter was sent to every family with well-advertised community meetings. The meetings were well attended by a broad spectrum of parents. Dr. Williams stated that most parents want to stay with the school and help improve the school to make a better community.

Re: **ORAL UPDATE ON EXTENDED LEARNING OPPORTUNITIES (ELO)**

Staff reported that it was an amazing program this summer. There were 18 schools engaged in a rigorous program with an outstanding curriculum, 59 percent of the students enrolled, 79 percent attended regularly, staff was trained, 300 volunteers participated, 144,00 meals were served; and free transportation was offered. There were pre- and post-assessments in reading and math which will be analyzed.

Mr. Lange asked for a description of the 300 volunteers. Staff said that there is a planned outreach to keep them involved in the school system and that the volunteers were students through grandparents.

Ms. Cox reported that she had visited EOL, and there were lesson plans for each day with consistency throughout EOL.

RESOLUTION NO. 419-02 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Ms. Cox, 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 portion of its meeting on Monday, September 23, 2002, in Room 120 of the Carver Educational Services Center to meet in closed sessions from 7:30 to 8:00 a.m. and 10:30 to 10:35 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*, consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; review and adjudicate appeals in its quasi-judicial capacity; and discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

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

Re: REPORT OF CLOSED SESSION

On August 26, 2002, by unanimous vote of members present, the Board of Education voted to conduct a closed session as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on August 26, 2002, from 9:10 to 1:30 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeals: 2002-14, 2002-16, 2002-29, 2002-34, 2002-35, 2002-36, 2002-37, 2002-38, 2002-39, 2002-40, 2002-41, 2002-43, 2002-44, 2002-46, 2002-47, 2002-48, 2002-51, T-2002-34, T-2002-37, T-2002-38, T-2002-40, T-2002-41, T-2002-42, T-2002-43, T-2002-44, T-2002-45, T-2002-48, T-2002-50, T-2002-51, and T-2002-52.
2. Reviewed the Superintendent's recommendation for the Human Resources Monthly Report and human resources appointments, subsequent to which the votes to approve were taken in open session.
3. Considered the acquisition of real property for a public purpose and matters directly related thereto.
4. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
5. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were: Steve Abrams, Mihyar Alnifaidy, Larry Bowers, Kermit Burnett, Sharon Cox, Richard Hawes, Roland Ikheloa, Nancy King, Don Kress, Frieda Lacey, Walter Lange, Joe Lavorgna, George Margolies, Pat O'Neill, Brian Porter, Glenda Rose, Roger Titus, Janice Turpin, Jerry Weast, James Williams, and Mary Pat Wilson.

RESOLUTION NO. 420-02 Re: **MINUTES (August 26, 2002)**

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

Resolved, That the Board of Education approve its minutes for the August 26, 2002, meeting.

RESOLUTION NO. 421-02 Re: **APPEAL 2002-14**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-14,

student expulsion, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 422-02 Re: **APPEAL 2002-16**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-16, student expulsion, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 423-02 Re: **APPEAL 2002-34**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-34, complaint from the public, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to dismiss; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 424-02 Re: **APPEAL 2002-36**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-36, student expulsion, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 425-02 Re: **APPEAL 2002-38**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-38, admission to Blair magnet, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 426-02 Re: **APPEAL 2002-40**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-40, graduation, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to remand; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 427-02 Re: **APPEAL 2002-41**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-41, expungement of student record, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 428-02 Re: **APPEAL 2002-43**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-43, admission to Takoma Park magnet, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 429-02 Re: **APPEAL 2002-44**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-44, student suspension, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to dismiss; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 430-02 Re: **APPEAL 2002-46**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-46, admission to highly gifted center, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 431-02 Re: **APPEAL 2002-47**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-47, complaint from the public, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 432-02 Re: **APPEAL 2002-48**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-48, admission to highly gifted center, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton was absent when this case was adjudicated.

RESOLUTION NO. 433-02 Re: **APPEAL T-2002-53**

On motion of Mrs. O'Neill seconded by Ms. Cox, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-53, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, and Mr. Burnett voting to affirm; Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to reverse.

RESOLUTION NO. 434-02 Re: **APPEAL T-2002-56**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-56, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm.

Re: **NEW BUSINESS**

On motion of Ms. Cox and seconded by Mr. Abrams, the following new business item was introduced:

WHEREAS, Many members of the community have brought to the Board's attention, in recent days, that a long-existing Board policy is not being implemented in our schools, raising a question as to its viability; and

WHEREAS, The Board has not been kept apprised, on a regular basis, of regulations promulgated by the superintendent, notwithstanding the express language of Policy BFA (*Policysetting*); and

WHEREAS, Policy BFA sets forth that the superintendent shall review policies on an

ongoing basis as a prelude to Board consideration; and

WHEREAS, Policy BFA further requires that the superintendent develop a process for its implementation; now therefore be it

Resolved, That the superintendent issue an implementing regulation for Policy BFA that addresses:

1. The establishment of a process and schedule for identifying:
 - a) the alignment of practice with policy and
 - b) the need for substantive revision, rescission, reformatting, or minor editing of all existing policies,
2. The means by which the superintendent shall solicit input from stakeholders prior to recommending language of a draft policy to be considered by the Board,
3. The means by which the superintendent shall disseminate to citizens and staff for public comment a policy tentatively approved by the Board, and
4. The criteria for recommending whether a public forum or hearing should be conducted in the course of developing a proposed policy or prior to its adoption; and be it further

Resolved, That the draft regulation be submitted to the Board for its review.

Re: ITEMS OF INFORMATION

The following items were available:

1. Legal Fees Report
2. Construction Progress Report

RESOLUTION NO. 435-02 Re: ADJOURNMENT

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

Resolved, That the Board of Education adjourn its meeting of September 12, 2002, at 5:00 p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET
September 12, 2002

CLOSED SESSION	1
APPROVAL OF THE AGENDA	2
HISPANIC HERITAGE MONTH	2
BOARD/SUPERINTENDENT COMMENTS	3
PROCUREMENT CONTRACTS OF \$25,000 OR MORE	4
ARCHITECTURAL APPOINTMENT – NORTHWEST HIGH SCHOOL ADDITION	5
EXTENSIONS OF CONTRACT – ENERGY CONSERVATION LIGHTING RETROFIT AT VARIOUS FACILITIES .	6
EMPLOYEE-FUNDED SECTION 457 DEFERRED COMPENSATION PROGRAM	7
HUMAN RESOURCES MONTHLY REPORT	8
DEATH OF JAIME ARZE, BUILDING SERVICE WORK LEADER, SHERWOOD HIGH SCHOOL	8
APPOINTMENT	8
DIALOGUE ON CURRENT ISSUES – SAT Scores	9
ORAL REPORT ON THE OPENING OF SCHOOLS	12
ORAL UPDATE ON TITLE I ENROLLMENT OPTION	13
ORAL UPDATE ON EXTENDED LEARNING OPPORTUNITIES (ELO)	14
CLOSED SESSION RESOLUTION	14
REPORT OF CLOSED SESSION	15
MINUTES (August 26, 2002)	15
APPEALS	15
ITEMS OF INFORMATION	19
ADJOURNMENT AND CLOSED SESSION	19