

APPROVED
37-2005

Rockville, Maryland
December 13, 2005

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, December 14, 2005, at 10:05 a.m.

Present: Mrs. Patricia B. O'Neill, President
 in the Chair
 Mr. Steve Abrams
 Ms. Sharon W. Cox
 Ms. Valerie Ervin
 Dr. Charles Haughey
 Mrs. Nancy Navarro
 Mr. Gabriel Romero
 Mr. Sebastian Johnson, Student Board Member
 Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 610-05 Re: **RESOLUTION FOR CLOSED SESSIONS**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Ms. Cox, 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 December 13, 2005, in Room 120 from 9:00 to 10:00 a.m., 12:00 to 1:30 p.m., and 4:45 to 6:00 p.m. to discuss the Human Resources Monthly Report, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education consider the acquisition of real property for a public purpose and matters directly related thereto, as permitted under Section 10-508(a)(3) of the *State Government Article* and Section 4-107(d) of the *Education Article*; and be it further

Resolved, That the Board of Education of Montgomery County receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on December 13, 2005, 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.

Re: ELECTION OF OFFICERS

Dr. Weast announced that as secretary-treasurer of the Board of Education he would preside until the election of the president. To be elected president or vice president, a member needed five votes, and all members were in nomination. The votes for president were as follows:

Mr. Romero voted for Mr. Abrams
Ms. Ervin voted for Mrs. Navarro
Ms. Cox voted for Mr. Abrams
Mr. Johnson voted for Mrs. Navarro
Mrs. Navarro Voted for Mrs. Navarro
Dr. Haughey voted for Dr. Haughey
Mr. Abrams voted for Mr. Abrams
Mrs. O'Neill voted for Dr. Haughey

Dr. Haughey voted for Dr. Haughey
Mr. Abrams voted for Mr. Abrams
Mrs. Navarro voted for Mrs. Navarro
Ms. Ervin voted for Mrs. Navarro
Ms. Cox voted for Mr. Abrams
Mr. Romero voted for Mr. Abrams
Mr. Johnson voted for Mrs. Navarro
Mrs. O'Neill voted for Dr. Haughey

Mrs. Navarro voted for Mrs. Navarro
Ms. Cox voted for Dr. Haughey
Ms. Ervin voted for Mrs. Navarro
Mr. Romero voted for Dr. Haughey
Mr. Johnson voted for Mrs. Navarro
Mr. Abrams voted for Mr. Abrams
Dr. Haughey voted for Dr. Haughey
Mrs. O'Neill voted for Dr. Haughey

Ms. Ervin voted for Mrs. Navarro
Ms. Cox voted for Dr. Haughey
Mr. Romero voted for Dr. Haughey
Mr. Abrams voted for Mr. Abrams

Dr. Haughey voted for Dr. Haughey
Mrs. Navarro voted for Dr. Haughey
Mr. Johnson voted for Mrs. Navarro
Mrs. O'Neill voted for Dr. Haughey

Dr. Haughey assumed the chair and presided over the election of the vice president.

Mr. Romero voted for Ms. Cox
Mr. Abrams voted for Ms. Cox
Mr. Johnson voted for Mrs. Navarro
Ms. Ervin abstained
Ms. Cox voted for Ms. Cox
Mrs. Navarro voted for Mrs. Navarro
Mrs. O'Neill voted for Ms. Cox
Dr. Haughey voted for Mrs. Navarro

Mr. Johnson voted for Mrs. Navarro
Ms. Ervin voted for Mrs. Navarro
Mr. Romero voted for Ms. Cox
Ms. Cox voted for Ms. Cox
Mrs. Navarro voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Mrs. O'Neill voted for Ms. Cox
Dr. Haughey voted for Mrs. Navarro

Mrs. O'Neill voted for Ms. Cox
Mr. Johnson voted for Mrs. Navarro
Mrs. Navarro voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Ms. Ervin voted for Mrs. Navarro
Mr. Romero voted for Ms. Cox
Ms. Cox voted for Ms. Cox
Dr. Haughey voted for Mrs. Navarro

Ms. Cox voted for Ms. Cox
Ms. Ervin voted for Mrs. Navarro
Mr. Romero voted for Ms. Cox
Mr. Johnson voted for Mrs. Navarro
Mrs. Navarro voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Mrs. O'Neill voted for Mr. Johnson
Dr. Haughey voted for Mrs. O'Neill

Ms. Ervin voted for Mrs. Navarro

Mrs. O'Neill voted for Mr. Johnson
Mr. Romero voted for Ms. Cox
Mrs. Navarro voted for Mrs. Navarro
Mr. Johnson voted for Mrs. Navarro
Dr. Haughey voted for Mrs. O'Neill
Mr. Abrams voted for Ms. Cox
Ms. Cox voted for Ms. Cox

Ms. Ervin voted for Mrs. Navarro
Mr. Romero voted for Ms. Cox
Ms. Cox voted for Ms. Cox
Mrs. Navarro voted for Mrs. Navarro
Mr. Johnson voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Mrs. O'Neill voted for Mrs. O'Neill
Dr. Haughey voted for Mrs. O'Neill

Mr. Romero voted for Ms. Cox
Ms. Ervin voted for Mrs. Navarro
Ms. Cox voted for Ms. Cox
Mrs. Navarro voted for Mrs. Navarro
Mr. Johnson voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Mrs. O'Neill voted for Mrs. O'Neill
Dr. Haughey voted for Mrs. O'Neill

Mr. Johnson voted for Mrs. Navarro
Mrs. Navarro voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Mrs. O'Neill voted for Mrs. O'Neill
Mr. Romero voted for Ms. Cox
Ms. Ervin voted for Mrs. Navarro
Ms. Cox voted for Ms. Cox
Dr. Haughey voted for Mrs. O'Neill

Dr. Haughey voted for Mrs. O'Neill
Ms. Ervin voted for Mrs. Navarro
Mr. Romero voted for Ms. Cox
Ms. Cox voted for Ms. Cox
Mr. Johnson voted for Mrs. Navarro
Mrs. Navarro voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Mrs. O'Neill voted for Mr. Romero

Mr. Johnson voted for Mrs. Navarro
Mrs. Navarro voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Ms. Ervin voted for Mrs. Navarro
Mr. Romero voted for Ms. Cox
Ms. Cox voted for Ms. Cox
Mrs. O'Neill voted for Mrs. O'Neill
Dr. Haughey voted for Mrs. Navarro

Mr. Johnson voted for Mrs. Navarro
Mrs. Navarro voted for Mrs. Navarro
Mr. Romero voted for Ms. Cox
Ms. Ervin voted for Mrs. Navarro
Ms. Cox voted for Ms. Cox
Mr. Abrams voted for Ms. Cox
Mrs. O'Neill voted for Ms. Cox
Dr. Haughey voted for Mrs. Navarro

Mrs. O'Neill voted for Ms. Cox
Dr. Haughey voted for Mrs. Navarro
Mr. Johnson voted for Mrs. Navarro
Mrs. Navarro voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Mr. Romero voted for Ms. Cox
Ms. Ervin voted for Mrs. Navarro
Ms. Cox voted for Ms. Cox

Ms. Ervin voted for Mrs. Navarro
Mr. Romero voted for Ms. Cox
Mrs. O'Neill voted for Ms. Cox
Dr. Haughey voted for Mrs. O'Neill
Ms. Cox voted for Ms. Cox
Mr. Johnson voted for Mrs. Navarro
Mrs. Navarro voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox

Mr. Johnson voted for Mrs. Navarro
Dr. Haughey voted for Ms. Cox
Mrs. Navarro voted for Mrs. Navarro
Mr. Abrams voted for Ms. Cox
Mrs. O'Neill voted for Ms. Cox
Ms. Cox voted for Ms. Cox
Mr. Romero voted for Ms. Cox
Ms. Ervin voted for Mrs. Navarro

Ms. Cox was elected vice president.

RESOLUTION NO. 611-05 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for December 13, 2005.

RESOLUTION NO. 612-05 Re: **KAISER PERMANENTE WALK FOR YOUR LIFE
CAMPAIGN**

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

WHEREAS, The Montgomery County Public Schools, the Montgomery County Education Association, SEIU Local 500, and the Montgomery County Association of Administrative and Supervisory Personnel, through the efforts of the Joint Employee Benefit Committee, have undertaken efforts to assess wellness opportunities and have begun working with health plan carriers to partner in promoting wellness initiatives; and

WHEREAS, Kaiser Permanente and MCPS introduced the "Walk For Your Life" campaign that challenged all MCPS schools to a walking competition during the month of October 2005; and

WHEREAS, Kaiser Permanente committed to rewarding the school that logged the most steps per participant/per day during the month of October with a \$5,000 educational grant; and

WHEREAS, Kaiser Permanente has determined that Rock Creek Valley Elementary School logged the most steps per participant/per day during the month of October; now therefore be it

Resolved, That the efforts of all Montgomery County Public Schools staff who participated in the Kaiser Permanente Walk For Your Life campaign be recognized; and be it further

Resolved, That Ms. Catherine Jasperse, principal; Ms. Kathleen Amos, physical education teacher and Rock Creek Valley Elementary School champion; and the entire staff of Rock Creek Valley Elementary School be congratulated for their spirited and well-organized effort in the "Walk For Your Life" competition; and be it further

Resolved, That the Board of Education acknowledge and express its appreciation to the Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc., for its commitment to improving the health of Montgomery County Public Schools employees; and be it further

Resolved, That the Board of Education authorize the deposit of the \$5,000 grant, presented by the Kaiser Foundation Health Plan of the Mid-Atlantic States, into the Montgomery County Educational Foundation, Inc., account for the specific use of Rock Creek Valley Elementary School.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Debbie Murphy	Hampshire Green Assignments
2.	Ruth Jacobs	Revised Curriculum
3.	Darnell Daisey	Hampshire Green Assignments
4.	Eric Rosenzweig	Naming of NEC #16
5.	Laura Kervitsky	Policy IQD
6.	Zainab Nejati	Environmental Sustainability
7.	Wayne Goldstein	Policy IQD
8.	Deepa Chopra	Hampshire Green School Assignment
9.	Betty Bahadora	Facilities for Students with Autism
10.	Susan Loftus	Childhood Obesity
11.	Pamela Megna	Teacher Vacancies
12.	Pat Wigginton	Physical Education
13.	Suzanne Weiss	Voting Protocols
14.	Amanda Johnson	Green Building Resolution

Re: **DISCUSSION**

Ms. Cox asked for a response to the public comment on the closing of the Grafton School of Maryland and the impact on MCPS. Also, she wanted a response to Ms. Loftus' testimony on time for physical education and staffing allocations.

Ms. Ervin asked if communications of support had been received from various groups. Staff replied that there were several communications, such as from the Sierra Club, Audubon Society, and Montgomery Blair High School students.

Ms. Ervin asked wanted to know the procedure for placing a resolution regarding Hampshire Greens' school assignments. Mr. Margolies replied that the Board had passed a resolution to monitor the utilization and advise the Board on the capacity on three middle schools. Furthermore, the state Board of Education affirmed the Board's decision. Policy FAA sets a process for boundary studies.

Ms. Ervin reiterated that she wanted to place it on the table for a Board discussion, and she asked what she had to do to start that process. Mr. Margolies noted that the community

wanted a reassignment without a boundary study, and he thought that would require an amendment to the policy.

Mr. Abrams stated that there is not currently a process or practice that allows the examination of an extraordinary circumstance that is not anticipated during the Capital Improvements Program (CIP) process.

Mrs. O'Neill commented that Policy FAA addresses boundary issues. This is done in the fall and spring, and she thought the Hampshire Greens community should have asked for an alternative in November. The draft regulation addresses the boundary issue process.

Mr. Abrams noted that the resolution on Hampshire Greens had a proviso that there would be monitoring of the schools and the superintendent would advise the Board of the capacity issues warranting a review. Mr. Bowers responded that the enrollment at William H. Farquhar Middle School was increasing.

Mr. Abrams thought the reporting requirement of the superintendent was out of cycle, and Resolution No. 656-04 said that there would be no boundary study at that time, and the situation would be monitored. Mr. Abrams requested information on the utilization numbers for middle schools and if there is a trigger for a boundary study as a result of the resolution. This resolution requires the superintendent to report to the Board and commence a boundary study. Mr. Abrams thought it was important for the public to know how to bring concerns to the Board.

Dr. Weast commented that there is a long-standing process for the Board to review boundaries – the CIP. The Board has placed indicators in the policy when a boundary study should commence. Boundary studies are not done in isolation, and when a study is started the domino effect engages other communities. Therefore, there needs to be reasonable notice to those communities for a study committee, hearings, and decisions.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Ms. Ervin asked about a meeting at the County Council concerning CESC and Montgomery College. There was a comment about the Board's lack of participation. She asked when the meeting was scheduled, and what the process was to invite the Board to the meeting. The Board is responsible for overseeing the school system. She wanted to know how it happened that the Board was not told about important meetings. The community sees Board members not responsive. When was the meeting scheduled? What were the opportunities to get information? Furthermore, \$100,000 has been committed to do a feasibility study to expand Montgomery College to the CESC property.

Mr. Abrams replied that there was a memorandum from the Council about the needs of the college. He was not aware of a meeting, but last week he received a series of memoranda

that contained a sequence of discussions between the Education Committee and Montgomery College related to feasibility.

Mrs. O'Neill said the Board received a fax to update the Board. Also, the Board received Council agendas and committee meeting dates. Even though Mr. Subin made remarks about the absence of Board members, he was aware that Board members were not attending. If the college is fixated on evicting the school system from CESC and if the Board agrees and seeks a new administrative office building, the facility would compete with Capital Budget requests. She reminded everyone that there are 17,000 students in mobile classrooms.

Ms. Ervin and Dr. Haughey suggested that staff prepare a report on the status of Montgomery College's request to obtain CESC.

Mr. Romero remarked that he wanted to follow appropriate protocol in dealing with the Hampshire Greens' request. He asked that, when the discussion takes place, staff provide a briefing on the process and the steps taken by the Board. Since this issue happens often, the Board must be fair and careful about setting precedents.

Mrs. O'Neill reported that she was serving on a committee for comparable High School Assessments (HSA). The current freshman class will be the first students to have their diplomas tied to the HSA. She was concerned about students who will be at-risk of not graduating. This fact cannot be stressed enough because parents will be very upset if their child does not graduate. The HSAs are a train wreck heading for all Maryland jurisdictions.

Mr. Johnson said he had talked to middle school students about the achievement gap and leadership. His next television show will be on student government and nutrition.

Mrs. Navarro stated that she would welcome more information about Montgomery College. She thought Mr. Subin did not have accurate information regarding the Board's participation.

Mr. Abrams asked for information on Pinallas County and the lawsuit on minority achievement as related to systemic causes. He was concerned that he was hearing the same issues in multiple jurisdictions, and he wondered if these issues were put forward by political movements.

Dr. Weast stated that there have been several memoranda to the Board on Montgomery College. MCPS has cooperated with the college with the parking lot in front of the Carver building. Also, the Board receives notices of all Council meetings. The college has not established the need for expansion.

Dr. Weast commented that 57MCPS teachers are among the 159 Maryland teachers who have achieved certification by the National Board for Professional Teaching Standards this

year. This brings the total of nationally certified teachers in MCPS to 229. Congratulations to these teachers for successfully completing this rigorous process. Nationally certified MCPS teachers receive an additional \$2,000 in salary each year for a period of 10 years. The state matches the local salary incentive with a stipend of up to \$2,000 per year.

The school system is very proud of Damascus and Sherwood high schools for reaching the state 4A finals in football. Both teams played excellent games at Ravens Stadium last Friday evening.

Thanks to the RFI Foundation and Comcast of Maryland for their support of the second season of National Philharmonic Concerts for second grade students at the Music Center at Strathmore.

Two special events occurred last week that highlight the excellent programs being offered in MCPS. The school system hosted a group of journalism fellows at a symposium on child and family policy sponsored by the College of Journalism at the University of Maryland. The new Institute for Global and Cultural Studies at Wheaton High School will offer an opportunity for students from the Downcounty Consortium who choose the program to earn up to 15 college credits before graduating from high school.

Re: SCHOOL CALENDAR FOR 2006-07

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Ms. Cox, the following resolution was placed on the table:

WHEREAS, The establishment of school terms by the Board of Education is required by state law; and

WHEREAS, The Montgomery County parents, community, and staff should be informed of the Board-adopted school calendar each year and the subsequent contingency plan identifying days that will be used to make up lost instructional time due to emergency closings; now therefore be it

Resolved, That the proposed calendar and contingency plan for the Montgomery County Public Schools for the 2006–2007 school year be adopted.

The following considerations are included in the recommended 2006–2007 school year calendar:

1. School beginning on Monday, August 28, 2006, before Labor Day, which falls on Monday, September 4, 2006; and beginning the school year with a full week of instruction
2. A student year of 184 instructional days, including four contingency days
3. A teacher year of 193 duty days, plus 16 hours of professional time

4. Nine professional days—no school for students: five preservice days beginning Monday, August 21, 2006; three for report card preparation/planning on Wednesday, November 1, 2006; Monday, January 22; and Tuesday, March 27, 2007; and the last day of the school year for teachers, Friday, June 15, 2007
5. Non-school day for Yom Kippur on Monday, October 2, 2006 (Rosh Hashanah is on Saturday, September 23, 2006)
6. Friday, October 20, 2006—MSTA Convention—no school for teachers/students
7. Spring break before Easter, which falls on Sunday, April 8, 2007—Passover begins at sunset on Tuesday, April 3, 2007
8. Two mandated election days—Tuesday, September 12, 2006 (gubernatorial primary) and November 7, 2006 (general election)
9. Thirteen holidays, including the two election days
10. The last day for students on Thursday, June 14, 2007

Re: **A MOTION FOR THE SCHOOL CALENDAR FOR 2006-07**

On motion of Ms. Cox and seconded by Mrs. O'Neill, the following amendment was placed on the table:

Resolved, That the Board of Education direct staff to schedule conference days to be on 9th and 10th rather than the 10th and 13th.

Re: **AN AMENDMENT TO THE SCHOOL CALENDAR FOR 2006-07**

On motion of Mr. Abrams and seconded by Mrs. Navarro, the following amendment failed with Mr. Abrams and Mrs. Navarro voting in the affirmative; Ms. Cox, Ms. Ervin, Dr. Haughey, Mr. Johnson, Mrs. O'Neill, and Mr. Romero voting in the negative:

Resolved, That the Board of Education give staff the flexibility to adjust conference dates with input from parents.

RESOLUTION NO. 613-05 Re: **A MOTION FOR THE SCHOOL CALENDAR FOR 2006-07**

On motion of Ms. Cox and seconded by Mrs. O'Neill, the following amendment was adopted with Ms. Cox, Ms. Ervin, Dr. Haughey, Mr. Johnson, Mrs. Navarro, Mrs. O'Neill, and Mr. Romero voting in the affirmative; Mr. Abrams voting in the negative:

Resolved, That the Board of Education direct staff to schedule conference days to be on 9th and 10th rather than the 10th and 13th.

RESOLUTION NO. 614-05 Re: **SCHOOL CALENDAR FOR 2006-07**

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

WHEREAS, The establishment of school terms by the Board of Education is required by state law; and

WHEREAS, The Montgomery County parents, community, and staff should be informed of the Board-adopted school calendar each year and the subsequent contingency plan identifying days that will be used to make up lost instructional time due to emergency closings; now therefore be it

Resolved, That the proposed calendar and contingency plan for the Montgomery County Public Schools for the 2006–2007 school year be adopted.

The following considerations are included in the recommended 2006–2007 school year calendar:

1. School beginning on Monday, August 28, 2006, before Labor Day, which falls on Monday, September 4, 2006; and beginning the school year with a full week of instruction
2. A student year of 184 instructional days, including four contingency days
3. A teacher year of 193 duty days, plus 16 hours of professional time
4. Nine professional days—no school for students: five preservice days beginning Monday, August 21, 2006; three for report card preparation/planning on Wednesday, November 1, 2006; Monday, January 22; and Tuesday, March 27, 2007; and the last day of the school year for teachers, Friday, June 15, 2007
5. Non-school day for Yom Kippur on Monday, October 2, 2006 (Rosh Hashanah is on Saturday, September 23, 2006)
6. Friday, October 20, 2006—MSTA Convention—no school for teachers/students
7. Spring break before Easter, which falls on Sunday, April 8, 2007—Passover begins at sunset on Tuesday, April 3, 2007
8. Two mandated election days—Tuesday, September 12, 2006 (gubernatorial primary) and November 7, 2006 (general election)
9. Thirteen holidays, including the two election days
10. The last day for students on Thursday, June 14, 2007

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session from 12:35 to 2:00 p.m.

**Mr. Abrams temporarily left the meeting.

RESOLUTION NO. 615-05

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

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

WHEREAS, It is recommended that Bid No. 9046.1, 3D Printer and Accessories, be rejected due to changes in the specifications; and

WHEREAS, Funds have been budgeted and/or identified for the purchase of 78 transit-style rear engine buses and 24-passenger-lift-door-without-wheelchair-lift buses through Bid No. 7055.8; and

WHEREAS, The acquisition of 78 transit-style rear engine buses and 24-passenger-lift-door-without-wheelchair-lift buses through lease/purchase arrangements has been reviewed by legal counsel; now therefore be it

Resolved, That Bid No. 9046.1, 3D Printer and Accessories, be rejected due to changes in the specifications; and be it further

Resolved, That the 78 transit-style rear engine buses and 24 passenger-lift-door-without-wheelchair-lift buses in the amount of \$8,648,214 be lease/purchased for a six-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services; and be it further

Resolved, That the proceeds from the financing be used to reimburse Montgomery County Public Schools' accounts to the extent that such equipment will be acquired before closing; and be it further

Resolved, That the Board president and superintendent be authorized to execute the documents necessary for these transactions; and be it further

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

4037.6 Closed Circuit Television Equipment

Awardees

Alarmax Distributors, Inc.	\$	2,500
Graybar Electric Company		88,076
North American Video*		<u>338,420</u>
Total	\$	428,996

4050.3 Metal, Steel—Extension

	<u>Awardee</u>	
	Posner Industries	\$ 29,948
4078.7	Health Room Supplies	
	<u>Awardees</u>	
	Acme Paper and Supply Company, Inc.	\$ 3,824
	Cole Medical, Inc.	21,585
	Delta Medical Supply, Inc.	2,828
	Ever Ready First Aid and Medical Supply*	6,373
	S. Freedman and Sons, Inc.	5,966
	Laerdal Medical Corporation	6,785
	Medco Supply Company	5,331
	Memco	3,759
	Moore Medical, LLC	10,120
	Safetec of America, Inc.	1,800
	Henry Schein, Inc.	45,129
	School Health Corporation*	15,203
	Supreme Medical Fulfillment Systems, Inc.	8,570
	Zams, Inc.*	<u>3,663</u>
	Total	\$ 140,936
4082.3	Chalkboards, Tackboards, and White Boards—Extension	
	<u>Awardee</u>	
	Building Specialities, Inc.	\$ 41,602
4112.2	Batteries—Extension	
	<u>Awardees</u>	
	Batteries, Inc.*	\$ 4,709
	Smith Office and Computer Supply	15,720
	Vehicle Maintenance Program, Inc.*	<u>7,248</u>
	Total	\$ 27,677
4113.2	Classroom Furniture—Extension	
	<u>Awardees</u>	
	Douron, Inc.*	\$ 722,348
	Glover Equipment, Inc.	25,141
	State Use Industries	<u>15,560</u>
	Total	\$ 763,049
4115.2	Dry Ink, Developer, Fuser Agent and Staples—Extension	

	<u>Awardees</u>	
	Branch Office Supply Company, Inc.*	\$ 8,640
	Xerox Corporation	<u>34,071</u>
	Total	\$ 42,711
4163.1	Boiler Supplies and Associated Materials	
	<u>Awardees</u>	
	Complete Boiler Systems	\$ 21,000
	Grainger	<u>10,412</u>
	Total	\$ 31,412
4167.1	Computer Supplies	
	<u>Awardees</u>	
	Best Computer Supplies	\$ 8,648
	Canon Business Solutions, Southeast, Inc.	<u>151,745</u>
	Total	\$ 160,393
4176.2	Plumbing Fixture Replacement	
	<u>Awardee</u>	
	Vito Plumbing, LLC	\$ 150,000
7019.2	Science Supplies Systems Contract—Extension	
	<u>Awardees (See note)</u>	
	Fisher Science Education	
	Frey Scientific	
	Sargent Welch	
	Total	\$ 147,000
7054.8	School Buses	
	<u>Awardee</u>	
	American Truck and Bus, Inc.	\$ 8,648,214
7101.2	Automotive Batteries—Extension	
	<u>Awardee</u>	
	Best Battery Company, Inc.	\$ 51,496
7162.1/ 9114.7	Canned Fruits and Vegetables	

	<u>Awardees</u>	
	Poppy Street Food Products*	\$ 54,713
	Sysco Food Services of Baltimore, LLC	<u>85,988</u>
	Total	\$140,701
7162.1	Cafeteria Disposable Supplies	
	<u>Awardee</u>	
	S. Freedman and Sons, Inc.	\$ 61,976
9018.3	Operable Wall System, Preventive Maintenance—Extension	
	<u>Awardee</u>	
	Modern Door and Equipment Sale	\$ 35,660
9054.3	Hardwood Wood Chips	
	<u>Awardee</u>	
	Metro Ground Covers	\$ 94,400
9095.2	Corridor Lockers for Various Facilities—Extension**	
	<u>Awardee</u>	
	Partition Plus, Inc.*	\$ 60,000
9098.3	Security System Installation and Cabling**	
	<u>Awardees</u> (See note)	
	Ava Electric Company, Inc.*	
	EAI Security System, Inc.	
	East West Telecom*	
	Total	\$ 600,000
9114.6	Potatoes, Frozen	
	<u>Awardees</u>	
	Marathon Sales, LLC	\$ 268,000
	Sysco Food Services of Baltimore, LLC	<u>3,732</u>
	Total	\$ 271,732
9115.3	Detergents and Cleaners for Laundry and Kitchen Use—Extension	
	<u>Awardee</u>	

	Daycon Products Company, Inc.	\$ 50,000
9125.2	Commercial Kitchen Equipment Repair and Parts—Extension	
	<u>Awardees</u> (See note)	
	Aireco Supply, Inc.	
	Daubers, Inc.	
	R. E. Michel Company, Inc.	
	Northern Parts and Service	
	Total	\$ 41,000
9158.3	Metal Doors, Frames, Windows, and Accessories**	
	<u>Awardee</u>	
	Metro Metal Services, Inc.	\$ 1,106,750
9189.2	Restroom Partition Replacement at Various Locations—Extension**	
	<u>Awardee</u>	
	Partition Plus, Inc.*	\$ 55,000
9299.2	Chain Link Fencing Gates and Backstops—Extension**	
	<u>Awardee</u>	
	Hercules Fence Company	\$ 203,860
	TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000	\$13,384,513

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

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 616-05 Re: **AWARD OF CONTRACTS – RICHARD MONTGOMERY HIGH SCHOOL REPLACEMENT**

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, On August 25, 2005, the Board of Education awarded a contract to Bovis Lend Lease (BLL) Incorporated to provide general conditions and construction management services for the Richard Montgomery High School replacement facility; and

WHEREAS, The following low bids were received on November 8 and 15, 2005, for the specified trades:

<u>Low Bids</u>	<u>Amounts</u>
Drywall and Acoustical – Tri-State Drywall, Inc.	\$2,082,000
Glass & Glazing – Engineered Construction Products, LTD	1,383,500
Roofing and Waterproofing – CitiRoof Corporation	2,572,834

and

WHEREAS, The Minority Business Enterprise participation will be reported at the completion of all bid activity for this project; and

WHEREAS, The low bidders have completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That contracts be awarded to the above-mentioned contractors for the amounts listed for the Richard Montgomery High School replacement facility, in accordance with drawings and specifications prepared by SHW Group, LLP.

RESOLUTION NO. 617-05 Re: **ARCHITECTURAL APPOINTMENT – FRANCIS SCOTT KEY MIDDLE SCHOOL**

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, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Francis Scott Key Middle School modernization that includes a 120,000 square-foot building and various site modification work; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$25,775,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2006 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected The Lukmire Partnership, Inc., to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for these architectural services that includes two consultants that are minority firms; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of The Lukmire Partnership, Inc., to provide professional architectural and engineering services for the Francis Scott Key Middle School modernization for a fee of \$1,443,373.

RESOLUTION NO. 618-05 Re: **ARCHITECTURAL APPOINTMENTS – FEASIBILITY STUDIES AT VARIOUS SCHOOLS**

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, It is necessary to appoint architectural firms to provide professional and technical services to conduct design feasibility studies for various capital improvement projects; and

WHEREAS, Funds for this feasibility planning have been programmed as part of the FY 2006 Capital Budget; and

WHEREAS, Architect Selection Committees, in accordance with procedures adopted by the Board of Education on July 14, 1998, identified the following architects as the most qualified firms to provide the necessary professional architectural and engineering services:

<u>School Project</u>	<u>Architectural Firm</u>	<u>Amount</u>
Luxmanor ES Addition	Cochran, Stephenson & Donkervoet, Inc.	\$31,500
Sherwood ES Addition	JK Architects + Associates, Inc.	31,000
Paint Branch HS Modernization	Moseley Architects	75,000

WHEREAS, Staff has negotiated fees for the architectural services; and

WHEREAS, JK Architects + Associates, Inc., is a Maryland Department of Transportation-certified minority business firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into contractual agreements with the architectural firms identified above for the projects and amounts listed to provide design feasibility services.

RESOLUTION NO. 619-05 Re: **CHANGE ORDERS EXCEEDING \$100,000**

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, During design for the Downcounty Consortium Elementary School #16 (Brookview) project, soil testing indicated there was subsurface rock throughout the site; and

WHEREAS, Since the exact amount of rock that would have to be removed could not be quantified until work on the site and building foundations was started, the construction documents were bid with unit prices for rock removal, and contingency funds for rock excavation were included in the project budget; and

WHEREAS, The site work is under way, and the contractor has had to remove rock to install portions of the stormwater management system; and

WHEREAS, The contractor has submitted a cost proposal in accordance with the contract unit prices for this phase of the rock removal; and

WHEREAS, The project architect and construction staff have reviewed the proposal to ensure it complies with the contract reimbursement provisions; and

WHEREAS, Subsequent change orders for rock removal will be submitted as the work is needed; now therefore be it

Resolved, That the Board of Education approve a change order to the contract with Roy Kirby & Sons, Inc., in the amount of \$191,400 for removal of rock as required for stormwater structure number one for the Downcounty Consortium Elementary School #16 (Brookview) project.

RESOLUTION NO. 620-05 Re: **OFFICE SPACE LEASE AT CENTURY XXI**

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, Space is not available at Montgomery County Public Schools-owned facilities to accommodate the Office of Organizational Development training staff; and

WHEREAS, This staff is currently occupying 14,942 square feet of office space at Century XXI located at 20010 Century Boulevard in Germantown under a lease agreement that expires November 30, 2006; and

WHEREAS, Department of Facilities Management staff has negotiated favorable financial terms for a five-year lease extension for the office space at Century XXI to November, 30, 2011; now therefore be it

Resolved, That the superintendent and president of the Board of Education be authorized to execute a Lease Extension for 14,942 square feet of office space at Century XXI for a

five-year period beginning December 1, 2006, at an initial base annual rental rate of \$19.00 per square foot, with a \$5.00 per square-foot reduction in the first year of the lease.

RESOLUTION NO. 621-05 Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated December 13, 2005.

RESOLUTION NO. 622-05 Re: **DEATH OF SANDRA WEINSTEIN, SCHOOL REGISTRAR, SENECA VALLEY HIGH SCHOOL**

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

WHEREAS, The death on October 27, 2005, of Sandra Weinstein, school registrar at Seneca Valley High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 37 years that Ms. Weinstein had worked for Montgomery County Public Schools, she was always thorough and efficient at handling the responsibilities of her position and willing to assist the guidance secretary and staff with any task; and

WHEREAS, Ms. Weinstein was the school registrar at Seneca Valley High School since the school opened in 1974 and was rarely absent, which made her an outstanding asset to the school; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Sandra Weinstein and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 623-05 Re: **DEATH OF KAREN S. GOLDBERG, PARAEDUCATOR – SPECIAL EDUCATION, WHITE OAK MIDDLE SCHOOL**

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

WHEREAS, The death on October 10, 2005, of Karen S. Goldberg, special education paraeducator at White Oak Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the six months that Ms. Goldberg had worked for Montgomery County Public Schools, she was willing to assist the teachers and staff with any task; and

WHEREAS, Ms. Goldberg maintained a very high work ethic as a team player which made her an outstanding asset to the school; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Karen S. Goldberg and extend deepest sympathy to her family; and be it further

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

Re: **MONTHLY FINANCIAL REPORT**

Mr. Bowers stated that this report reflected the projected financial condition through October 31, 2005, based on program requirements and estimates made by primary and secondary account managers. At that time, revenues had a projected surplus of \$654,927 while expenses had a projected deficit of \$100,000.

RESOLUTION NO. 624-05 Re: **PRELIMINARY PLAN FOR WALTER JOHNSON HIGH SCHOOL MODERNIZATION**

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

WHEREAS, The architect for the proposed modernization of Walter Johnson High School, Samaha Associates, P.C., has prepared a schematic design in accordance with the educational specifications; and

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

Resolved, That the Board of Education approve the preliminary plans report for the modernization of Walter Johnson High School, developed by Samaha Associates, P.C.

RESOLUTION NO. 625-05 Re: **PRELIMINARY PLAN FOR BEL PRE ELEMENTARY SCHOOL GYMNASIUM ADDITION**

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 architect for the proposed gymnasium addition to Bel Pre Elementary School, Zavos Architecture + Design, has prepared a schematic design in accordance with the educational specifications; and

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

Resolved, That the Board of Education approve the preliminary plans report for the gymnasium addition to Bel Pre Elementary School developed by Zavos Architecture + Design.

RESOLUTION NO. 626-05

Re: **CLARKSBURG HIGH SCHOOL – SCOREBOARD DONATION**

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

WHEREAS, Comcast has offered to donate the gymnasium and outdoor field scoreboards for the new Clarksburg High School facility; and

WHEREAS, The director of the Department of Facilities Management has reviewed this offer for compliance with Board of Education Policy CNE, *Facility Improvements that Are Not Funded with Montgomery County Revenues*, and feels it complies with the criteria for acceptable donations established in the policy; and

WHEREAS, The acceptance of this offer would be consistent with current practices permitting schools to accept scoreboards from other approved donors; now therefore be it

Resolved, That the Board of Education authorize staff to accept the offer from Comcast to donate the gymnasium and outdoor field scoreboards for the new Clarksburg High School.

Re: **2005 ANNUAL REPORT ON OUR CALL TO ACTION: PURSUIT OF EXCELLENCE**

Dr. Weast invited the following people to the table: Mr. Donald H. Kress, chief school performance officer; Ms. Jody E. Leleck, associate superintendent, Office of Curriculum and Instructional Programs; Ms. Darlene Merry, associate superintendent, Office of Organizational Development; Mr. Matthew A. Tronzano, associate superintendent, Office of Human Resources; and Dr. Carey M. Wright, associate superintendent, Office of Special Education and Student Services.

The 2005 edition of the MCPS *Annual Report on Our Call to Action: Pursuit of Excellence* details the school system's significant progress in implementing strategic actions and improvement initiatives by a high-quality workforce. The strategic plan, as approved by the Board of Education annually, has established an accountability framework that uses data points to help monitor the effectiveness of both academic and operational reforms. As a result, opportunities for continued improvement are identified. The student performance and operational improvements have been supported by a strong alignment among strategic planning, budgeting, program implementation, and assessment activities. To strengthen overall monitoring and continuous improvement efforts, a committee of non-school-based and school-based staff, under the direction of the Executive Leadership Team (ELT), has completed the initial work of identifying targets for many of the data points in the strategic plan.

The 2005 annual report provides a comprehensive accounting of the school system's performance on the established milestones and data points of the strategic plan. The plan's four goals—ensure success for every student, provide an effective instructional program, strengthen productive partnerships for education, and create a positive work environment in a self-renewing organization—align with the Board's four core governance policies and provide a framework for monitoring the progress of ongoing reform and improvement efforts. Within each goal, the established milestones and data points are the rubric for monitoring performance.

**Mr. Abrams rejoined the meeting.

Re: **DISCUSSION**

Ms. Ervin commented that although the SAT mean scores have increased, the disaggregated scores are flat for African-American and Latino students. Mr. Bowers and Mr. Porter knew this was a concern and it is a priority, which staff is addressing through such measures as implementing the PSAT and teacher referrals. Dr. Weast noted that the acquisition of certain higher level courses is a precursor to academic success.

Ms. Ervin noted that MCPS does a lot of data gathering, but she wanted to know what MCPS does with the data to followup on student achievement. Dr. Weast stated that the data goes into knowledge, and knowledge goes into action. He said there is a high mobility rate among these children, 18 percent of whom have entered MCPS in the last six years. Ms. Ervin requested that staff provide the data to her, and Dr. Weast agreed.

Dr. Weast stated that principals are requested to provide names of students who should be in higher-level course work. The school system is also providing interventions and support beyond the school day.

Mrs. O'Neill thought SAT prep classes for all students would be an intervention strategy prior to high school. Dr. Haughey assigned the Research and Evaluation Committee the

task of reviewing and studying the data on the proficiency and preparedness of minorities taking the SATs.

Ms. Cox noted that there is a great deal of effort placed on early childhood education which is working, but the press and taxpayer groups look at SAT scores to measure success. However, those students did not have the benefit of the initiative.

Ms. Ervin asked what happens to children from kindergarten through fifth grade who are achieving below standards. Dr. Weast replied that different interventions are used to bring them to grade level, such as summer school and other strategies of teaching.

Mrs. Navarro stated that Board members are here to support all children. Since MCPS has been successful with rigor in the elementary schools, Board members must address other issues as well. She will continue to pursue the concerns that she hears from the community.

Ms. Ervin asked for the percentage of classes that are taught by highly qualified teachers. Mr. Tronzano replied that at present, 80.2 percent of the classes are taught by highly qualified teachers, and the goal is 100 percent by June 2006. Dr. Weast added that every state has a different standard, and MCPS has higher standards than other Maryland counties.

Mrs. Navarro wanted more information on workforce diversity. Mr. Porter explained that 36 people from minority groups who are interested in administration are mentored on leadership skills within the school. Mr. Romero asked for a breakdown by certification of Hispanic teachers.

Mrs. Navarro thought there were a number of foreign-born and foreign-educated teachers who would love to teach in Montgomery County. If there were some partnerships for them to be certified, it would be a benefit for all. Dr. Weast thought it was a good idea, and there should be a way to certify these people through college partnerships.

Ms. Cox noticed that there was an alignment between the results of the CTBS, MSAs, and MCPS assessments. Will the school system do anything on the National Assessment of Educational Performance since Maryland has opted out? Is there a piece that will be missing to get assurance that MCPS is performing on a national level? Ms. Leleck thought that was a good question to ask the state.

Ms. Cox wanted to know if students participated in the work group to identify school quality regarding safety and drug-free environments which are conducive to learning. Ms. Connolly stated that students were involved in the survey.

Ms. Cox wanted to know how the school system evaluates the effectiveness of the curriculum. Parents have stated that the curriculum is very homework based. This can be

difficult for students who do not have support at home. Ms. Leleck replied that staff is creating a process for a systematic evaluation of the curriculum using a protocol that will address all issues.

Ms. Cox thought the evaluation should look at what is required of the student in the classroom versus homework. Ms. Leleck thought there was a great deal of variance, based on individual teachers and schools. Homework is not part of the curriculum.

Ms. Cox asked for a timeline on the local math assessment for K-Grade 2.

Ms. Cox wanted to know how the system identifies community needs through productive partnerships. Mr. Bowers stated that there are different strategies, such as study circles, study programs, and programs in individual schools to meet needs.

Ms. Cox asked why the number of underperforming teachers has decreased, based on consulting teacher case loads. Ms. Merry replied that in the beginning the toughest cases were worked on, and the intensive work with novice teachers is helping.

Mr. Abrams wanted to know who was responsible for collecting data that is reported in the data points. Mr. Porter replied that it is collected systemwide.

Mr. Abrams thought that one of the milestones to provide the infrastructure to deliver and analyze the requirements should be referenced in the annual report. Mr. Bowers replied that the Strategic Plan has other objectives and outcomes, and every school and office has data that is analyzed to provide information for the annual report.

Mr. Abrams noted that the budget request will be aligned with the information in the report. Mr. Bowers replied that the initiatives in the Strategic Plan determine what is working and not working, and the budget is aligned with that document.

Mr. Romero remarked that the Strategic Planning Committee reviewed the Strategic Plan, which is very complex. He asked about schools increasing instructional programs for gifted students, global screening, and the disproportionately lower numbers of African-American and Hispanic students who are identified as gifted. Ms. Leleck stated that staff had made changes in the test, and the data for another test was renormed. However, staff must focus on services for children, who do not receive an education based on labels.

Mr. Romero noted two points in strengthening productive partnerships for education: (1) alignment when working with another institution, and (2) the capacity of the partnership organization. How does the school system evaluate the effectiveness of the partnership? Mr. Bowers responded that staff must examine partnerships closely to determine alignment and success.

Mr. Johnson wanted to know how students are encouraged to continue with honors courses. Ms. Merry replied that teachers receive staff development for skillful strategies for honors courses. Mr. Johnson asked about best practices and implementation strategies. Mr. Kress replied that staff survey schools to determine interventions and supports.

Ms. Ervin inquired about homework and said the vast majority of children do not have someone at home who can help them. She also mentioned the ethos of collective achievement, and many African-American and Latino students are isolated because there are so few in a class.

Mrs. O'Neill noted that behind each data point is a wealth of information which is shared with Board members. Also, Board agendas focus on areas that are included in the report. However, the Board must continue to discuss gifted education.

Mrs. Navarro said she was still confused about family partnerships and the need for an inventory of programs, the system's capacity to provide services, and outcomes/results. There are a lot of different programs and activities, and the school system needs to capture them into a framework.

RESOLUTION NO. 627-05 Re: **CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Tuesday, January 10, 2006, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:00 to 2:00 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.

RESOLUTION NO. 628-05 Re: **REPORT OF CLOSED SESSION**

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

On November 8, 2005, 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 November 8, 2005, from 8:25 to 9:30 a.m. and 1:20 to 1:30 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeals in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): NEC-2005-52, 2005-41, and 2005-42.
2. Discussed the Human Resources Monthly Report with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. Considered the acquisition of real property for a public purpose and matters directly related thereto, as permitted under Section 10-508(a)(3) of the *State Government Article* and Section 4-107(d) of the *Education Article*.
4. Received 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 sessions were: Steve Abrams, Aggie Alvez, Larry Bowers, Judy Bresler, Sharon Cox, Brian Edwards, Valerie Ervin, Charles Haughey, Richard Hawes, Roland Ikheloa, Sebastian Johnson, Kristin Koger, Don Kress, Frieda Lacey, George Margolies, Nancy Navarro, Pat O'Neill, Brian Porter, John Q. Porter, Lori Rogovin, Gabe Romero, Glenda Rose, and Jerry Weast.

RESOLUTION NO. 629-05

Re: **CALENDAR FOR ELECTION OF STUDENT BOARD MEMBER**

On recommendation of the Superintendent and on motion of Mr. Johnson seconded by Mr. Romero, the following resolution was adopted unanimously:

WHEREAS, The Montgomery County Region of the Maryland Association of Student Councils (MCR) submits a yearly calendar of the major events surrounding the election of the student member of the Board of Education for its review and approval; now therefore be it

Resolved, That the Board of Education approve the calendar of major events for the election of the 28th student member of the Board of Education, as proposed by the Montgomery County Region of the Maryland Association of Student Councils.

CALENDAR OF MAJOR EVENTS

Advertising Period	December 1-23, 2005
Filing Period	January 3-20, 2006
Nominating Convention	March 2, 2006
Town Meeting I	February 9, 2006
Town Meeting II	March 16, 2006
General Campaign Period	January 23-April 26, 2006
General Election	April 26, 2006

RESOLUTION NO. 630-05 Re: **AUDIT COMMITTEE**

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

WHEREAS, On September 13, 1978, the Board of Education established an Audit Committee; and

WHEREAS, The Audit Committee consists of three members serving staggered terms of three years each, and the term of office begins on the date of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mr. Gabriel Romero's term expired on November 30, 2005, resulting in one vacancy on the committee; and

WHEREAS, Dr. Charles Haughey was appointed to serve until November 30, 2006; and

WHEREAS, Mr. Steve Abrams was appointed to serve until November 30, 2007; and

WHEREAS, Mr. Steve Abrams' term as chairperson expired on November 30, 2005; now therefore be it

Resolved, That Mr. Gabriel Romero be appointed to serve until November 30, 2008; and be it further

Resolved, That Mr. Steve Abrams serve as chairperson of the Audit Committee until November 30, 2006.

RESOLUTION NO. 631-05 Re: **STRATEGIC PLANNING COMMITTEE**

WHEREAS, On September 8, 1994, the Board of Education established a Subcommittee on Long-Range Planning; and

WHEREAS, On September 12, 1995, the Board of Education changed the name to Subcommittee on Long-Range and Strategic Planning; and

WHEREAS, On November 9, 2004, with the adoption of the revised Policy AEB (*Strategic Planning for Continuous Improvement*), the Board changed the name to the Strategic Planning Committee; and

WHEREAS, The Strategic Planning Committee consists of three members serving staggered terms of three years each, and the term of office begins on the date of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mr. Gabriel Romero's term expired on November 30, 2005, resulting in one vacancy on the committee; and

WHEREAS, Mrs. Patricia O'Neill was appointed to serve until November 30, 2006; and

WHEREAS, Mrs. Nancy Navarro was appointed to serve until November 30, 2007; and

WHEREAS, Mr. Gabriel Romero's term as chairperson expired on November 30, 2005; now therefore be it

Resolved, That Mr. Gabriel Romero be appointed to serve until November 30, 2008; and be it further

Resolved, That Mr. Gabriel Romero serve as chairperson of the Strategic Planning Committee until November 30, 2006.

RESOLUTION NO. 632-05 Re: **RESEARCH AND EVALUATION COMMITTEE**

WHEREAS, On January 14, 1986, the Board of Education established a Subcommittee on Research and Evaluation; and

WHEREAS, The Subcommittee on Research and Evaluation consists of three members serving staggered terms of three years each, and the term of office begins on the date of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Dr. Charles Haughey's term expired on November 30, 2005, resulting in one vacancy on the committee; and

WHEREAS, Mrs. Nancy Navarro was appointed to serve until November 30, 2006; and

WHEREAS, Ms. Valerie Ervin was appointed to serve until November 30, 2007; and

WHEREAS, Dr. Charles Haughey's term as chairperson expired on November 30, 2005; now therefore be it

Resolved, That Dr. Charles Haughey be appointed to serve until November 30, 2008; and be it further

Resolved, That Mr. Sebastian Johnson, student member, be appointed to serve until June 30, 2006, and be it further

Resolved, That Ms. Valerie Ervin serve as chairperson of the Subcommittee on Research and Evaluation until November 30, 2006; and be it further

Resolved, That the name of the Subcommittee on Research and Evaluation be changed to the Research and Evaluation Committee.

RESOLUTION NO. 633-05 Re: **POLICY COMMITTEE**

WHEREAS, On November 13, 2001, the Board of Education formally established a Policy Committee when it adopted revisions to Policy BFA (*Policysetting*); and

WHEREAS, Policy BFA was further revised by action of the Board on July 27, 2005; and

WHEREAS, The Policy Committee consists of not less than three members serving staggered terms of three years each, and the term of office begins on the day of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Pursuant to Policy BFA, the Board may appoint the student Board member to serve as a fourth full member of the committee; and

WHEREAS, Ms. Valerie Ervin's term expired on November 30, 2005, resulting in one vacancy on the committee; and

WHEREAS, Mrs. Patricia O'Neill was appointed to serve until November 30, 2006; and

WHEREAS, Ms. Sharon Cox was appointed to serve until November 30, 2007; and

WHEREAS, Mr. Sebastian Johnson, student member, was appointed to serve until June 30, 2006; and

WHEREAS, Ms. Sharon Cox's term as chairperson expired on November 30, 2005; now therefore be it

Resolved, That Mr. Steve Abrams be appointed to serve until November 30, 2008; and be it further

Resolved, That Ms. Sharon Cox serve as chairperson of the Policy Committee until November 30, 2006.

RESOLUTION NO. 634-05 Re: **COMMUNICATIONS AND PUBLIC ENGAGEMENT COMMITTEE**

WHEREAS, On July 9, 2004, the Board of Education established a Communications and Public Engagement Committee; and

WHEREAS, The Communications and Public Engagement Committee consists of three members; and

WHEREAS, Pursuant to the enabling resolution, three members were appointed by the Board at its December, 2004 Board meeting for staggered terms for one, two, and three years, after which their successors would serve full three-year terms; and

WHEREAS, Mr. Gabriel Romero was appointed to serve until November 30, 2005, resulting in one vacancy on the committee; and

WHEREAS, Ms. Sharon Cox was appointed to serve until November 30, 2006; and

WHEREAS, Mrs. Nancy Navarro was appointed to serve until November 30, 2007; and

WHEREAS, Mr. Gabriel Romero's term as chairperson of the Communications and Public Engagement Committee expired on November 30, 2005; now therefore be it

Resolved, That Mrs. Patricia O'Neill be appointed to serve until November 30, 2008; and be it further

Resolved, That Mrs. Nancy Navarro serve as chairperson of the Communications and Public Engagement Committee until November 30, 2006.

RESOLUTION NO. 635-05 Re: **APPEALS**

On motion of Ms. Cox and seconded by Mr. Abrams, 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 10-503(a) of the *State Government Article*; now therefore be it

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

1. Decision and Order in Appeal 2005-41, early entrance into kindergarten, reflective of the following vote: Mr. Abrams, Ms. Cox, Ms. Ervin, Dr. Haughey, Mr. Johnson, Mrs. Navarro, Mrs. O'Neill, and Mr. Romero voting to affirm.
2. Decision and Order in Appeal 2005-42, early entrance into kindergarten, reflective of the following vote: Mr. Abrams, Ms. Cox, Ms. Ervin, Dr. Haughey, Mr. Johnson, Mrs. Navarro, Mrs. O'Neill, and Mr. Romero voting to affirm.

RESOLUTION NO. 636-05 Re: **MINUTES OF VARIOUS MEETINGS**

On motion of Mrs. Navarro and seconded by Mrs. O'Neill, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve the minutes from the following meetings:

September 13, 2005
November 2, 2005
November 9, 2005 (2 sets)
November 10, 2005 (2 sets)

RESOLUTION NO. 637-05 Re: **RECOGNITION OF STUDENT ARTISTS**

On motion of Mr. Johnson and seconded by Ms. Cox, the following resolution was adopted unanimously:

WHEREAS, the Montgomery County Board of Education wishes to recognize student achievement in all areas of academics, including achievement in the arts: and

WHEREAS, Alicia Betancourt, who was a promising artist in Montgomery County Public Schools, is being remembered this fall for her accomplishments on the anniversary of her untimely passing in a car accident last year while a student at James Hubert Blake High School; and

WHEREAS, the parents of Alicia Betancourt, Arturo Betancourt and Lulu Delacre, have channeled their energy and countless hours into bringing a heightened sense of awareness to parents and students on the issue of teen driving safety; and

WHEREAS, recognition of MCPS student artists would provide an opportunity to honor young artists in our school system while at the same time reminding our community about safe driving by young drivers; now therefore be it

Resolved, That the superintendent have information compiled about arts awards programs and make a recommendation regarding establishing an annual award in the name of Alicia Betancourt to a promising MCPS student artist.

Re: **BOARD OF EDUCATION VOTING PROTOCOLS AND PROCEDURES**

On motion of Mr. Abrams and seconded by Mr. Romero, the following resolution was placed on the table:

Resolved, That the Board of Education adopt protocols and procedures for implementing a proxy and/or directed voting, as well as use of telecommunications technology, to include non-present Board members in discussions of importance, and that this be implemented as soon as possible.

RESOLUTION NO. 638-05 Re: **AN AMENDMENT TO THE BOARD OF EDUCATION VOTING PROTOCOLS AND PROCEDURES**

On motion of Ms. Cox and seconded by Mr. Abrams, the following amendment was adopted with Mr. Abrams, Ms. Cox, Mr. Johnson, Mrs. O'Neill, and Mr. Romero voting in the affirmative; Ms. Ervin, Dr. Haughey, and Mrs. Navarro voting in the negative:

Resolved, That the Board of Education adopt protocols and procedures for ~~implementing a proxy and/or directed voting, as well as~~ use of telecommunications technology to include non-present Board members in discussions of importance, and that this be implemented as soon as possible.

RESOLUTION NO. 639-05 Re: **AN AMENDMENT TO THE BOARD OF EDUCATION VOTING PROTOCOLS AND PROCEDURES**

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

Resolved, That the Board of Education **be presented with proposed** ~~adopt~~ protocols and procedures for **implementing the** use of telecommunications technology to include non-present Board members in discussions of importance, **which will be** ~~and that this be implemented as soon as possible~~ **scheduled for full Board discussion and action.**

RESOLUTION NO. 640-05

Re: **BOARD OF EDUCATION VOTING PROTOCOLS AND PROCEDURES**

On motion of Mr. Abrams and seconded by Mr. Romero, the following substitute resolution was adopted with Mr. Abrams, Ms. Cox, Ms. Ervin, Dr. Haughey, Mrs. Navarro, Mrs. O'Neill, and Mr. Romero voting in the affirmative; Mr. Johnson voting in the negative:

Resolved, That the Board of Education be presented with proposed protocols and procedures for implementing the use of telecommunications technology to include non-present Board members in discussions of importance, which will be scheduled for full Board discussion and action.

Re: **SCHEDULING A BOARD DISCUSSION ON "GREEN" SCHOOLS**

On motion of Ms. Ervin and seconded by Mrs. Navarro, the following resolution was placed on the table:

WHEREAS, The school system, in recent years, has planned two new elementary schools using the LEED [Leadership in Energy and Environmental Design] rating system, based on the documented benefits of sustainable design practices and high performance, "green" building technologies that result in significant operational cost savings, benefits to the environment; and improved building occupants' comfort and health; and

WHEREAS, The recommended FY 2007-2012 Capital Improvements Program under consideration calls for six-year expenditures in excess of \$1.17 billion, providing an opportunity to expand the school system's commitment to more efficient and high performance, "green" building technologies; and

WHEREAS, The school system's future efforts in this regard might be enhanced were there to be a distinct office dedicated to advancing sustainability and "green" building technologies; and

WHEREAS, The school system's future efforts in this regard might be enhanced were the Board of Education to enact either a policy or a resolution that would commit the school system to advance sustainability and environmentally efficient processes in its facilities and operations; now therefore be it

Resolved, That the Board of Education schedule a presentation and discussion in the near future, as part of a regular business meeting, to educate all Board members on this important topic, after which a determination could be made as to future efforts.

RESOLUTION NO. 641-05 Re: **AN AMENDMENT ON SCHEDULING A BOARD DISCUSSION ON “GREEN” SCHOOLS**

On motion of Mr. Abrams and seconded by Mr. Romero, the following amendment was adopted with Mr. Abrams, Ms. Cox, Ms. Ervin, Dr. Haughey, Mrs. Navarro, Mrs. O’Neill, and Mr. Romero voting in the affirmative; Mr. Johnson voting in the negative:

Resolved, That the Board of Education schedule a presentation and discussion in the near future, ~~as part of a regular business meeting, to educate all Board members on this important topic, after which a determination could be made as to future efforts~~ **by staff in coordination with the Strategic Planning Committee of the current efforts in integrating “green schools” into the operating and capital budgets.**

RESOLUTION NO. 642-05 Re: **SCHEDULING A BOARD DISCUSSION ON “GREEN” SCHOOLS**

On motion of Ms. Ervin and seconded by Mrs. Navarro, the following resolution, as amended, was adopted unanimously:

WHEREAS, The school system, in recent years, has planned two new elementary schools using the LEED [Leadership in Energy and Environmental Design] rating system, based on the documented benefits of sustainable design practices and high performance, “green” building technologies that result in significant operational cost savings, benefits to the environment; and improved building occupants’ comfort and health; and

WHEREAS, The recommended FY 2007-2012 Capital Improvements Program under consideration calls for six year expenditures in excess of \$1.17 billion, providing an opportunity to expand the school system’s commitment to more efficient and high performance, “green” building technologies; and

WHEREAS, The school system’s future efforts in this regard might be enhanced were there to be a distinct office dedicated to advancing sustainability and “green” building technologies; and

WHEREAS, The school system’s future efforts in this regard might be enhanced were the Board of Education to enact either a policy or a resolution that would commit the school system to advance sustainability and environmentally efficient processes in its facilities and operations; now therefore be it

Resolved, That the Board of Education schedule a presentation by staff in coordination with the Strategic Planning Committee of the current efforts in integrating “green schools” into the operating and capital budgets.

Re: **NEW BUSINESS**

1. Mr. Abrams moved and Mr. Romero seconded the following:

Resolved, That the Board of Education direct the Policy Committee to commence a review of the school naming policy (Policy FFA) for consideration of adding a provision for when the Board has decided to supercede the process if the Board has a name it wishes to designate a school without engaging the community in the process.

2. Ms. Ervin moved and Mr. Johnson seconded the following:

Resolved, That the Board of Education schedule a discussion as to the desirability of amending Policy FAA (Long-Range Educational Facilities Planning) to consider addressing extraordinary school reassignment requests, absent a full-blown boundary study, without being limited to the regular CIP cycle.

Re: **ITEMS OF INFORMATION**

The following information was available:

1. Legal Fees Report
2. Construction Progress Report

RESOLUTION NO. 643-05

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of December 13, 2005, at 5:10 p.m.

PRESIDENT

SECRETARY

JDW:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

December 13, 2005

RESOLUTION FOR CLOSED SESSIONS	1
ELECTION OF OFFICERS	2
APPROVAL OF THE AGENDA	6
KAISER PERMANENTE WALK FOR YOUR LIFE CAMPAIGN	6
PUBLIC COMMENTS	7
BOARD/SUPERINTENDENT COMMENTS	8
SCHOOL CALENDAR FOR 2006-07	10
LUNCH AND CLOSED SESSION	12
CONTRACTS OF \$25,000 OR MORE	13
AWARD OF CONTRACTS – RICHARD MONTGOMERY HIGH SCHOOL REPLACEMENT	17
ARCHITECTURAL APPOINTMENT – FRANCIS SCOTT KEY MIDDLE SCHOOL	18
ARCHITECTURAL APPOINTMENTS – FEASIBILITY STUDIES AT VARIOUS SCHOOLS	19
CHANGE ORDERS EXCEEDING \$100,000	20
OFFICE SPACE LEASE AT CENTURY XXI	20
HUMAN RESOURCES MONTHLY REPORT	21
MONTHLY FINANCIAL REPORT	22
PRELIMINARY PLAN FOR WALTER JOHNSON HIGH SCHOOL MODERNIZATION	22
PRELIMINARY PLAN FOR BEL PRE ELEMENTARY SCHOOL GYMNASIUM ADDITION	23
CLARKSBURG HIGH SCHOOL – SCOREBOARD DONATION	23
2005 ANNUAL REPORT ON OUR CALL TO ACTION: PURSUIT OF EXCELLENCE	23
CLOSED SESSION RESOLUTION	27
REPORT OF CLOSED SESSION	28
CALENDAR FOR ELECTION OF STUDENT BOARD MEMBER	28
AUDIT COMMITTEE	29
STRATEGIC PLANNING COMMITTEE	30

RESEARCH AND EVALUATION COMMITTEE 30

POLICY COMMITTEE 31

COMMUNICATIONS AND PUBLIC ENGAGEMENT COMMITTEE 32

APPEALS 33

MINUTES OF VARIOUS MEETINGS 33

RECOGNITION OF STUDENT ARTISTS 33

BOARD OF EDUCATION VOTING PROTOCOLS AND PROCEDURES 34

SCHEDULING A BOARD DISCUSSION ON “GREEN” SCHOOLS 35

NEW BUSINESS 37

ITEMS OF INFORMATION 37

ADJOURNMENT 37

CLOSED SESSION 38