

APPROVED  
10-2006

Rockville, Maryland  
March 27, 2006

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, March 27, 2006, at 7:05 p.m.

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

Absent: Dr. Charles Haughey

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

RESOLUTION NO. 155-06 Re: **RESOLUTION FOR CLOSED SESSION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on March 27, 2006, in Room 120 from 6:00 to 6:30 p.m.; 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 March 27, 2006, 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 the meeting continue in closed session until the completion of business.

\*\*Mr. Abrams temporarily left the meeting.

**RESOLUTION NO. 156-06            Re:    APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for March 27, 2006.

**RESOLUTION NO. 157-06            Re:    MONTH OF THE YOUNG CHILD**

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, Children's experiences with language, literacy, and mathematics concepts during the first five years of life form the basis for later success as readers, problem solvers, and learners; and

WHEREAS, Early experiences in the home, child-care setting, the Montgomery County Public Schools, and the community have lifelong impact on a child's academic success; and

WHEREAS, Montgomery County's Early Childhood Initiative ensures that family-focused programs and services for young children are neighborhood-based, effective, and responsive to cultural diversity; make measurable, positive differences in children's well-being; and help young children prepare for kindergarten and future school success; and

WHEREAS, Montgomery County recognizes that every county resident has a stake in the healthy growth, development, care, and education of all young children; and

WHEREAS, Montgomery County is implementing a comprehensive and collaborative communitywide early childhood initiative, the Montgomery County Board of Education, the Montgomery County Executive, the Montgomery County Council, and the Montgomery County Collaboration Council for Children, Youth and Families wish to issue a joint proclamation for the Month of the Young Child; now therefore let be

Resolved, That the Board of Education endorse the joint proclamation for the Month of the Young Child, which was announced March 23, 2006, at Stone Mill Elementary School in Gaithersburg, Maryland.

\*\*Mr. Abrams rejoined the meeting at this point.

**RESOLUTION NO. 158-06            Re:    ARAB AMERICAN HERITAGE MONTH**

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

WHEREAS, In rising to prominence in many areas of business and daily life—from commerce and trade to education, medicine, politics, sports, and the arts—Arab Americans have contributed greatly to the success of our nation; and

WHEREAS, Arab Americans benefit American culture with contributions from the unique civilizations of the Arab world, including its language and rich heritage; and

WHEREAS, Arab Americans are productive members of our society and add to the richness of our diverse country; and

WHEREAS, Montgomery County is home to a thriving Arab American community whose valued presence has contributed to the rich cultural mosaic of our community; now therefore be it

Resolved, That, on behalf of the superintendent, staff, students, and parents of the Montgomery County Public Schools, the members of the Board of Education hereby declare April 2006 to be observed as Arab American Heritage Month.

RESOLUTION NO. 159-06            Re:    **AUTISM AWARENESS MONTH**

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:

WHEREAS, April has been designated National Autism Awareness Month by the Autism Society of America; and

WHEREAS, Autism is a complex, lifelong developmental disability that typically appears within the first three years of life and knows no racial or social boundaries; and

WHEREAS, Autism affects the normal development of the brain, resulting in differences in verbal and nonverbal communication, responses to people, and difficulty with play and adapting to change; and

WHEREAS, Autism is the fastest growing developmental disability in the United States, increasing at a rate of 10 to 17 percent per year; and

WHEREAS, The goal of National Autism Awareness Month is to better educate the entire community about the unique gifts and challenges of individuals with autism; and

WHEREAS, In recognizing this month, the Montgomery County Public Schools reaffirms its commitment to provide appropriate early intervention and educational opportunities to all its students challenged by autism; and

WHEREAS, Montgomery County Public Schools is currently responsible for the education

of approximately 943 students with autism; and

WHEREAS, Educating a child with autism from toddler to adulthood requires the combined dedication, expertise, and enthusiasm of families, schools, and the community at large; now therefore be it

Resolved, That the Montgomery County Board of Education recognize April as National Autism Awareness Month; and be it further

Resolved, That the Montgomery County Board of Education express its appreciation to all who teach and work in support of individuals and families whose daily lives are affected by autism.

RESOLUTION NO. 160-06            Re:    **NATIONAL STUDENT LEADERSHIP WEEK**

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 Montgomery County Board of Education has a continuing commitment to support active student participation in school and community activities; and

WHEREAS, The Board of Education and student organizations respect each other and engage in an open dialogue that is productive and useful in matters of common concern and diverse interests; and

WHEREAS, Participation by our youth is valued by the Board of Education; and

WHEREAS, In April, student leadership activities include the election of the student member of the Board of Education, voter registration, the Montgomery County Region of the Maryland Association of Student Councils and Montgomery County Junior Council elections, and National Student Leadership Week; and

WHEREAS, National Student Leadership Week is a time when schools across our nation recognize student leaders for their accomplishments, efforts, and service, with this year's national theme being "Activities for All"; now therefore be it

Resolved, That the Board of Education hereby join with the superintendent of schools in recognizing the week of April 16-22, 2006, as National Student Leadership Week in Montgomery County Public Schools; and be it further

Resolved, That the Board of Education commend student leaders for their efforts and achievements on behalf of Montgomery County Public Schools.

**Re: LEGISLATIVE UPDATE**

Ms. Lori Rogovin, legislative aide, apprised the Board of the success or failure of educational legislation.

**Re: PUBLIC COMMENTS**

The following people testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Mark Adelman	Appreciation
2. Michelle Turner	Family Life Curriculum
4. Alicia Crowder	Continued Ban of R-Rated Movies
5. Laurie Halverson	Safety of Portables
6. Marion Cantor	Bells Mill Elementary School
7. Sandra Max	Bells Mill Elementary School
8. Richard Rosenthal	Portables
9. Cindy Gibson	Portables
10. Karen Schupak	Bells Mill Elementary School

**Re: BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast attended a wonderful conference last week for students who attend academy programs in MCPS high schools. More than 500 students participated in the professional development conference, called "Linking Students to the Business Community." The program included breakout sessions, mock job interviews conducted by business professionals, and a keynote address from Ed Hodge, chief administrative officer of Adventist HealthCare. The conference was sponsored by the Montgomery County Business Roundtable for Education, Montgomery College (MC), and the MCPS Division of Career & Technology Education. Thanks to the school system's partners at MC and in the business community for providing this opportunity for students.

The importance of effective partnerships was highlighted in a March 23 article in the *Wall Street Journal* called "Getting an Education in College Success." The MCPS-Montgomery College partnership received kudos for providing supports to students that help them transition effectively from high school to college. PSAT testing for 10<sup>th</sup> grade students, the Gateway to College program, information for students and parents such as the "PrepTalk" newsletter and videos, and the Leap to the Future after-school program at Kennedy High School are examples of programs that have helped students prepare for the college experience.

Mr. Johnson reported that he will attend the SGA Convention in Ocean City prior to the NSBA Conference in Chicago.

Ms. Ervin stated that she attended the 1<sup>st</sup> Annual Disabilities Summit, and she also attended a Women's History Month commemoration at John F. Kennedy High School.

Mrs. Navarro said she attended a study circle at Eastern Middle School, and it was extraordinary with true parental engagement. It was for Latino parents as they bridge into other parent groups.

Mr. Romero reported that the Board met with the Walter Johnson Cluster, and it was very informative meeting.

Mr. Abrams stated that he visited Bells Mill Elementary School with other Board members. The community raised a question about the standards for portables. Several states are enacting regulations for portable classrooms, but Maryland has no regulations. The current standard for Maryland funding is a structural consideration only. The second issue that was raised concerned the commitment of the school system on "sick" facilities. He knew that Dr. Weast had a schedule for the replacement of portables, and portables will be replaced if they are not usable. Further testing is being conducted, and there will be a review of programmatic options.

Mr. Abrams commended the Board officers for a demonstration of restraint before the Education Committee of the County Council. He was not enamored by the substance or the process used by the Inspector General. His worst fears were confirmed by the performance of a couple of members of the Education Committee. For review, the Inspector General criticized the school system for not presenting a sufficient number of options to the Council and for misleading the Council on the lowest cost option. Therefore, Mr. Abrams was astounded when Councilman Denis attempted to remove from consideration one of the options of the task force. He had no idea what was meant when Mr. Denis suggested that the cost comparisons should be examined by an objective third party.

Mrs. O'Neill commented on the meeting with the Bethesda-Chevy Chase Cluster, and that meeting gave insight into the workings of the community.

\*\*Mr. Abrams and Mr. Romero left the meeting.

RESOLUTION NO. 161-06      Re:    **CONTRACTS OF \$25,000 OR MORE**

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

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

BPO1 161	Office Furniture and Equipment		
	<u>Awardee</u>		
	Spectrum Industries, Inc.	\$	49,952
79-05	Web Content Management System		
	<u>Awardee</u>		
	Ektron	\$	47,399
9057.7	Basketball Supplies and Equipment		
	<u>Awardees</u>		
	Anaconda Sports, Inc.	\$	15,545
	Baden Sports, Inc.		2,528
	Cannon Sports, Inc.*		32,030
	DVF Sporting Goods Company		9,485
	Flaghouse, Inc.		1,037
	Bill Fritz Sports Corporation		2,976
	Gopher Sport		7,302
	Passon's Sports		16,434
	S & S Worldwide		1,803
	Sportmaster		<u>13,605</u>
	Total	\$	102,745
9062.7	Football Supplies and Equipment		
	<u>Awardees</u>		
	Anaconda Sports, Inc.	\$	17,536
	Cannon Sports, Inc.*		4,978
	DVF Sporting Goods Company		2,809
	Marty Gilman, Inc.*		3,450
	Marlow Sports, Inc.*		34,086
	Passon's Sports		12,397
	Riddell All American		65,024
	Sports Stop, Inc.		<u>386</u>
	Total	\$	140,666
9557.1	Field Marker Machine and Paint—Extension		
	<u>Awardee</u>		

	Pioneer Manufacturing	\$ 26,280
9606.1	Re-roofing at Rosemary Hills Elementary School**	
	<u>Awardee</u> R. D. Bean, Inc.	\$ 545,706
9614.1	Re-roofing at Damascus High School**	
	<u>Awardee</u> Interstate Corporation*	\$ 335,000
9616.1	Re-roofing at Beall Elementary School**	
	<u>Awardee</u> Interstate Corporation*	\$ 55,005
TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000		\$1,302,753

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

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

RESOLUTION NO. 162-06      Re:    **AWARD OF CONTRACTS — RICHARD MONTGOMERY HIGH SCHOOL**

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, 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 February 21, 2006, for the specified trades:

<u>Low Bids</u>	<u>Amounts</u>
Athletic Equipment—Modern Door & Equipment Sales, Inc.	\$176,825
Specialties—Sun Control Systems	307,650
Sprayed Fireproofing—Diamond Engineering Corporation	320,000
Telescoping Bleachers – TJ Distributors, Inc.	166,900

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 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. 163-06                      Re:    **AWARD OF CONTRACT — ASSET MANAGEMENT SYSTEM MASTER PLANNING**

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, On December 13, 2005, the County Council agreed to set aside \$23.8 million countywide for one-time expenditures in FY 2006 for top-priority needs in two areas: infrastructure maintenance and information technology upgrades; and

WHEREAS, The Board of Education was asked to submit a list of priorities for a portion of these funds; and

WHEREAS, A capital asset management system to assist with the program management and maintenance of Montgomery County Public Schools (MCPS) facilities was submitted as a top priority for the one-time expenditures; and

WHEREAS, On March 14, 2006, the County Council approved funds for a capital asset management system for the Department of Facilities Management; and

WHEREAS, A request for proposals to develop requirements for the capital asset management system that can be used to solicit competitive proposals for the system procurement was advertised in accordance with procurement regulations; and

WHEREAS, Five firms responded to the solicitation with the three most qualified firms being interviewed by a selection committee; and

WHEREAS, Based on the selection criteria in the request for proposals, it was determined that Ensoft Consulting met the qualifications for the services required at the lowest cost; now therefore be it

Resolved, That a contract in the amount of \$142,000, which includes the base price proposal and a contingency for additional tasks that may be required, be awarded to Ensoft Consulting for technical support services in accordance with the terms and conditions of

MCPS' Request for Proposals for the Master Plan Development of the Asset Management System and Ensoft Consulting's proposal to MCPS of March 9, 2006.

RESOLUTION NO. 164-06      Re:    **ARCHITECTURAL APPOINTMENTS —  
AMERICANS WITH DISABILITIES ACT  
COMPLIANCE/IN-HOUSE PROJECTS**

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, Funds are appropriated annually in the Capital Improvements Program to provide improved accessibility for the disabled at various schools; and

WHEREAS, Accessibility modifications include improvements to internal and external entrances, parking lots, rest rooms, wheelchair lifts, elevators, signage, and alarm/communications systems; and

WHEREAS, It is necessary to appoint architectural firms to provide architectural and engineering services on an as-needed basis to respond to program modification requirements at various schools; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected Murray & Associates Architects, JK Architects + Associates, Robert J. Glaser & Associates, P.C., and The K Group as the most qualified firms to provide the necessary professional architectural and engineering services; and

WHEREAS, Murray & Associates Architects, JK Architects + Associates, and The K Group are minority-owned firms; and

WHEREAS, Project specific fees for the necessary architectural and engineering services will be negotiated based upon the size and complexity of the individual projects as they are assigned; now therefore be it

Resolved, That the Montgomery County Board of Education enter into contractual agreements with the architectural firms of Murray & Associates Architects, JK Architects + Associates, Robert J. Glaser & Associates, P.A., and The K Group to provide professional architectural and engineering services as requirements arise for facility modifications, with the contract amount not to exceed \$100,000 for each project.

RESOLUTION NO. 165-06      Re:    **ARCHITECTURAL APPOINTMENTS —  
RELOCATABLE CLASSROOMS**

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, Funds are appropriated annually in the Capital Improvements Program for the relocation of relocatable classroom buildings; and

WHEREAS, Architectural and engineering services are required for the development of site plans and associated permitting activities; and

WHEREAS, The number of relocatable classroom building moves projected for this summer require that architectural firms be employed to complete the planning activities in time to finish the relocation work before school starts; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected JK Architects + Associates and The K Group as the most qualified firms to provide the necessary professional architectural and engineering services; and

WHEREAS, JK Architects + Associates and The K Group are minority-owned firms; and

WHEREAS, Project specific fees for the necessary architectural and engineering services will be negotiated based upon the size and complexity of the individual projects as they are assigned; now therefore be it

Resolved, That the Montgomery County Board of Education enter into contractual agreements with the architectural firms of JK Architects + Associates and The K Group to provide professional architectural and engineering services as requirements arise for relocatable classroom moves.

RESOLUTION NO. 166-06      Re:    **ON-CALL CONSTRUCTION SERVICES**

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, It is necessary to have a pool of general contractors capable of responding to short-term, critical, facilities-related construction; and

WHEREAS, The Department of Facilities Management has solicited and reviewed technical proposals of several firms that expressed an interest in providing on-call construction services for Montgomery County Public Schools; and

WHEREAS, The following firms have been technically qualified to perform work on short-term, critical projects:

Capital Contracting, Inc. (MDOT certified)  
Cottonwood Construction, Inc.  
Golden Construction, Inc.  
Hanlon Construction Company  
J&L Services, Inc.  
Keller Brothers, Inc.  
M & M Welding and Fabricators, Inc. (MDOT certified)  
PCM Services, Inc.  
Phillips Way, Inc.  
Smith & Haines, Inc.

now therefore be it

Resolved, That the Department of Facilities Management be authorized to solicit proposals for short-term, critical, facility-related services as needs arise from the qualified contractors on an on-call basis for a period of one year; and be it further

Resolved, That the Department of Facilities Management be authorized to proceed with work procured from the on-call contractor that submits the lowest cost proposal for a specific project for an amount not to exceed \$150,000; and be it further

Resolved, That the Department of Facilities Management provide an annual report on the cost proposals received and the low bidders for projects that are part of these services.

RESOLUTION NO. 167-06            Re:    **ON-CALL HEATING, VENTILATION, AND AIR  
CONDITIONING REPLACEMENT SERVICES**

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, Funds have been appropriated in the Capital Budget for heating, ventilation, and air conditioning (HVAC) projects; and

WHEREAS, It is necessary to have a pool of technically qualified contractors to provide these replacements; and

WHEREAS, The following firms have been technically qualified to provide the mechanical services needed for HVAC Capital Budget projects:

American Combustion Industries, Inc.  
C & H Mechanical Corporation  
C. V. Carlson Company, Inc.  
Hot & Cold Corporation (MDOT certified)  
Hurley Company

M & M Welding and Fabricators, Inc. (MDOT certified)  
Shapiro & Duncan, Inc.  
Tyler Mechanical Contracting, Inc.  
Welch and Rushe Mechanical Contractors

now therefore be it

Resolved, That the Department of Facilities Management be authorized to solicit competitive proposals for HVAC projects from the qualified contractors and proceed with the low bidder; and be it further

Resolved, That the Department of Facilities Management provide an annual report on the cost proposals received and the low bidders for projects that are part of these services.

RESOLUTION NO. 168-06      Re:    **SOMERSET ELEMENTARY SCHOOL — SURETY AGREEMENT**

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, On June 23, 2003, the Montgomery County Board of Education entered into a contract with Pantech Construction Company, Inc., for the modernization of Somerset Elementary School; and

WHEREAS, Seaboard Surety Company executed and delivered to the Board of Education a performance and payment bond for the project; and

WHEREAS, Pantech Construction Company, Inc., achieved substantial completion of the project for school occupancy in September 2005; and

WHEREAS, On January 16, 2006, the surety accepted a letter of voluntary default dated January 12, 2006, from Pantech Construction Company, Inc., stating financial difficulties and an inability to pay employees and creditors; and

WHEREAS, There was remaining work to be performed to obtain final completion of the project; and

WHEREAS, Surety has agreed to complete the remaining work subject to the terms and conditions of the general contract; now therefore be it

Resolved, That the Board of Education enter into a takeover agreement with Seaboard Surety Company for the completion of the Somerset Elementary School modernization project; and be it further

Resolved, That the Board president and secretary be authorized to execute the final agreements on behalf of the Board of Education.

RESOLUTION NO. 169-06      Re:    **FY 2006 SPECIAL APPROPRIATION —  
RELOCATABLE CLASSROOMS**

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 Board of Education's FY 2007–2012 CIP will allow the Montgomery County Public Schools to begin eliminating 367 relocatable classrooms over the six-year period of the CIP request; and

WHEREAS, In FY 2007, 121 relocatable classrooms no longer will be needed; and

WHEREAS, It is recommended that an FY 2006 special appropriation be requested to eliminate 121 relocatable classrooms during the summer of 2006 and replace six existing units that are needed for enrollment but have reached obsolescence; now therefore be it

Resolved, That an FY 2006 special appropriation in the amount of \$2.1 million be requested to dispose of or return to vendors and the State of Maryland 121 relocatable classrooms and replace six existing units during the summer of 2006; and be it further

Resolved, That the superintendent of schools transmit this request to the county executive and County Council with additional information regarding the need to further reduce the number of relocatable classrooms through additions to schools with long-term space needs; and be it further

Resolved, That the county executive be requested to recommend the FY 2006 special appropriation to the County Council.

RESOLUTION NO. 170-06      Re:    **FY 2006 SPECIAL APPROPRIATION —  
ACCESSIBILITY IMPROVEMENTS**

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, County Councilmember Steven Silverman, has introduced a special appropriation to the County Council in the amount of \$75,000 to improve accessibility to the all-purpose room at the former Rollingwood Elementary School facility that is currently leased to the French International School; and

WHEREAS, This funding will improve accessibility for use of this facility as a polling site; and

WHEREAS, Councilmember Silverman has requested by a memorandum dated March 14, 2006, that the Montgomery County Public Schools (MCPS) complete this work as part of the annual accessibility improvements program for school facilities; and

WHEREAS, In order for the special appropriation to be approved, the Board of Education must formally request the funding from the County Council; and

WHEREAS, Councilmember Silverman has indicated this special appropriation request will not be funded at the expense of any other projects in the MCPS budget; now therefore be it

Resolved, That a FY 2006 special appropriation in the amount of \$75,000 be requested for accessibility improvements to the polling site at the former Rollingwood Elementary School facility; and be it further

Resolved, That the county executive be requested to recommend approval of this special appropriation to the County Council.

**RESOLUTION NO. 171-06            Re:    HUMAN RESOURCES APPOINTMENTS**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Gail Scott-Parizer	Acting Principal, Dr. Charles R. Drew ES	Principal, Dr. Charles R. Drew ES

**RESOLUTION NO. 172-06            Re:    HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Teri Johnson	Acting Principal, Lake Seneca ES	Principal, Lake Seneca ES

**RESOLUTION NO. 173-06            Re:    HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Deann Collins	Acting Principal, Montgomery Knolls ES	Principal Montgomery Knolls ES

RESOLUTION NO. 174-06      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
James Sweeney	Acting Principal, Rosemont ES	Principal, Rosemont ES

RESOLUTION NO. 175-06      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Robert Dodd	Acting Principal, Strathmore ES	Principal, Strathmore ES

RESOLUTION NO. 176-06      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Mary Sherburne	Acting Principal, Wood Acres ES	Principal, Wood Acres ES

RESOLUTION NO. 177-06      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Louise Worthington	Acting Principal, John T. Baker MS	Principal, John T. Baker MS

RESOLUTION NO. 178-06      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Kimberly Johnson	Acting Principal, Briggs Chaney MS	Principal, Briggs Chaney MS

RESOLUTION NO. 179-06      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Susan Thompson	Acting Principal, Carderock Springs ES	Principal, Carderock Springs ES

RESOLUTION NO. 180-06      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Albert DuPont	Acting Principal, College Gardens ES	Principal, College Gardens ES

RESOLUTION NO. 181-06      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective March 28, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Rebecca Jones	Acting Principal, Damascus ES	Principal, Damascus ES

\*\*Mr. Romero rejoined the meeting.

RESOLUTION NO. 182-06      Re:    **SECONDARY COURSE PROPOSALS**

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, On February 13, 2001, the Montgomery County Board of Education adopted Policy IFA, *Curriculum*, governing all curriculum development and implementation; and

WHEREAS, Montgomery County Public Schools established procedures under Regulation IFA-RA, *Curriculum*, to allow schools to develop and pilot non-core curriculum courses through the Office of Curriculum and Instructional Programs; and

WHEREAS, Montgomery County Public Schools established procedures under Regulation IFA-RA, *Curriculum*, to allow externally developed curriculum and instructional programs to be used in place of MCPS curriculum, after review and approval using the process for non-core curriculum development; and

WHEREAS, The proposed courses have met all of the requirements established in the procedures; and

WHEREAS, These proposed courses support and extend middle school magnet programs and high school signature, academy magnet, career and technology, and elective programs; now therefore be it

Resolved, That the Montgomery County Board of Education approve the following courses as pilot courses, in accordance with the procedures established in Regulation IFA-RA, *Curriculum*.

Secondary Magnet Specialized Courses

New Non-Core Maryland State Department of Education Approved and Pending Courses for High School Students

English for Speakers of Other Languages Courses

Non-Core High School Courses

Joining Pilot Courses in Progress

RESOLUTION NO. 183-06      Re:    **TENTATIVE ACTION ON POLICY IOB —  
EDUCATION OF STUDENTS WITH DISABILITIES**

On motion of the Policy Committee, the following resolution was adopted unanimously by members present:

WHEREAS, Policy IOB, *Education of Students with Disabilities*, seeks to create a climate of acceptance, respect, and high expectations that result in academic achievement for all students; and

WHEREAS, Upon adoption of revisions to Policy IOB, *Education of Students with Disabilities*, it is recommended that Policy IOG: *Child Find*, be rescinded; and

WHEREAS, The Board of Education Policy Committee has considered and recommended revisions to Policy IOB, *Education of Students with Disabilities*; and

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

Resolved, That the Board of Education take tentative action on Policy IOB, *Education of Students with Disabilities*; and be it further

Resolved, That Policy IOB, *Education of Students with Disabilities*, be sent out for public comment.

## **Education of Students With Disabilities**

### A.    PURPOSE

To affirm the Board of Education's commitment to the principles articulated in federal and state law regarding the provision of a free and appropriate public education (FAPE), the protection of the rights of all eligible students with disabilities, and the principle that every child can learn and succeed.

### B.    ISSUE

Federal and state law govern the provision of early intervention and special education services to students with disabilities from birth through the end of the school year in which they turn 21 years old. These laws require procedures for the identification, evaluation, and educational placement of the child. Under these laws, qualified children are ensured the provision of FAPE in accordance with

Individualized Education Program (IEP) or are provided services under an Individualized Family Service Plan (IFSP).

### C. POSITION

Montgomery County Public Schools (MCPS) is committed to:

1. Providing opportunities for all students to achieve at the highest possible levels, as well as access a comprehensive, collaborative, and individualized support system that enables students with disabilities to make progress in the MCPS curriculum.
2. Creating a climate of acceptance, respect, and high expectations that result in academic achievement and the attainment of other important knowledge and skills for all students, based on the principle that every child can learn and succeed. The development of effective programs for all students depends upon the energy, the concern, the dedication, and leadership demonstrated at all levels of the school system as well as upon adequate budgetary provisions.
3. Improving educational results for children with disabilities by assuring their access to instruction in the general education class to the maximum extent possible.
4. The participation to the maximum extent possible of students with disabilities with non-disabled peers in all aspects of school life, including academic, social, and extracurricular activities, as a critical component of their educational experience.
5. Providing a continuum of services for students with disabilities and educating them in the least restrictive environment appropriate for the child to ensure success for every student. Consideration must first be given to providing services in the student's home school.
6. Collaborating with government agencies, the business sector, and families to provide an educational program that prepares students with disabilities for self-sufficient and productive lives as full participating members of our society and leads to positive post-school results in education and training, employment, accessing adult services, independent living, and community participation.
7. Working with parents in constructive, collaborative partnerships to provide the home/school link fundamental to student success.

8. All staff, both special and general education personnel, share accountability for the education of students with disabilities.
9. Developing and implementing systemwide supportive general education interventions and culturally responsive instructional practices that help to eliminate any misidentification and/or misclassification of students, particularly minority students, with special attention to the specific disability categories of emotional disturbance, mental retardation, and specific learning disability.
10. Actively seeking to locate, identify, and evaluate children residing in the county or who have been placed by their parents in private schools located in the county, including children who are homeless, highly mobile, or are wards of the state, who are suspected by parent, school, or other responsible source of being a child with a disability whether enrolled in public, private, or religious schools. Outreach activities are conducted with interagency collaboration.

D. DESIRED OUTCOME

An educational system that is committed to the success of all students, requires accountability for the performance results of all students, and fosters and promotes respect, acceptance, and high expectations for all students.

E. REVIEW AND REPORTING

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

RESOLUTION NO. 184-06

Re: **NAMING OF DOWNCOUNTY CONSORTIUM  
ELEMENTARY SCHOOL #27**

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

WHEREAS, the School Naming Advisory Committee has submitted a report, dated March 16, 2006, ranking the following names for the Downcounty Consortium Elementary School #27, in order of preference: R. Sargent Shriver, Rita Davidson, Connecticut Park, Margaret Brent, Sandra Day O'Connor, and Tito Puente; and

WHEREAS, The School Naming Advisory Committee reached consensus on the recommendation to name the facility R. Sargent Shriver Elementary School; and

WHEREAS, Pursuant to Regulation FFA-RA, *Naming Schools*, the final responsibility for officially naming a school building rests with the Board of Education; now therefore be it

Resolved, That the Board of Education name the school building heretofore known as Downcounty Consortium Elementary School #27 as follows:

R. Sargent Shriver Elementary School

RESOLUTION NO. 185-06      Re:    **CIP   AMENDMENTS/EAST SILVER SPRING  
REORGANIZATION**

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

WHEREAS, On November 17, 2005, the Board of Education authorized a Roundtable Discussion Group to evaluate long-range approaches to provide additional capacity to Sligo Creek and Takoma Park elementary schools; and

WHEREAS, In December 2005, the superintendent convened the Roundtable Discussion Group, comprised of representatives from East Silver Spring, Piney Branch, Sligo Creek, and Takoma Park elementary schools; and

WHEREAS, The Roundtable Discussion Group met from December 2005 through February 2006 and submitted a report to the superintendent on February 10, 2006, that included evaluations of approaches and Parent-Teacher Association (PTA) position papers; and

WHEREAS, The superintendent reviewed and carefully considered the Roundtable Discussion Group's report, PTA position papers, and feedback from the community at-large and on February 22, 2006, presented a recommendation for elementary school boundary changes for consideration by the Board of Education; and

WHEREAS, On February 27, 2006, the Board of Education conducted a work session to consider the superintendent's recommendation for long-range facility plans and adopted no alternatives; and

WHEREAS, The Board of Education conducted a public hearing on March 8, 2006, in accordance with the BOE Policy FAA, *Long-range Educational Facilities Planning*, and interim regulation FAA-RA on the superintendent's recommendation; now therefore be it

Resolved, That the 2007 facility planning funds that were requested in the FY 2007-2012 Capital Improvements Program to conduct a feasibility study for an addition at Sligo Creek Elementary School be used instead to conduct a feasibility study for an addition at East Silver Spring Elementary School in summer 2006; and be it further

Resolved, That the County Council be notified that the FY 2007 facility planning funds originally requested to conduct a feasibility study for an addition at Sligo Creek Elementary School will be used to conduct a feasibility study for an addition at East Silver Spring Elementary School; and be it further

Resolved, That East Silver Spring Elementary School be reorganized from a prekindergarten through Grade 2 school to a prekindergarten through Grade 5 elementary school; and be it further

Resolved, That the timing of the reorganization of East Silver Spring Elementary School be reviewed as part of the feasibility study for an addition; and be it further

Resolved, That a recommendation for the timing of the reorganization of East Silver Spring Elementary School be included in the Superintendent's Recommended Amendments to the FY 2007–2012 Capital Improvements Program in Fall 2006; and be it further

Resolved, That the scope of the addition at Takoma Park Elementary School be increased to accommodate additional students from Sligo Creek Elementary School through a future boundary study; and be it further

Resolved, That a boundary study be conducted one year prior to the completion of the East Silver Spring and Takoma Park elementary school addition projects, to explore options to reassign students from Sligo Creek Elementary School to Takoma Park/Piney Branch elementary schools.

RESOLUTION NO. 186-06

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 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 closed sessions on Thursday, April 20, 2006, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:00 to 1:30 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. 187-06            Re:    **REPORT OF CLOSED SESSION**

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

On March 14, 2006, 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 March 14, 2006, from 9:00 to 9:45 a.m. and 1:00 to 1:30 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeal in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): 2006-9.
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, Patrick Clancy, Sharon Cox, Brian Edwards, Valerie Ervin, Charles Haughey, Richard Hawes, Roland Ikheloa, Sebastian Johnson, LaVerne Kimball, Don Kress, Frieda Lacey, Jody Leleck, George Margolies, Nancy Navarro, Pat O'Neill, Brian Porter, Lori Rogovin, Gabe Romero, Glenda Rose, Matt Tronzano, and Jerry Weast.

RESOLUTION NO. 188-06            Re:    **MINUTES**

On motion of Mr. Romero and seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve the minutes from their meetings of November 17, 2005, December 13, 2005, and March 8, 2006.

RESOLUTION NO. 189-06      Re:    **APPEAL**

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 which shall be recorded separately in the minutes of today's meeting:

Decision and Order in Appeal 2006-9, student discipline, 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 in part and to reverse in part.

Re:    **NEW BUSINESS**

On motion of Mr. Johnson and seconded by Mrs. O'Neill, the following new business item was placed on the table:

WHEREAS, On October 16, 2001, the Superintendent submitted to the Board of Education a draft of Regulation COG-RA (Portable Communication Devices), at which time the Board of Education voted to endorse it but resolved that its impact would be reviewed at the conclusion of the 2001-2002 school year to determine whether any modification may be necessary; and

WHEREAS, On July 25, 2002, upon submission of a revised Regulation COG-RA by the Superintendent, the Board voted to support the proposed draft as amended by the Board; and

WHEREAS, During the subsequent four years, questions have been raised as to the necessity of treating middle school students differently than high school students insofar as middle school students currently are required to obtain a waiver in order to possess a portable communication device in school, notwithstanding the requirement that it must be turned off at all times during the official instructional day; now therefore be it

Resolved, That the Board of Education schedule a discussion at a Board meeting, to be held no later than the evening meeting in June 2006, to address the efficacy of the current practice for middle school students and consider at that time whether to give further guidance to the superintendent as to portable communication devices.

RESOLUTION NO. 190-06      Re:    **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of March 27, 2006, at 10:05 p.m.

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PRESIDENT

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SECRETARY

JDW:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION**  
**SUMMARY SHEET**  
March 27, 2006

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