

APPROVED
14-2006

Rockville, Maryland
May 22, 2006

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, May 22, 2006, at 6:35 p.m.

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

Absent: Ms. Valerie Ervin

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

RESOLUTION NO. 252-06 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Abrams, 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 May 22, 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 discuss the Human Resources Appointments, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on May 22, 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.

RESOLUTION NO. 253-06 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for May 22, 2006.

Re: **MARGARET CUTLER INTERAGES AWARD**

The Board recognized Mr. Gregory Bowman, teacher at John F. Kennedy High School, as the recipient of the Margaret Cutler Interages Award for 2006.

RESOLUTION NO. 254-06 Re: **CHAMPIONS FOR CHILDREN**

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

WHEREAS, The Champions for Children Awards were first presented by the Montgomery County Business Roundtable for Education in 2002; and

WHEREAS, The Champions for Children Awards are presented annually to, among others, the Outstanding Administrator or Supervisor of the Year, the Teacher of the Year, the Supporting Services Employee of the Year, the Volunteer Champion for Children, and the Business Champion for Children; and

WHEREAS, The Montgomery County Board of Education is proud to recognize this year's recipients of the—

- Dr. Edward Shirley Award for Excellence in Educational Administration and Supervision, Dr. Robert Bastress, director, Administrative and Supervisory Professional Growth System;
- Montgomery County Teacher of the Year, Mr. Robert Dahlin, music teacher, Ridgeview Middle School;
- SEIU Local 500 Supporting Services Employee of the Year, Mr. Oliver Riggs, Jr., security team leader, Springbrook High School;
- Volunteer Champion for Children, Stedwick Elementary School Parent Teacher Association, represented by Ms. Brenda Szczesny, president; and
- Business Champion for Children, Doubletree Hotel, represented by Ms. Kristi Price, sales manager; now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of schools recognize and honor our staff and community partners, who by their hard work,

vision, and achievements, are creating a better tomorrow for our students.

RESOLUTION NO. 255-06 Re: **RECOGNITION OF THE ASIAN AMERICAN EDUCATION ASSOCIATION SCHOLARSHIP RECIPIENTS**

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

WHEREAS, The Asian American Education Association has awarded four \$1,000 scholarships to Montgomery County Public Schools students committed to becoming future educators; and

WHEREAS, The Asian American Education Association promotes and values future educators from a diverse heritage; and

WHEREAS, Montgomery County recognizes and celebrates the contributions of Asian American students to our county, our state, and our country; and

WHEREAS, The Board of Education is proud that Montgomery County Public Schools continues to recognize the achievements of Asian American students; 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 congratulate the recipients of this year's Asian American Education Association scholarship awards.

RESOLUTION NO. 256-06 Re: **THE GEORGE B. THOMAS, SR. LEARNING ACADEMY, INC. HIGH ACHIEVEMENT SCHOLARSHIP RECIPIENTS**

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

WHEREAS, The George B. Thomas, Sr. Learning Academy, Inc. has awarded fifteen \$1,000 scholarships to students residing in Montgomery County, all of whom attend the Montgomery County Public Schools; and

WHEREAS, The George B. Thomas, Sr. Learning Academy, Inc. High Achievement Scholarship Program, sponsored by Verizon, Maryland, rewards students who evidence high academic achievement and who have provided consistent, quality service to the Learning Academy; and

WHEREAS, Montgomery County recognizes and celebrates the contributions of the diversity of students to our county, our state, and our country; and

WHEREAS, the Board of Education is proud that the Montgomery County Public Schools continues to recognize the achievements of its diverse student body; 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 congratulate the recipients of The George B. Thomas, Sr. Learning Academy, Inc. High Achievement Scholarship Program.

**Mr. Johnson temporarily left the meeting.

RESOLUTION NO. 257-06 Re: **RECOMMENDATION TO APPROVE THE AMENDED AGREEMENT WITH SEIU LOCAL 500**

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

WHEREAS, Section 6-510 of the Education Article, *Annotated Code of Maryland*, requires the Board of Education to enter into negotiations with designated employee organizations concerning “salaries, wages, hours, and other working conditions”; and

WHEREAS, SEIU Local 500 was properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, The parties have a negotiated agreement for the 2005–2007 school years and said agreement provides that either party may reopen negotiations for FY 2007 on any two Articles of the Agreement, with the exception of Article 7, Section A, *Wages*, and Article 23, *Employee Benefit Plan*; and

WHEREAS, Said negotiations have occurred in good faith, as directed by law; and

WHEREAS, The parties have reached tentative agreement on amendments to the Agreement to be effective for FY 2007; and

WHEREAS, The tentative agreement to amend has been duly ratified by the membership of SEIU Local 500; now therefore be it

Resolved, That the Board of Education approve the amended agreement for the period of July 1, 2006, through June 30, 2007; and be it further

Resolved, That the secretary and the president of the Board of Education be authorized to sign the amended agreement, all according to said agreement and to the law.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Mark Adelman	3 x 2
2.	John Smith	Lobby at CESC
3.	Mary Nowotny	Graduation Venue
4.	Lori Miller	Julius West Middle School Music Program
5.	Eric Hysen	Blocking Internet Sites
6.	Diane Cohen	Program Suggestion
7.	Madelyn Hamilton	IEP Meetings

** Mr. Johnson rejoined the meeting.

Mrs. Navarro asked staff for clarification on the filters used to block students from accessing inappropriate websites. Ms. Cox wanted to know what criteria were used for such a block. Also, who is on the committee, and how often do they meet?

Mrs. Navarro asked for a response to the concerns raised in Ms. Hamilton's testimony. She also wanted to know if having an attorney present at an IEP meeting was a routine practice.

Re: BOARD/SUPERINTENDENT COMMENTS

Mr. Romero commented that the visit with the Watkins Mill Cluster was very informative, especially the vertical articulation.

Mrs. O'Neill remarked that she, Dr. Haughey, and Ms. Cox had attended the dedication of A. Mario Loiederman Middle School. The community and school system had worked hard to reclaim the facility for educational purposes. She was proud that the school was now part of a magnet consortium in the Wheaton area.

Mrs. O'Neill had heard about the music program at Julius West Middle School. She was saddened when the Council had not funded the second graders' attendance at the concert at Strathmore Hall because the students benefitted from the experience. Furthermore, she was concerned that \$1.4 million had not been approved by the Council to offset the federal cuts in special education funding. She was troubled that the chair of the Council's Education Committee was unaware that the funding has been cut when the Committee voted 3-0 to request the funds. This lack of funding has huge implications for special education in Montgomery County.

Ms. Cox agreed with Mrs. O'Neill on the dedication of A. Mario Loiederman Middle School. She attended the rededication of Glen Haven Elementary School and the dedication of Lakelands Park Middle School. All three were wonderful celebrations of school

communities.

Ms. Cox attended the ESOL Awards ceremony, in which many community members participated. The families take the time to come in native dress, and the students are recognized for their achievements in learning English.

Regarding budget issues, Ms. Cox said she was surprised that the Council did not fund the superintendent's recommendation for the special education funding that had been cut from the federal funds. The Education Committee recommended the addition of \$1.4 million to the original budget request from MCPS. She was surprised by two things: (1) the chair of the Education Committee did not know that the funds were not in the budget, and (2) Mr. Leventhal had promised community members that the funds would be restored through a supplemental. However, staff has to be hired to implement special education programs.

Mr. Abrams commended the Board officers and MCPS staff for their arduous labor and the demeanor they maintained in resolving the elementary school capacity issues in the Churchill Cluster. The Inspector General issued a report that stated that MCPS misled the Council because there was not a lowest cost alternative in comparing two schools. However, the Joint Task Force found the school system provided accurate cost information compared to the Inspector General, who used 1999 costs for one project compared to 2003 costs for the other project. Therefore, Mr. Abrams thought there needed to be light shed on the shabby, non- substantive work that was done by the Inspector General.

Mrs. Navarro thanked Dr. Weast and the staff for their hard work in resolving the issues of capacity in the Churchill Cluster. She attended the Richard Montgomery Cluster meeting, and it was a joy to see how this community works together. Also, she attended the Carver Lobby dedication, and it was very inspiring.

Mr. Johnson noted that he was nearing the end of his term, and he welcomed Sarah Horvitz to the table. He planned on visiting three middle schools next week – Pyle, Julius West, and Montgomery Village.

Ms. Horvitz said she was looking forward to working with the Board.

Dr. Weast welcomed Ms. Horvitz to the Board. He reported that nine elementary schools had opera companies in partnership with the Washington National Opera. The students do it all: create, build the set, write the music, make costumes, and perform. In addition, 22 MCPS students are at two stellar institutions in Maryland – the National Institutes of Health and Howard Hughes Medical Institute. The students are working on incredible projects along with major researchers.

**Mrs. O'Neill and Mrs. Navarro temporarily left the meeting.

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

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

WHEREAS, Funds have been budgeted and/or identified for the purchase of a refrigerated cargo truck for the Division of Food and Nutrition Services through Bid No. 7104.3; and

WHEREAS, The acquisition of a refrigerated cargo truck for the Division of Food and Nutrition Services through lease/purchase arrangements has been reviewed by legal counsel; now therefore be it

Resolved, That a refrigerated cargo truck for the Division of Food and Nutrition Services in the amount of \$95,858 be lease-purchased for a five-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:

4184.1	Enterprise Resource Planning Software and Implementation Services	
	<u>Awardee</u>	
	Oracle USA, Inc.	\$1,263,373
7061.5	Book Binding	
	<u>Awardee</u>	
	H.F. Group, LLC	\$ 41,743
7104.3	Refrigerated Cargo Truck	
	<u>Awardee</u>	
	K. Neal International Trucks, Inc.	\$ 95,858
9616.1	Outdoor Stadium Grandstand Seating at Wheaton High School**	

	<u>Awardee</u> Dant Clayton Corporation	\$ 558,469
9618.1	Restroom Renovations at Various Locations**	
	<u>Awardee</u> Smith & Haines, Inc.	\$2,418,175
9620.1	Replace Suspended Ceiling System and Lighting at Various Locations**	
	<u>Awardee</u> Walker Willis/TA/ Custom Masonry	\$ 200,000
TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000		\$4,577,618

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

RESOLUTION NO. 259-06 Re: **UTILIZATION OF THE FY 2006 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS**

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

WHEREAS, The grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 15-631, approved May 27, 2005; and

WHEREAS, The projects do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2006 Provision for Future Supported Projects, to permit the transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2006 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Maryland Student Online Consortium Title I, Part A	\$ 6,000 <u>86,649</u>
Total	<u>\$ 92,649</u>

and be it further

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

RESOLUTION NO. 260-06 Re: **RECOMMENDED FY 2006 SUPPLEMENTAL APPROPRIATION FOR THE 21ST CENTURY CYBERCAFE LEARNING CENTER PROJECT AT ROCKVILLE HIGH SCHOOL**

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

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2006 supplemental appropriation of \$240,400 for the 21st Century Cybercafe Learning Center project in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$ 28,113
2 Mid-level Administration	40,000
3 Instructional Salaries	48,100
4 Textbooks and Instructional Supplies	7,615
5 Other Instructional Costs	87,342
9 Student Transportation	23,110
12 Fixed Charges	<u>6,120</u>
Total	<u>\$ 240,400</u>

and be it further

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

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

RESOLUTION NO. 261-06 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Sandra Reece	Principal Intern, Harmony Hills ES	Principal, Bradley Hills ES

RESOLUTION NO. 262-06 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Laura Colgary	Principal, Gallup Hill School Ledyard, CT	Principal, Darnestown ES

RESOLUTION NO. 263-06 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Deborah Taylor	Acting Supervisor, Special Education Instruction	Supervisor, Special Education Instruction

RESOLUTION NO. 264-06 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Melissa White	Instruction Specialist	Coordinator, High School Literacy

*Mrs. O'Neill rejoined the meeting.

Re: **GEORGE WASHINGTON CARVER HIGH SCHOOL
AND JUNIOR COLLEGE HISTORICAL
COMMEMORATION**

Dr. Weast invited the following people to the table: Mrs. Mable Thomas, former Carver vice-principal and teacher; Mr. Warrick Hill, Sr. author; Mr. Warren Crutchfield, Carver class of 1954; and Ms. Aggie Alvez, director of communications.

On May 17, 2006, a new permanent exhibit went on display in the East Entrance lobby of the Carver Educational Services Center. The exhibit highlights the pivotal historical role

of the former George Washington Carver High School and Junior College in the African American community. The multimedia display, "Carver: The Heart of a Community," featuring photographs on public display for the first time, offers an unprecedented look at the school and its unique place in Montgomery County history. The school opened in 1951 for African American students in a segregated county and closed just nine years later when the public school system completed its integration plan.

The multimedia exhibit in the East lobby captures the Carver experience by prominently featuring the voices and observations of Carver graduates and former staff members. The school also housed the first junior college for African American students in the county before eventually becoming the headquarters for the Board of Education and MCPS. Seven large wall panels display historical information, as well as photographs and images of documents and artifacts from the private collections of former Carver staff members and students and other community members. A television monitor shows excerpts from videotaped oral histories recorded by former staff and students who describe their experiences at Carver during segregation. The accompanying booklet and a newly created Web site provide a more comprehensive view of the uniqueness of Carver with additional information and photographs.

The exhibit was developed by the Carver History Project Committee, comprised of MCPS staff, former Carver students and staff members, and two local authors of books on the education of African American students in Montgomery County. The committee was aided by the many Carver graduates and former staff members, as well as other community members, who provided information, interviews, documents, and photographs. As an exciting outgrowth of the project, the tremendous community response has resulted in the creation of an extensive archive of photographs, documents, images of artifacts, and information on Carver. In an agreement with Peerless Rockville, which also contributed to the exhibit, this archive will be shared with the historical organization to help ensure the preservation and public availability of these valuable materials for use by persons conducting personal or scholarly research. In addition, the exhibit will become the foundation of new elementary and secondary lessons developed for the MCPS social studies curriculum.

"Carver: The Heart of a Community" will become an integral part of the MCPS social studies curriculum during the 2006–2007 school year. Through video clips, oral histories, photos, live interviews, artifacts, and curriculum lessons, students in elementary, middle, and high school will study the Carver experience to expand their understanding of community responsibilities, civil rights, segregation, desegregation, and related issues. Carver alumni and former staff members will be available to speak to students. In conjunction with the MCPS Diversity Unit, teacher training will be provided to ensure an effective delivery of the curriculum and a familiarity with the rich trove of materials collected for the exhibit.

Re: **DISCUSSION**

Mr. Abrams noted that he moved to Montgomery County in 1974, and he grew up in Harrisburg, Pennsylvania. He never had firsthand experience of education in a segregated system. It took a long time to appreciate what people went through in Maryland since it was a southern state. This project has helped him to understand history from those who lived through that time, and he thanked them.

Ms. Cox noted that the Board talks about providing for students, but Carver is proof of that, as evidenced by the Carver graduates' strength of character and by the educational base provided. The memories bring smiles to the faces of graduates.

Mrs. O'Neill thanked everyone who was involved in the living history project, and it will become part of the MCPS curriculum. Many students now have no idea what segregation was, and this program will instruct them from those who lived that history.

**Mrs. Navarro rejoined the meeting.

Mr. Romero noted that an Italian architect wrote a book about buildings becoming the collective memory of the community and their importance to people. Buildings embody the values that people carry throughout life. Carver is one of those buildings, and the building is historically important because it carries a message.

Mrs. Navarro remarked that she has been able to explain to her daughter the African-American experience in this country. It is great to be mindful of what previous generations have gone through to achieve excellence.

Mr. Johnson thanked everyone for what has been accomplished and for the historical information that will be shared with students.

Dr. Haughey remarked that there are people who have not had a personal experience with segregation, but through this work there is a remembrance of how society was and why it needed to be rectified.

RESOLUTION NO. 265-06

Re: **FINAL ACTION ON POLICY BNB, BOARD STAFF
MANAGEMENT AND OPERATIONS**

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

WHEREAS, Policy BNB, *Board Staff Management and Operations*, delineates the structure and process through which Board staff will provide assistance to Board members and citizens; and

WHEREAS, The draft revision of Policy BNB, *Board Staff Management and Operations*, was tentatively adopted by the Board of Education on February 27, 2006, and sent out for public comment; now, therefore be it

Resolved, That the Board of Education adopt Policy BNB, *Board Staff Management and Operations*, and rescind Policy BNA.

Board Staff Management and Operations

A. PURPOSE

To establish guidelines for outlining the duties of the staff to the Board of Education and delineating the management and operations, including, but not limited to, hiring, evaluation, and professional development of Board staff

B. ISSUE

The Board needs both the advice of the superintendent and the support of his/her and Board staff to fulfill its general responsibilities; the powers and mandatory duties of the Board of Education are defined in the *Education Article of the Annotated Code of Maryland* and the *Code of Maryland Regulations, 13A.*, State Board of Education.

Further, while formal appeal procedures exist that protect the due process rights of all stakeholders, there are times when it is appropriate to initiate and address less formal inquiries. Therefore, services must be available to ensure that problems between citizens and the school system are handled as expeditiously and efficiently as possible.

C. POSITION

1. The Board office will provide assistance and support to the Board of Education in the fulfillment of its responsibilities by providing administrative and logistical support, supporting the Board's fulfillment of its statutory duties, and facilitating coordination with the superintendent.
2. The Board office will provide assistance and support to the Board in fulfillment of its quasi-judicial responsibilities under the *Education Article of the Annotated Code of Maryland* in consultation with counsel to the Board.
3. The Board office will provide assistance and support to the Board in selection of a superintendent.

4. The Board office shall have the responsibility to advise the Board and the superintendent immediately when staff detect the existence of an issue which warrants the prompt attention of the Board of Education and the superintendent.
5. The Board office, in coordination with the superintendent and his/her staff, will provide assistance and support on the following issues:
 - a) Intergovernmental relations
 - b) Support for Board committees
 - c) Research, analysis, and information
 - d) Communications, including committee and individual Board memos, external correspondence, outreach and engagement (constituents and stakeholders), notifications, translations/language access, and system publications, Web information, etc.
 - e) Stakeholder inquiries
 - f) Logistical and administrative functions, such as agendas, scheduling, ethics panel, financial disclosure, Board member orientation, travel expenses, appeals, use of technology, Board minutes and records, and managing and tracking staff workload
 - g) Ombudsman function (Problem solving)
 - (1) The principal ombudsman functions are:
 - (a) Assisting any stakeholders in bringing their problems, complaints, information, or suggestions to the attention of the school system official at the most appropriate administrative level.
 - (b) Periodically reviewing, with the Board and the superintendent, all cases for inferences and suggestions with respect to opportunities for policy and administration improvements.
 - (2) In order for ombudsman functions to be performed, it is essential that information furnished in confidence remain confidential.

- (3) The ombudsman shall receive the cooperation of all employees of the system in the performance of these duties.
- (4) Board staff shall not undertake any duties or assignments which contravene the authority of the superintendent, as specified in *The Annotated Code of Maryland Education*, or any other laws, bylaws, rules or policies of the State Board of Education; he/she shall not interfere with contractual grievance procedures but shall provide services in accordance with rights of staff members as specified in the Negotiated Agreements; and he/she shall not, while acting in the capacity of Board staff, violate any of the constitutional rights of complainants or of the persons against whom complaints have been brought.

6. Reporting and Assignments

- a) Board staff shall report regularly on the work of the Board office, including issues such as committee updates, ombudsman work, and public interest matters. In addition, the Board office will present an annual report that will provide a comprehensive summary and analysis of the work of the Board office. The summary report will carefully preserve appropriate confidentiality.
- b) The Board of Education will develop an organization structure and staffing plan for the Board office that details the duties and responsibilities of each staff member. This staffing plan will include guidance on issues such as administrative and logistical support.

D. DESIRED OUTCOME

Support to the Board of Education that meets the needs of the Board as a whole, and its individual members as appropriate. In addition, the staff to the Board of Education should be responsive to the citizens, staff, students, and parents served by the Board and maintain confidentiality in every matter they handle.

E. IMPLEMENTATION STRATEGIES

1. The Board will establish a Board office structure and staffing plan with a clear delineation of lines of authority and accountability for each position's responsibilities.
2. Job descriptions for staff to the Board of Education shall be established by the Board, with the assistance of the superintendent.

3. The Board will establish and maintain, with the assistance of the superintendent, a Professional Growth System for executive and support staff in the Board office.
4. The Board will establish a schedule for reporting/tracking items identified in the regularly scheduled and annual reports from the Board office.
5. In lieu of regulations, the Board will establish guidelines for implementing this policy by resolution adopted by the Board of Education.
6. The Board will establish a process for hiring Board staff in accordance with the *Annotated Code of Maryland*.

F. REVIEW AND REPORTING

This policy will be reviewed in accordance with Policy BFA: Policysetting.

RESOLUTION NO. 266-06 Re: **CLOSED SESSION RESOLUTION**

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 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 Tuesday, June 13, 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. 267-06 Re: **REPORT OF CLOSED SESSION**

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

On May 9, 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 May 9, 2006, from 8:30 to 9:40 a.m. and 2:10 to 2:20 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeal with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): 2006-11, 2006-13, T-2006-10, T-2006-12, T-2006-13, T-2006-14, T-2006-15, T-2006-16, T-2006-18, and T-2006-19.
2. 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*): 2005-20, 2005-50, and 2006-16.
3. Discussed the Human Resources Monthly Report and Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
4. Discussed collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article* and Section 4-107(d)(2)(ii) of the *Education Article*.
5. Received legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
6. 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, Roland Ikheloa, Sebastian Johnson, Mark Kelsch, LaVerne Kimball, Don Kopp, Don Kress, Frieda Lacey, George Margolies, Susan Marks, Nancy Navarro, Pat O'Neill, Brian Porter, Lori Rogovin, Gabe Romero, Glenda Rose, Frank Stetson, Matt Tronzano, and Jerry Weast.

RESOLUTION NO. 268-06 Re: **APPEALS**

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

WHEREAS, The Board of Education has met in closed session, and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-503(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:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
2005-20	Student Discipline	Affirmed
2005-50	Student Expulsion	Affirmed
2006-16	Student Expulsion	Affirmed
T-2006-20	Student Transfer	Affirmed

Re: **NEW BUSINESS**

Mr. Abrams moved and Ms. Cox seconded the following:

Resolved, That the Board of Education's Policy Committee develop a new policy to define the expectations, rules, and responsibilities of public hearings.

RESOLUTION NO. 269-06 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of May 22, 2006, at 9:20 p.m.

PRESIDENT

SECRETARY

JDW:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

May 22, 2006

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