

APPROVED  
14-2007

Rockville, Maryland  
June 12, 2007

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, June 12, 2007, at 10:00 a.m.

Present: Mrs. Nancy Navarro, President  
in the Chair  
Mr. Steve Abrams  
Mr. Christopher Barclay  
Ms. Shirley Brandman  
Ms. Sharon Cox  
Dr. Judy Docca  
Mrs. Patricia O'Neill  
Dr. Jerry Weast, Secretary/Treasurer

Absent: Ms. Sarah Horvitz

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

RESOLUTION NO. 292-07 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, 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 June 12, 2007, in Room 120 from 9:00 to 10:00 a.m. and 12:15 to 2:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County

1. Discuss the Human Resources Monthly Report and Appointments, as permitted under Section 10-508(a)(1) of the *State Government Article*
2. 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 June 12, 2007, 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.

Re: **PLEDGE OF ALLEGIANCE**

"I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

RESOLUTION NO. 293-07 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for June 12, 2007.

RESOLUTION NO. 294-07 Re: **LEADERSHIP MONTGOMERY YOUTH COMMUNITY SERVICE LEADERSHIP AWARDS**

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

WHEREAS, Since 1997, Leadership Montgomery has offered the Youth Community Service Leadership Awards to identify, reward, and promote outstanding continuing community service efforts and accompanying demonstrations of leadership by high school students; and

WHEREAS, The law firm of Shulman, Rogers, Gandal, Pordy and Ecker, P.A., of Rockville, Maryland, has generously sponsored and funded cash awards for up to five students per year for the past 10 years; and

WHEREAS, Five Montgomery County Public Schools high school students have been honored as the Leadership Montgomery Youth Community Service Leadership Award recipients for 2007; now therefore be it

Resolved, That the Montgomery County Board of Education express its appreciation to Leadership Montgomery and to Shulman, Rogers, Gandal, Pordy and Ecker, P.A., for their leadership in promoting and honoring youth leadership in community service; and be

it further

Resolved, That the Board of Education congratulate this year's Leadership Montgomery Youth Community Service Leadership Award recipients for their outstanding demonstrations of leadership in community service.

RESOLUTION NO. 295-07      Re:    **RECOGNITION OF DISTINGUISHED HISPANIC SCHOLARS**

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 Hispanic Employees Association of Montgomery County Public Schools has recognized 21 outstanding Montgomery County Public Schools Hispanic American students by awarding a total of \$6,500 in educational scholarships and \$1,125 in gift certificate awards; and

WHEREAS, The Hispanic Employees Association of Montgomery County Public Schools is promoting the message of mutual support and unity among all Hispanic Americans and the value of the roles of Hispanic American students in this effort; and

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

WHEREAS, The Board of Education is proud that the Montgomery County Public Schools recognizes the achievements of Hispanic American students; now therefore be it

Resolved, That on behalf of the superintendent of schools, staff, students, and parents of the Montgomery County Public Schools, the members of the Board of Education congratulate the recipients of this year's Distinguished Hispanic Scholars Awards.

Re:    **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	David Fishback	Health Education Revision
2.	Christine Grewell	Health Education Revision
3.	Janis Sartucci	Churchill High School
4.	Peter Sprigg	Health Education Revision
5.	Lisa Lowe	Harassment by mail not investigated by MCPS
6.	Rosemarie Briggs	Health Education Revision
7.	Soffie Ceesay	Northwood High School
8.	Grace Harley	Health Education Revision

**Re: DISCUSSION**

Mr. Abrams asked staff to meet with Mrs. Lowe and inform her about the channels to pursue her complaint. Mr. Abrams and Ms. Cox asked staff to work with high schools about requesting a larger venue for graduations.

**Re: BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented that the team at Newport Mill Middle School, led by Principal Nelson McLeod, has been named a National School of Character by the Character Education Partnership. Each of the 10 winners from around the nation will receive a \$20,000 grant, used to model their character education efforts for other schools and districts. The Character Education Partnership called Newport Mill “a wonderful example of diverse students who are succeeding. The school works hard to create a caring environment where all will feel welcome. Character education is integrated into the academic program to promote a sense of responsibility, caring, and respect for the community and the environment.” The school was also recognized for being “family-friendly,” “welcoming,” and “customer-service oriented.”

Dr. Weast continued that the It’s Academic team at Walter Johnson High School defeated Holton Arms and Landon to win the It’s Academic Championship for the Washington area. Walter Johnson then went on to beat Centennial (Baltimore) and Robert E. Lee (central Virginia) high schools to become the It’s Academic Superbowl winner. The It’s Academic team at Walter Johnson has been coached for 14 years by physics teacher Mark Whipple. Joan McDermott, a science teacher at the school, served as co-coach for the first time this year. Walter Johnson also won the It’s Academic Superbowl in 2005.

Finally, Dr. Weast remarked that three members of the Winston Churchill High School boys’ tennis team won individual state championships: Jared Pinsky (singles) and Andrew Marcus and Felix Sun (doubles). Girls’ doubles champions were Tiffany Lin and Maraya Pratt from Walter Johnson High School. Twenty-one student athletes won individual state track and field events. The students were from Damascus, Gaithersburg, Quince Orchard, Richard Montgomery, Albert Einstein, Bethesda-Chevy Chase, Winston Churchill, Walt Whitman, and Sherwood high schools.

All Board members commented on the graduations they attended. It was an honor to confer the diplomas and to be a part of their pride in graduation.

**RESOLUTION NO. 296-07****Re: HUMAN RESOURCES MONTHLY REPORT**

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:

Resolved, That the Board of Education approve the Human Resources Monthly Report dated June 12, 2007.

RESOLUTION NO. 297-07            Re:    **DEATH OF MARGARET M. HOLMBERG,  
CLASSROOM TEACHER ON LEAVE FROM  
ROCKY HILL MIDDLE SCHOOL**

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 death on April 4, 2007, of Mrs. Margaret M. Holmberg, classroom teachers on leave from Rocky Hill Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the seven and a half years that Mrs. Holmberg had been employed by Montgomery County Public Schools, she demonstrated high respect for her colleagues and community; and

WHEREAS, Mrs. Holmberg was a competent and outstanding teacher who never gave up on her students, providing them with opportunities to learn in a way that was best suited for them as individuals; 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 Margaret M. Holmberg 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 Mrs. Holmberg's family.

RESOLUTION NO. 298-07            Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective June 13, 2007:

<u>Appointment</u> Erick Lang	<u>Current Position</u> Acting Associate Superintendent, Associate Superintendent, Office of Curriculum and Instructional Programs	<u>As</u> Associate Superintendent, Office of Curriculum and Instructional Programs
----------------------------------	---	--

RESOLUTION NO. 299-07            Re:    **HUMAN RESOURCES APPOINTMENT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Barclay, the following resolution was adopted with Mr. Abrams, Mr. Barclay, Ms. Brandman, Dr. Docca, Mrs. Navarro, and Mrs. O'Neill voting in the affirmative; Ms. Cox voting in the negative; Ms. Horvitz was absent:

Resolved, That the following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Peter Cahall	Principal, Watkins Mill HS	Director of School Performance

RESOLUTION NO. 300-07            Re:    **HUMAN RESOURCES APPOINTMENT**

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 following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Ebony Langford	Principal, Forest Knolls ES	Director, Elementary School Instruction and Achievement

RESOLUTION NO. 301-07            Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Catherine Allie	Principal, South Lake ES	Director, Skillful Teaching and Leading

RESOLUTION NO. 302-07            Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Karen Carter	Acting Coordinator, Special Initiatives	Coordinator, Special Initiatives

RESOLUTION NO. 303-07            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, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Jennifer Hoover	Assistant Principal, Richard Montgomery HS	Magnet Coordinator, IB Program Richard Montgomery HS

RESOLUTION NO. 304-07      Re:    **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Ginger Corpuz	Student Support Specialist, Shady Grove MS	Administrative Assistant, Human Resources

RESOLUTION NO. 305-07      Re:    **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Lisa Seymour	Acting Principal, Bethesda ES	Principal, Bethesda ES

RESOLUTION NO. 306-07      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Ryan Forkert	Principal Intern, Luxmanor ES	Principal, Luxmanor ES

RESOLUTION NO. 307-07      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Michaele Manaigo	Principal, Cora L. Rice ES	Principal, Weller Road ES

RESOLUTION NO. 308-07      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Victoria Casey	Principal Intern, Clarksburg ES	Principal, Whetstone ES

RESOLUTION NO. 309-07      Re:    **HUMAN RESOURCES APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective July 1, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Virginia de los Santos	Assistant Principal, Wheaton HS	Principal, White Oak MS

RESOLUTION NO. 310-07      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, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Roni Silverstein	Principal, Clopper Mill ES	Director, Elementary Leadership Development

RESOLUTION NO. 311-07      Re:    **RETIREES**

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

WHEREAS, The persons who are retiring or have retired from the Montgomery County Public Schools; and



WHEREAS, Each person, through outstanding performance of duties and dedication to the education of our youth, has made a significant contribution to the school system, which is worthy of special commendation; now therefore be it

Resolved, That the Board of Education members express their sincere appreciation to each person for faithful service to the school system and to the children of the county, and also extend to each one best wishes for the future; and be it further

Resolved, That this resolution be made part of the minutes of this meeting and a copy be forwarded to each retiree.

Re: **DISCUSSION OF THE FINAL ADOPTION OF  
THE FY 2008 OPERATING BUDGET**

Dr. Weast thanked the Board members, employees, parents, and the community who helped support the budget. He thanked the County Council for its examination of the budget and final approval.

Ms. Navarro thanked the staff and the outstanding job by the Council's aide. The community supported the budget because they are interested in education in Montgomery County.

Mr. Abrams congratulated the staff on a good budget, and he supported the budget. The county executive deserves credit for keeping communication open. However, Mr. Abrams still had concerns that were voiced during the process. First, he did not think it was good practice for a government agency to fund reoccurring costs with transfer of non-reoccurring revenues, such as transferring capital revenues to the operating budget. Second, the Board needs to be careful about long-term obligations for people who are no longer part of the delivery system.

Ms. Cox also thanked staff for developing the budget and working to get it passed by the Council. It was interesting that the Council president asked the same questions that the Board had asked. The Board did its due diligence, and a summary could have been prepared for the Council.

Mrs. O'Neill thanked the Board president for the incredible amount of time she put into the budget process. Mrs. O'Neill was cautious about the fiscal condition of the county for next year. The parameters of each budget are established with employee contracts, multi-year initiatives, and student enrollment. There is not much room for flexibility to add things people would like to have in education. She was pleased that JV lacrosse has been added through a technical adjustment.

Ms. Brandman thanked the staff and congratulated the Board president for all her work.

RESOLUTION NO. 312-07

Re: **FINAL ADOPTION OF THE FY 2008  
OPERATING BUDGET**

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

WHEREAS, The Board of Education adopted the FY 2008 Operating Budget of \$1,988,401,081 on February 13, 2007; and

WHEREAS, The county executive recommended \$1,968,751,400 for MCPS, \$19.6 million less than the Board of Education's budget request on March 13, 2007; and

WHEREAS, The Board of Education amended its budget request on May 21, 2007, by adding \$2,909,601, for a total of \$1,991,310,682, to include additional federal Title I revenue for FY 2008; and

WHEREAS, The County Council approved a total of \$1,985,017,619 (including grants and enterprise funds), a decrease of \$6,293,063 from the Board of Education's request on May 21, 2007; and

WHEREAS, The County Council appropriated a total of \$1,852,160,947 (excluding grants and enterprise funds); and

WHEREAS, The County Council directed the Board of Education to provide to the County Council a monthly report of personnel and financial information; and

WHEREAS, The County Council made reductions to the Board of Education's FY 2008 Operating Budget Request of May 21, 2007, of \$6,293,063, from the various budget categories, as shown on the following schedule, consisting of a reduction of \$6,133,930, excluding grants and enterprise funds; a reduction of \$209,452 in grants; and an addition of \$50,319 in special revenue funds, in appropriating \$1,985,017,619 for the Board of Education's FY 2008 Operating Budget:

I. Current Fund	Amended Request May 21, 2007	(Reduction)/ Addition	Approved Budget
1 Administration	43,309,733	30,176	43,339,909
2 Mid-level Administration	131,058,299	(597,352)	130,460,947
3 Instructional Salaries	811,380,700	(1,489,338)	809,891,362
4 Textbooks and Instructional Supplies	35,522,667	(15,220)	35,507,447
5 Other Instructional Costs	20,065,019	(347,000)	19,718,019
6 Special Education	243,725,009	151,275	243,876,284
7 Student Personnel Services	11,182,153		11,182,153
8 Health Services	46,138		46,138
9 Student Transportation	84,701,248	38,622	84,739,870
10 Operation of Plant and Equipment	112,682,521	(350,000)	112,332,521
11 Maintenance of Plant	33,040,430		33,040,430
12 Fixed Charges	410,133,370	(3,764,545)	406,368,825
14 Community Services	208,495		208,495
Subtotal, including specific grants	1,937,055,782	(6,343,382)	1,930,712,400
Less specific grants	78,551,453		78,551,453
Subtotal, spending affordability	1,858,504,329	(6,343,382)	<b>1,852,160,947</b>
 <b>II. Enterprise Funds</b>			
37 Instructional Television	1,470,681	50,319	1,521,000
51 Real Estate Management	2,317,953		2,317,953
61 Food Services	46,717,154		46,717,154
71 Field Trip	2,079,338		2,079,338
81 Entrepreneurial Activities	1,669,774		1,669,774
Subtotal, Enterprise Funds	54,254,900	50,319	54,305,219
Total Budget for MCPS	<u>1,991,310,682</u>	<u>(6,293,063)</u>	<u>1,985,017,619</u>

now therefore be it

Resolved, That based on an appropriation of \$1,985,017,619, that includes an appropriation of \$54,305,219 for enterprise and special revenue funds and \$78,551,453 for restricted grants, approved by the County Council on May 24, 2007, the Board of Education adopt its FY 2008 Operating Budget reflecting the changes shown in Schedule A and Schedule B; and be it further

Resolved, That the Board of Education affirm its support for the negotiated agreements with its employee organizations and for the increases in salary costs that they contain; and be it further

Resolved, That the Board of Education direct the superintendent of schools to comply with requests for information made by the County Council as part of the FY 2008 appropriation resolution for Montgomery County Public Schools; and be it further

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

RESOLUTION NO. 313-07      Re:    **CONTRACTS OF \$25,000 OR MORE**

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

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

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

1063.3    Speech and Language Services—Extension

<u>Awardees</u> (See note)	
Atlantic Health Services, Inc.*	
Care Resources, Inc.*	
EBS Healthcare	
National Speech/Language Therapy Center*	
Progressus Therapy, Inc.	
Therapy Needs, Inc. *	
Tri Rehab of Germantown, Inc.*	
Total	\$600,000

1091.3    Services for Infants and Toddlers with Developmental Delays—Extension

<u>Awardees</u> (See note)	
Care Resources, Inc.*	
Early Intervention Therapists	
Jewish Social Service Agency	
The Language Experience, LLC*	
National Speech/Language Therapy Center*	
Pediatric Therapy Association*	

	Total	\$550,000
1126.3	Physical Exams for Bus Drivers—Extension	
	<u>Awardees</u>	
	American Business Medical Services*	
	Corporate Occupational Health Solutions	
	Frederick Primary Care Associates	
	Medical Access*	
	Secure Medical Care*	
	Total	\$113,000
1131.6	Alcohol/Drug Testing Program Services—Extension	
	<u>Awardees</u> (See note)	
	American Business Medical Services*	
	Medical Access*	
	Prudential Associates	
	Secure Medical Care*	
	Total	\$ 80,000
1133.2	Occupational and Physical Therapy Services for Students With Disabilities—Extension	
	<u>Awardees</u> (See note)	
	Care Resources, Inc.*	
	Tri Rehab of Germantown, Inc.*	
	Therapy Needs, Inc.*	
	Total	\$150,000
1139.2	Actuarial Consulting Services—Extension	
	<u>Awardee</u>	
	Mercer Human Resources	\$ 75,000
1140.2	On-going Health and Welfare Consulting Services—Extension	
	<u>Awardee</u>	
	AON Consulting	\$ 200,000
4021.4	Painting Contractors—Extension**	
	<u>Awardees</u> (See note)	
	5:01 Office & Home Contractors*	

	B&B Restoration and Repairs*		
	Colossal Contractors, Inc.*		
	DA Painting and Construction, Inc.*		
	OMF Contractors, Inc.*		
	Tito Contracting, Inc.*		
	Total Contracting, Inc.*		
	Total	\$	350,000
4028.4	Two-Way Radios—Extension		
	<u>Awardees</u>		
	Continental Wireless*	\$	1,385
	Procom Corporation		<u>26,081</u>
	Total	\$	27,466
4097.3	Science Equipment Repair Service—Extension		
	<u>Awardees</u> (See note)		
	General Precision Specialties, LLC		
	Metro Scopes*		
	Total	\$	30,000
4137.5	Special Education Supplies and Software—Extension		
	<u>Awardees</u>		
	Ablenet, Inc.	\$	16,601
	Don Johnson, Inc.		45,171
	Dynavox Systems, LLC*		45,273
	Envision Technology, Inc.*		99,074
	Learning Services		15,035
	Mayer-Johnson, Inc.		40,654
	Prentke Romich Company		95,250
	Renaissance Learning, Inc.		61,175
	Riverside Publishing		16,185
	Technology for Education, Inc.		<u>114,351</u>
	Total		\$548,769
4173.1	Printing of Blueprints/Construction Specifications and Brochures—Extension		
	<u>Awardee</u>		
	Reprographics Technologies	\$	100,000
7079.4	Paperback and Prebound Paperback Books		

	<u>Awardee</u>	
	Perfection Learning	\$ 500,000
9013.6	Industrial and Technical Education Hand Tools—Extension	
	<u>Awardees</u>	
	Diamond Tool Company	\$ 66,000
	Fastenal Company	1,519
	Grainger, Inc.	7,174
	Metco Supply, Inc.	3,386
	Paxton/Patterson	4,191
	Rutland Tool and Supply Company	2,689
	Satco, Inc.	83,898
	Snap On Industrial	<u>10,000</u>
	Total	\$ 178,857
9061.8	Fitness and Team Handball Supplies and Equipment	
	<u>Awardees</u>	
	Flaghouse, Inc.	\$ 9,579
	Gopher Sport	1,018
	Passon's Sport	13,168
	Pyramid School Products	389
	Sportime, LLC	10,840
	Sports Stop, Inc.	<u>249</u>
	Total	\$ 35,243
9649.1	Walk In Cooler Freezer Replacement at Neelsville Middle School**	
	<u>Awardee</u>	
	Arbutus Refrigeration, Inc.	\$ 99,903
	TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000	\$3,638,238

\*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. 314-07

Re: **GRANT OF STORMWATER MANAGEMENT  
EASEMENT AND STORMWATER MANAGEMENT  
INSPECTION AND MAINTENANCE AGREEMENT AT  
FALLSMEAD ELEMENTARY SCHOOL**

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, The Mayor and Council of Rockville (City) requested a Stormwater Management Easement and Stormwater Management Inspection and Maintenance Agreement in connection with the addition project at Fallsmead Elementary School, located at 1800 Greenplace Terrace, Rockville, Maryland; and

WHEREAS, The proposed easement grant, configured in two parcels, totaling 11,542 square feet, will provide rights to the City for inspection and maintenance of two underground quality control stormwater management structures in accordance with Chapter 19 of the City Code; and

WHEREAS, The stormwater management easement areas will not affect land that could be used for school programming or recreational activities; and

WHEREAS, Construction and future maintenance of the stormwater management facilities will be undertaken by the Board of Education, with the City being granted the right to inspect and maintain; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Grant of Stormwater Management Easement and Stormwater Management Inspection and Maintenance Agreement for 11,542 square feet of land at Fallsmead Elementary School to the Mayor and Council of Rockville.

RESOLUTION NO. 315-07            Re:    **LAND LEASE FOR MODULAR CHILD CARE  
INSTALLATION AT LOIS P. ROCKWELL  
ELEMENTARY SCHOOL**

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, KidsCo., Inc., a child-care provider at Lois P. Rockwell Elementary School, currently is leasing space for a high-quality infants and toddlers program serving both faculty and community; and

WHEREAS, KidsCo., Inc. would like to expand its child-care program to older preschoolers in the community and provide placement for the current children in the program as they mature; and

WHEREAS, KidsCo., Inc. has asked for permission to fund and install a free-standing modular classroom unit on a 5,000-square-foot leased portion of the site for the expansion of its child-care services to the Lois P. Rockwell Elementary School community; and



WHEREAS, The principal and Department of Facilities Management staff have inspected the location and agree that it will not adversely affect any land that could be used for school programming or recreational activities; and

WHEREAS, The lease term will be for five years with the option to renew for additional terms, with the provision that each party will have the right to terminate by giving the other written notice at least one year in advance; and

WHEREAS, Legal counsel from Reese and Carney has reviewed the lease agreement for legal sufficiency; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Lease Agreement with KidsCo., Inc. for a 5,000-square-foot portion of the school site for installation of a modular classroom to accommodate expansion of its child-care program.

RESOLUTION NO. 316-07                      Re:    **OFFICE SPACE LEASE EXTENSION AT FESTIVAL SHOPPING CENTER**

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, The Board of Education approved a five-year lease, which terminates in January 2008, with MB Limited Partnership for 4,500 square feet of space at the Festival Shopping Center at 311 and 313 Muddy Branch Road, Gaithersburg, Maryland, to accommodate the Department of Transportation bus router and scheduler staff; and

WHEREAS, There continues to be a space shortage within Board of Education-owned facilities to house this function; and

WHEREAS, Department of Facilities Management staff has negotiated favorable financial terms for a new three-year lease at a base rental rate of \$15 per square foot with 4-percent annual increases; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a three-year Lease Agreement with MB Limited Partnership for 4,500 square feet of space located at 311 and 313 Muddy Branch Road, Gaithersburg, Maryland, at a base rental rate of \$15 per square foot, with 4-percent annual increases.

RESOLUTION NO. 317-07                      Re:    **AWARD OF CONTRACT—ASHBURTON ELEMENTARY SCHOOL ADDITION**

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, The following sealed bids were received on May 10, 2007, for the Ashburton Elementary School addition project:

<u>Bidder</u>	<u>Amount</u>
Keller Brothers, Inc.	\$4,965,000
Dustin Construction, Inc.	4,987,000
Meridian Construction Company, Inc.	5,186,000
R. J. Crowley, Inc.	5,207,000

and

WHEREAS, The low bidder, Keller Brothers, Inc., has submitted 7.1-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 0.6 percent is African American, and 6.5 percent is other MDOT-certified; and

WHEREAS, Keller Brothers, Inc. also has submitted 0.3-percent non-MDOT-certified minority participation; and

WHEREAS, Keller Brothers, Inc. has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, Keller Brothers, Inc. has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$4,965,000 contract be awarded to Keller Brothers, Inc. for the Ashburton Elementary School addition project, in accordance with drawings and specifications prepared by JK Architects + Associates, Inc.

RESOLUTION NO. 318-07      Re:    **AWARD OF CONTRACT—CLOPPER MILL  
ELEMENTARY SCHOOL CONTROLS RETROFIT**

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, The following sealed bids were received on March 23, 2007, for the Clopper Mill Elementary School controls retrofit project:

<u>Bidder</u>	<u>Amount</u>
Control Sources, LLC	\$182,300
Control Systems Sales, Inc.	223,520
Boland Trane Services, Inc.	405,820

and

WHEREAS, The low bidder, Control Sources, LLC, has submitted 20-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 12 percent is African American and 8 percent is female; and

WHEREAS, Control Sources, LLC, has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, Control Sources, LLC, has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$182,300 contract be awarded to Control Sources, LLC, for the Clopper Mill Elementary School controls retrofit project, in accordance with drawings and specifications prepared by Building Dynamics, LLC.

RESOLUTION NO. 319-07      Re:    **AWARD OF CONTRACT—FALLSMEAD  
ELEMENTARY SCHOOL ADDITION**

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, The following sealed bids were received on May 24, 2007, for the Fallsmead Elementary School addition project:

<u>Bidder</u>	<u>Amount</u>
R. J. Crowley, Inc.	\$5,532,276
Dustin Construction, Inc.	6,206,850
Keller Brothers, Inc.	6,215,850

William F. Klingensmith, Inc.	6,283,000
Meridian Construction Company, Inc.	6,391,000
Hess Construction Company, Inc.	6,690,900

and

WHEREAS, The low bidder, R. J. Crowley, Inc., has asked to withdraw its bid due to an error; and

WHEREAS, State procurement statutes give vendors the right to withdraw bids if sufficient evidence is provided to demonstrate that a pricing error was made that would cause an unfair economic burden; and

WHEREAS, The low bidder has provided documentation to support an error in its bid; and

WHEREAS, The second low bidder, Dustin Construction, Inc. has submitted 8.15-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 2.95 percent is African American, 0.02 percent is female, and 5.18 percent is other MDOT-certified; and

WHEREAS, Dustin Construction, Inc. has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, Dustin Construction, Inc. has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, Bidders were given the opportunity to submit a combined price for both the Fallsmead Elementary School addition and the Thomas W. Pyle Middle School addition, and Dustin Construction, Inc. offered a reduction of \$39,000 on each project if awarded both projects; now therefore be it

Resolved, That a \$6,167,850 contract be awarded to Dustin Construction, Inc. for the Fallsmead Elementary School addition project, in accordance with drawings and specifications prepared by Smolen-Emr + Associates Architects.

RESOLUTION NO. 320-07

Re: **AWARD OF CONTRACTS—WALTER JOHNSON HIGH SCHOOL MODERNIZATION**

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, On January 9, 2007, the Board of Education authorized staff to utilize a construction management process for the Walter Johnson High School modernization project and awarded a contract for preconstruction services to Henley Construction Company, Inc.; and

WHEREAS, The following low bids were received for subcontract work on May 23, 2007, for the specified trades:

<u>Low Bids</u>	<u>Amounts</u>
Demolition/Abatement—Henley Construction Company, Inc.	\$2,164,000
Concrete—Henley Construction Company, Inc.	860,000
Fire Protection—Reliance Fire Protection	996,700

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 Walter Johnson High School modernization project, in accordance with drawings and specifications prepared by Samaha Associates, P.C.

RESOLUTION NO. 321-07      Re:    **AWARD OF CONTRACT—FRANCIS SCOTT KEY  
MIDDLE SCHOOL MODERNIZATION**

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, On September 14, 2006, the Board of Education authorized staff to utilize a construction management process for the Francis Scott Key Middle School modernization project and awarded a contract for preconstruction services to Hess Construction Company, Inc.; and

WHEREAS, The following sealed bids were received for hazardous material removal/demolition subcontract work on May 23, 2007:

<u>Bidder</u>	<u>Amount</u>
---------------	---------------

ACECO, LLC	\$ 739,000
Wrecking Corporation of America, St. Louis, Inc.	872,000
Trisource Contracting, LLC	879,924
Hudak's Construction Services, Inc.	1,112,000

and

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

WHEREAS, ACECO, LLC has completed similar work successfully for other jurisdictions; now therefore be it

Resolved, That a \$739,000 contract be awarded to ACECO, LLC for the hazardous material removal/demolition work for the Francis Scott Key Middle School modernization project, in accordance with drawings and specifications prepared by The Lukmire Partnership, Inc.

RESOLUTION NO. 322-07      Re:    **AWARD OF CONTRACT—THOMAS W. PYLE MIDDLE SCHOOL ADDITION**

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, The following sealed bids were received on May 24, 2007, for the Thomas W. Pyle Middle School addition project:

<u>Bidder</u>	<u>Amount</u>
Dustin Construction, Inc.	\$5,233,600
Keller Brothers, Inc.	5,456,000
R. J. Crowley, Inc.	5,517,529
Hess Construction Company, Inc.	5,656,700
The R. R. Gregory Corporation	5,937,300

and

WHEREAS, The low bidder, Dustin Construction, Inc., has submitted 7.7-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 2.76 percent is African American, .19 percent is female, and 4.75 percent is other MDOT-certified; and

WHEREAS, Dustin Construction, Inc. has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, Dustin Construction, Inc. has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, Bidders were given the opportunity to submit a combined price for both the Thomas W. Pyle Middle School addition and the Fallsmead Elementary School addition, and Dustin Construction, Inc. offered a reduction of \$39,000 on each project if awarded both projects; now therefore be it

Resolved, That a \$5,194,600 contract be awarded to Dustin Construction, Inc. for the Thomas W. Pyle Middle School addition project, in accordance with drawings and specifications prepared by Smolen-Emr + Associates Architects.

RESOLUTION NO. 323-07      Re:    **AWARD OF CONTRACT—STEDWICK  
ELEMENTARY SCHOOL ADDITION**

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, The following sealed bids were received on May 3, 2007, for the Stedwick Elementary School addition project:

<u>Bidder</u>	<u>Amount</u>
Scheibel Construction	\$7,573,000
The R. R. Gregory Corporation	7,721,300
Keller Brothers, Inc.	7,750,200
William F. Klingensmith, Inc.	7,752,000
Meridian Construction Company, Inc.	7,922,000

and

WHEREAS, The low bidder, Scheibel Construction, has submitted 2.3-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 2 percent is female and 0.3 percent is other MDOT-certified; and

WHEREAS, Scheibel Construction has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, Scheibel Construction has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$7,573,000 contract be awarded to Scheibel Construction for the Stedwick Elementary School addition project, in accordance with drawings and specifications prepared by Cochran, Stephenson & Donkervoet, Inc.

RESOLUTION NO. 324-07                      Re:    **AWARD OF CONTRACT—THOMAS S. WOOTTON  
HIGH SCHOOL CISCO LAB MODIFICATIONS  
PROGRAM PROJECT**

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, The following sealed bids were received on April 25, 2007, for the Thomas S. Wootton High School CISCO Lab modifications project:

<u>Bidder</u>	<u>Amount</u>
PCM Construction, Inc.	\$172,511
Golden Construction, Inc.	204,817
Capital Contracting, Inc.	223,777

and

WHEREAS, There is limited opportunity for minority vendor participation because of the scope of the work involved in this project, and staff recommends waiving the Minority Business Enterprise goal for this project; and

WHEREAS, PCM Construction, Inc. has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$172,511 contract be awarded to PCM Construction, Inc. for the Thomas S. Wootton High School CISCO Lab modifications project, in accordance with drawings and specifications prepared by JK Architects + Associates, Inc.



RESOLUTION NO. 325-07

Re: **AWARD OF CONTRACT—POOLESVILLE HIGH SCHOOL (HVAC) AGING SCHOOL PROGRAM PROJECT**

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, The following sealed bids were received on May 7, 2007, for the Poolesville High School (HVAC) Aging School Program project, phase 1B:

<u>Bidder</u>	<u>Amount</u>
M & M Welding & Fabricators, Inc.	\$1,098,000
Shapiro & Duncan, Inc.	1,120,000

and

WHEREAS, The low bidder, M & M Welding & Fabricators, Inc., a Maryland Department of Transportation (MDOT)-certified minority firm, has submitted 25-percent female-owned Minority Business Enterprise (MBE) participation; and

WHEREAS, M & M Welding & Fabricators, Inc. has met the state goal for female-owned MBE participation, however, they have not met the goal for the other state participation categories; and

WHEREAS, M & M Welding & Fabricators, Inc. has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, M & M Welding & Fabricators, Inc. has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$1,098,000 contract be awarded to M & M Welding & Fabricators, Inc., for phase 1B of the Poolesville High School (HVAC) Aging School Program project, in accordance with drawings and specifications prepared by Building Dynamics, LLC.

RESOLUTION NO. 326-07

Re: **AWARD OF CONTRACTS—IMPROVED ACCESS TO SCHOOLS**

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, There are three Improved Access to Schools (IAS) projects to be completed during the summer of 2007; and

WHEREAS, To expedite the bidding process, the Department of Facilities Management has solicited prices for two of the three projects from three contractors on bid with the Montgomery County Department of Transportation; and

WHEREAS, The low proposals for each project are as follows:

<u>Project</u>	<u>Contractor</u>	<u>Amount</u>
Roberto Clemente Middle School	Finley Asphalt & Sealing	\$237,117
Rachel Carson Elementary School	Highway and Safety Services, Inc.	\$207,757

and

WHEREAS, Finley Asphalt & Sealing and Highway and Safety Services, Inc. have completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a contract in the amount of \$237,117 be awarded to Finley Asphalt & Sealing for the Roberto Clemente Middle School Improved Access to Schools project, in accordance with plans and specifications prepared by ADTEK Engineers, Inc.; and a contract in the amount of \$207,757 be awarded to Highway and Safety Services, Inc. for the Rachel Carson Elementary School Improved Access to Schools project, in accordance with drawings and specifications prepared by A. Morton Thomas and Associates, Inc.

RESOLUTION NO. 327-07      Re:    **ARCHITECTURAL APPOINTMENT CARDEROCK SPRINGS ELEMENTARY SCHOOL MODERNIZATION**

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, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Carderock Springs Elementary School modernization project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$17,000,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2008 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified BeeryRio Architecture + Interiors as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for these architectural services that include a Maryland Department of Transportation-certified, Asian-owned consultant; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of BeeryRio Architecture + Interiors to provide professional architectural and engineering services for the Carderock Springs Elementary School modernization project for a fee of \$1,073,000.

RESOLUTION NO. 328-07      Re:    **ARCHITECTURAL APPOINTMENTS—  
FEASIBILITY STUDIES FOR VARIOUS SCHOOLS**

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, 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 2007 Capital Budget; and

WHEREAS, Architect Selection Committees, in accordance with procedures adopted by the Board of Education on April 20, 2006, 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>
Cannon Road ES Modernization	Delmar Architects, P.A.	\$37,500
Fairland ES Addition	Rubeling & Associates	29,920
Fox Chapel ES Addition	JK Architects + Associates, Inc.	29,700
Harmony Hills ES Addition	Zavos Architecture + Design	30,000
Jones Lane ES Addition	Grimm and Parker, P.C.	24,650
Thurgood Marshall ES Addition	Grimm and Parker, P.C.	24,650

and

WHEREAS, Staff has negotiated fees for the architectural services; 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. 329-07            Re:    **CONTINUATION OF ENGINEERING SERVICES CONTRACT—NETWORK SYSTEMS DESIGN**

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, Engineering services are required to design and administer the installation of the CATV and buildingwide data/communications network systems for new and modernized schools; and

WHEREAS, On May 11, 2004, a contract was awarded to Brinjac Engineering, Inc. to perform these services; and

WHEREAS, The current consultant has agreed to hold their unit prices for an additional year; and

WHEREAS, Staff has recommended that the current contract be extended; now therefore be it

Resolved, That the Board of Education extend the contract with the firm of Brinjac Engineering, Inc. for CATV and data/communications network engineering design services for the following amounts:

Elementary schools	\$ 7,500 per school
Middle schools	14,680 per school
High schools	18,350 per school

and be it further

Resolved, That design fees for additions to existing schools will be negotiated on an individual basis at standard hourly rates for similar services.

RESOLUTION NO. 330-07            Re:    **ACCEPTANCE OF WATKINS MILL ELEMENTARY SCHOOL ADDITION**

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, The Watkins Mill Elementary School addition project was inspected on May 22, 2007; now therefore be it

Resolved, That the Board of Education accept the Watkins Mill Elementary School addition project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the plans and specifications, and all contract requirements have been met.

RESOLUTION NO. 331-07      Re:    **ACCEPTANCE OF NORTHWEST HIGH SCHOOL ADDITION**

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, The Northwest High School addition project was inspected on May 23, 2007; now therefore be it

Resolved, That the Board of Education accept the Northwest High School addition project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the plans and specifications, and all contract requirements have been met.

RESOLUTION NO. 332-07      Re:    **UTILIZATION OF THE FY 2007 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS**

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, 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, 2006; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2007 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 2007 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Advanced Placement: Great Expectations	\$ 47,999
After School Activities Program	15,000

Aging Schools Program	360,171
Project Nexus	50,651
Research and Evaluation	2,250
Tobacco Prevention	<u>20,000</u>
Total	<u>\$ 496,071</u>

and be it further

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

RESOLUTION NO. 333-07      Re:    **RECOMMENDED CATEGORICAL TRANSFERS  
FOR THE FY 2007 PROVISION FOR FUTURE  
SUPPORTED PROJECTS**

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, The current FY 2007 Operating Budget adopted by the Board of Education includes \$14,731,709 for the Provision for Future Supported Projects; and

WHEREAS, The Board of Education will receive additional projects that are eligible for funding through the Provision for Future Supported Projects during FY 2007; and

WHEREAS, Actual revenue and expenditure requirements of grant projects require that categorical transfers be made in the Provision for Future Supported Projects; now therefore be it

Resolved, That the superintendent of schools be authorized to effect categorical transfers totaling \$910,171 within the FY 2007 Provision for Future Supported Projects, in accordance with the County Council provision for transfers, as follows:

<u>Category</u>	<u>From</u>	<u>To</u>
1 Administration	\$ 300,000	
2 Mid-level Administration	160,000	
3 Instructional Salaries		\$ 550,000
4 Textbooks and Instructional Supplies	50,000	
5 Other Instructional Costs	150,000	
6 Special Education	100,171	
11 Maintenance of Plant		360,171
12 Fixed Charges	100,000	
14 Community Services	<u>50,000</u>	<u>                    </u>
Total	<u>\$ 910,171</u>	<u>\$ 910,171</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. 334-07            Re:    **RECOMMENDATION TO APPROVE EXCLUSIVE REPRESENTATIVE FOR BARGAINING UNIT OF NONCERTIFICATED SUPERVISORY EMPLOYEES**

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, In August 2006, the Montgomery County Association of Administrative and Supervisory Personnel (MCAASP), in accordance with the requirements of *The Annotated Code of Maryland, Education*, Section 6-506, requested the opportunity to enter into negotiations with the Board of Education on the subject of establishing a bargaining unit of noncertificated supervisory employees; and

WHEREAS, On September 14, 2006, the Board of Education directed the superintendent to enter into negotiations with any interested employee organization to determine the composition of a unit of noncertificated supervisory employees who were not then currently in a bargaining unit; and

WHEREAS, Both MCAASP and the Service Employees International Union (SEIU) Local 500 requested negotiations with the Board of Education on the subject of the composition of the bargaining unit; and

WHEREAS, Negotiations have occurred involving both organizations requesting negotiations on this issue and the representatives of the Board of Education; and

WHEREAS, On March 26, 2007, the Board of Education approved the formation of a bargaining unit of noncertificated supervisory employees; and

WHEREAS, The unit is to consist of noncertificated supervisory employees who provide responsible direction to other employees and exercise independent judgment, are responsible for the evaluation of at least two other employees, and who do not report to members of the SEIU Local 500 bargaining unit, and all other similarly situated positions now and in the future; and

WHEREAS, The unit shall include those positions identified in the attachment to the Board's resolution of March 26, 2007, but only to the extent those positions meet the description of the unit set forth above and may include other positions meeting the unit description in the future; and

WHEREAS, Management personnel, confidential employees, and those persons designated by the Board of Education to act in a negotiations capacity, all pursuant to Section 6-501 of *The Annotated Code of Maryland, Education*, and temporary employees are excluded from any unit; and

WHEREAS, On May 22, 2007, MCAASP submitted certification that it has membership enrollment of at least 30 percent of the public school employees in the unit named in this resolution as provided under *The Annotated Code of Maryland, Education*, Section 6-506; and

WHEREAS, On May 29, 2007, MCAASP submitted certification that it has membership enrollment of the majority of the public school employees in the unit named in this resolution as provided under *The Annotated Code of Maryland, Education*, Section 6-506; and

WHEREAS, As of the May 28, 2007, deadline no other employee organization has certified having a membership enrollment of at least 10 percent of the total number of employees in such unit; and

WHEREAS, MCAASP did not request an election under *The Annotated Code of Maryland, Education*, Section 6-506; now therefore be it

Resolved, That in accordance with the provisions of the *Annotated Code of Maryland, Education*, Section 6-506 (e) *Designation without an election*, the Board of Education hereby designate the Montgomery County Association of Administrative and Supervisory Personnel as the exclusive representative of all public school employees in the unit named in this resolution effective June 13, 2007, and continuing as provided by law; and be it further

Resolved, That management personnel, confidential employees, and those persons designated by the Board of Education to act in a negotiations capacity, all pursuant to Section 6-501 of *The Annotated Code of Maryland, Education*, be excluded from this unit, pursuant to *The Annotated Code of Maryland, Education*, Section 6-506, and temporary employees be excluded from any unit.

Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief operating officer, reported the actual financial condition of MCPS as of April 30, 2007, and projections through June 30, 2007, based on program requirements and estimates made by primary and secondary account managers. At that time, revenues had a



projected surplus of \$1,198,453, while expenses had a projected surplus of \$6,400,000. Staff will continue to closely monitor both revenues and expenditures.

Ms. Cox asked staff to work with legislators to assure funding for students at R.I.C.A.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed from 12:05 to 2:00 p.m. for lunch and closed session.

Re: **FINAL ADOPTION OF REVISED HEALTH EDUCATION CURRICULUM**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Barclay, the following resolution was placed on the table:

WHEREAS, On January 9, 2007, the Board of Education unanimously approved field-testing revisions to the health education curriculum for students in Grade 8 and Grade 10 and directed the superintendent to inform the Board of the results of field testing the revised lessons and seek its approval at the appropriate time in preparation for systemwide implementation for the 2007–2008 school year; and

WHEREAS, During March 2007, field tests of the revised lessons were conducted in three middle schools and three high schools, and feedback from field-test administrators, teachers, students, and parents was collected and analyzed; and

WHEREAS, Feedback indicates professional development, communication, support, and the revised lessons provided to field-test administrators, teachers, and counselors resulted in effective instruction that met curricular outcomes for students; and

WHEREAS, Suggestions to improve manageability and/or clarity have been incorporated into lessons and professional development as appropriate and were consistent with the curricular outcomes; now therefore be it

Resolved, That the Board of Education approve the revised lessons to the Health Education curriculum and instructional materials on “Respect for Differences in Human Sexuality” in Grade 8 and Grade 10 and on “Condom Use Demonstration” in Grade 10, with minor instructional improvements, for full implementation beginning in the 2007–2008 school year.

Re: **DISCUSSION**

Mr. Abrams reminded people to look at the record when the pilot was approved. He supported the curriculum for testing, but he cautioned his vote at that time based on what he had heard from both sides of the argument. The lack of sensitivity by the school system and monitoring

of the development of a curriculum resulted in litigation. The court handed it back to MCPS with some constraints. The issue is not new, and he was upset about the timing that occurred in the past week as well as offended by the lack of information that a change had occurred. He would not support the curriculum with the alterations because it violates what the Board initially directed with a roll out, test and validation of the curriculum, and implementation systemwide.

Mrs. O'Neill thanked staff for bringing information to the Board. The feedback to Board members was that the students felt that teachers could not respond to their questions. There have been discussions about homosexuality and condom use for five years. This is a fine curriculum, and she planned to support the curriculum to be rolled out for full implementation by the school system.

Mr. Barclay stated that he strongly supported the curriculum. It is contentious, but it is the right thing to do. It is necessary to arm children with the facts.

Ms. Cox asked about the number of questions by students that will be asked in the full implementation of the curriculum. Are the teachers restricted in their responses? With new questions, what will guide staff? Staff replied that directions to teachers are that they can answer any question that is addressed in the material or presented to the class. For anything outside the content of the curriculum, the teacher will direct a student to a trusted adult.

Dr. Docca thanked the staff and advisory committee for their work on the curriculum. She planned to vote for the curriculum. The students need as much correct information as possible.

Ms. Brandman thanked everyone involved in bring forth the curriculum. She supported the recommendations of the advisory committee. In the context of a health class, the teacher should have guidance to help students.

Ms. Navarro thanked the advisory committee and staff, and the student and families who participated in the pilot of the curriculum. She was concerned about the time that was lost in putting forth information that was factual for the students. Parents give permission for the students to be part of the classes. She planned to support the curriculum.

RESOLUTION NO. 335-07

Re: **FINAL ADOPTION OF REVISED HEALTH EDUCATION CURRICULUM**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Barclay, the following resolution was adopted with Mr. Barclay, Ms. Brandman, Ms. Cox, Dr. Docca, Mrs. Navarro, and Mrs. O'Neill voting in the affirmative; Mr. Abrams voting in the negative; Ms. Horvitz was absent:

WHEREAS, On January 9, 2007, the Board of Education unanimously approved field-testing revisions to the health education curriculum for students in Grade 8 and Grade 10 and directed

the superintendent to inform the Board of the results of field testing the revised lessons and seek its approval at the appropriate time in preparation for systemwide implementation for the 2007–2008 school year; and

WHEREAS, During March 2007, field tests of the revised lessons were conducted in three middle schools and three high schools, and feedback from field-test administrators, teachers, students, and parents was collected and analyzed; and

WHEREAS, Feedback indicates professional development, communication, support, and the revised lessons provided to field-test administrators, teachers, and counselors resulted in effective instruction that met curricular outcomes for students; and

WHEREAS, Suggestions to improve manageability and/or clarity have been incorporated into lessons and professional development as appropriate and were consistent with the curricular outcomes; now therefore be it

Resolved, That the Board of Education approve the revised lessons to the Health Education curriculum and instructional materials on “Respect for Differences in Human Sexuality” in Grade 8 and Grade 10 and on “Condom Use Demonstration” in Grade 10, with minor instructional improvements, for full implementation beginning in the 2007–2008 school year.

RESOLUTION NO. 336-07      Re:    **CLOSED SESSION RESOLUTION**

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 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 Monday, June 25, 2007, in Room 120 of the Carver Educational Services Center to meet from 6:30 to 7:00 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 administrative 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. 337-07      Re:    **REPORT OF CLOSED SESSION**

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

On May 21, 2007, by unanimous vote of members present, the Board of Education voted to conduct closed sessions 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 a closed session on May 21, 2006, from 6:20 to 7:00 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeals 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*): T-2007-4 and 2007-12.
2. Discussed the Human Resources Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. Received legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
4. Discussed matters of an administrative function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were Steve Abrams, Aggie Alvez, Christopher Barclay, Steve Bedford, Shirley Brandman, Patrick Clancy, Sharon Cox, Judy Docca, Brian Edwards, Marlene Hartzman, Sarah Horvitz, Roland Ikheloa, Mark Kelsch, LaVerne Kimball, Suzann King, Kristen Koger, Don Kress, Frieda Lacey, Susan Marks, Nancy Navarro, Patricia O'Neill, John Q. Porter, Brian Porter, Glenda Rose, Jerry Weast, and Carey Wright.

RESOLUTION NO. 338-07            Re:    **APPOINTMENT TO THE ETHICS PANEL**

WHEREAS, On February 29, 1984, the Ethics Panel was established by the Board of Education; and

WHEREAS, The members of the Ethics Panel are appointed by the Board of Education; and

WHEREAS, The Board expanded the panel on June 10, 2003, from three to five members; and

WHEREAS, One vacancy will soon exist on the five-member panel; now therefore be it

Resolved, That William P. Jacobi be appointed to serve a three-year term effective July 1, 2007, and ending June 30, 2010.

RESOLUTION NO. 339-07            Re:    **MINUTES**

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

Resolved, That the Board of Education approve the meeting minutes for November 14, November 16, November 20, December 1, December 5, December 9, and December 12, 2006.

RESOLUTION NO. 340-07      Re:    **APPEALS**

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 will be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
2007-14	Expulsion Held in Abeyance	Affirm
2007-15	Early Entrance to Kindergarten	Affirm
2007-17	Complaint from the Public	Affirm
T-2007-6	Transfer	Affirm
T-2007-7	Transfer	Affirm
T-2007-8	Transfer	Affirm

Re:    **PROFESSIONAL GROWTH FRAMEWORK FOR THE SUPERINTENDENT OF SCHOOLS**

On motion fo the Strategic Planning Committee, the following resolution was placed on the table:

WHEREAS, On February, 26, 2007, The Board of Education directed the Strategic Planning Committee to develop and present recommendations to the Board for a professional growth framework for the Superintendent; and

WHEREAS, The Committee met to design of an appropriate professional growth tool taking into consideration past Board practice, alignment with the strategic plan goals and measures, the Baldrige criteria (e.g. leadership, stakeholder involvement, etc.), and other pertinent concepts, such as professional learning opportunities; now therefore be it

Resolved, That the Board adopt the Strategic Planning Committee's recommended professional growth tool for the position of Superintendent of Schools, including the timeline for its annual review and update.

RESOLUTION NO. 341-07      Re:    **AN AMENDMENT TO THE PROFESSIONAL GROWTH FRAMEWORK FOR THE SUPERINTENDENT OF SCHOOLS**

On motion of Ms. Cox and seconded by Ms. Navarro, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education adopt the evaluation tool for 2007 only and recommendations for revisions would be based on a dialogue with the superintendent.

RESOLUTION NO. 342-07      Re:    **PROFESSIONAL GROWTH FRAMEWORK FOR THE SUPERINTENDENT OF SCHOOLS**

On motion of the Strategic Planning Committee, the following resolution, as amended, was adopted unanimously by members present:

WHEREAS, On February, 26, 2007, The Board of Education directed the Strategic Planning Committee to develop and present recommendations to the Board for a professional growth framework for the Superintendent; and

WHEREAS, The Committee met to design of an appropriate professional growth tool taking into consideration past Board practice, alignment with the strategic plan goals and measures, the Baldrige criteria (e.g. leadership, stakeholder involvement, etc.), and other pertinent concepts, such as professional learning opportunities; now therefore be it

Resolved, That the Board adopt the Strategic Planning Committee's recommended professional growth tool for the position of Superintendent of Schools, including the timeline for its annual review and update; and be it further

Resolved, That the Board of Education adopt the evaluation tool for 2007 only and recommendations for revisions would be based on a dialogue with the superintendent.

Re:    **NEW BUSINESS**

There was no new business.

Re:    **ITEMS OF INFORMATION**

1.    Legal Fees Report
2.    Construction Progress Report

RESOLUTION NO. 343-07      Re:    **ADJOURNMENT**

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 Board of Education adjourn its meeting of June 12, 2007, at 2:55 p.m.

---

PRESIDENT

---

SECRETARY

JDW:gr

<b>Resolution</b>	<b>Abrams</b>	<b>Barclay</b>	<b>Brandman</b>	<b>Cox</b>	<b>Docca</b>	<b>Horvitz</b>	<b>Navarro</b>	<b>O'Neill</b>
Final Adoption of the FY 2008 Operating Budget	A	A	A	A	A	AB	A	A
Final Adoption of Revised Health Education Curriculum	N	A	A	A	A	AB	A	A

A = affirmative; N = negative; O = absent; AB = abstain

**MONTGOMERY COUNTY BOARD OF EDUCATION  
SUMMARY SHEET**

June 12, 2007

CLOSED SESSION RESOLUTION .....	1
PLEDGE OF ALLEGIANCE .....	2
APPROVAL OF THE AGENDA .....	2
LEADERSHIP MONTGOMERY YOUTH COMMUNITY SERVICE LEADERSHIP AWARDS .....	2
RECOGNITION OF DISTINGUISHED HISPANIC SCHOLARS .....	3
PUBLIC COMMENTS .....	3
BOARD/SUPERINTENDENT COMMENTS .....	4
HUMAN RESOURCES MONTHLY REPORT .....	4
HUMAN RESOURCES APPOINTMENTS .....	5
RETIREEES .....	8
FINAL ADOPTION OF THE FY 2008 OPERATING BUDGET .....	10
CONTRACTS OF \$25,000 OR MORE .....	12
GRANT OF STORMWATER MANAGEMENT EASEMENT AND STORMWATER MANAGEMENT INSPECTION AND MAINTENANCE AGREEMENT AT FALLSMEAD ELEMENTARY SCHOOL .....	16
LAND LEASE FOR MODULAR CHILD CARE INSTALLATION AT LOIS P. ROCKWELL ELEMENTARY SCHOOL .....	16
OFFICE SPACE LEASE EXTENSION AT FESTIVAL SHOPPING CENTER .....	17
AWARD OF CONTRACT—ASHBURTON ELEMENTARY SCHOOL ADDITION .....	18
AWARD OF CONTRACT—CLOPPER MILL ELEMENTARY SCHOOL CONTROLS RETROFIT .....	18
AWARD OF CONTRACT—FALLSMEAD ELEMENTARY SCHOOL ADDITION .....	19
AWARD OF CONTRACTS—WALTER JOHNSON HIGH SCHOOL MODERNIZATION .....	20
AWARD OF CONTRACT—FRANCIS SCOTT KEY MIDDLE SCHOOL MODERNIZATION .....	21
AWARD OF CONTRACT—THOMAS W. PYLE MIDDLE SCHOOL ADDITION .....	22
AWARD OF CONTRACT—STEDWICK ELEMENTARY SCHOOL ADDITION .....	23
AWARD OF CONTRACT—THOMAS S. WOOTTON HIGH SCHOOL CISCO LAB MODIFICATIONS PROGRAM PROJECT .....	24
AWARD OF CONTRACT—POOLESVILLE HIGH SCHOOL (HVAC) AGING SCHOOL PROGRAM PROJECT .....	24



**AWARD OF CONTRACTS—IMPROVED ACCESS TO SCHOOLS ..... 25**

**ARCHITECTURAL APPOINTMENT CARDEROCK SPRINGS ELEMENTARY  
SCHOOL MODERNIZATION ..... 26**

**ARCHITECTURAL APPOINTMENTS— FEASIBILITY STUDIES FOR VARIOUS SCHOOLS ..... 27**

**CONTINUATION OF ENGINEERING SERVICES CONTRACT—NETWORK SYSTEMS DESIGN ..... 28**

**ACCEPTANCE OF WATKINS MILL ELEMENTARY SCHOOL ADDITION ..... 28**

**ACCEPTANCE OF NORTHWEST HIGH SCHOOL ADDITION ..... 29**

**UTILIZATION OF THE FY 2007 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS ..... 29**

**RECOMMENDED CATEGORICAL TRANSFERS FOR THE FY 2007 PROVISION FOR FUTURE  
SUPPORTED PROJECTS ..... 30**

**RECOMMENDATION TO APPROVE EXCLUSIVE REPRESENTATIVE FOR BARGAINING  
UNIT OF NONCERTIFICATED SUPERVISORY EMPLOYEES ..... 31**

**MONTHLY FINANCIAL REPORT ..... 32**

**LUNCH AND CLOSED SESSION ..... 33**

**FINAL ADOPTION OF REVISED HEALTH EDUCATION CURRICULUM ..... 33**

**CLOSED SESSION RESOLUTION ..... 35**

**REPORT OF CLOSED SESSION ..... 36**

**APPOINTMENT TO THE ETHICS PANEL ..... 36**

**MINUTES ..... 37**

**APPEALS ..... 37**

**PROFESSIONAL GROWTH FRAMEWORK FOR THE SUPERINTENDENT OF SCHOOLS ..... 37**

**NEW BUSINESS ..... 39**

**ITEMS OF INFORMATION ..... 39**

**ADJOURNMENT ..... 39**