

APPROVED
6-2008

Rockville, Maryland
February 5, 2008

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, February 5, 2008, at 9:40 a.m.

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

Absent: Ms. Shirley Brandman

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

RESOLUTION NO. 28-08 Re: **RESOLUTION FOR CLOSED SESSION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on February 5, 2008, in Room 120 from 9:00 to 10:00 a.m.; and be it further

Resolved, That the Board of Education of Montgomery County

1. Discuss the Human Resources Monthly Report, as permitted under Section 10-508(a)(1) of the *State Government Article*; and
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 session on February 5, 2008, to acquit its administrative 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.”

Re: **MOMENT OF SILENCE**

The Board of Education had a moment of silence in memory of—

Mrs. Marilyn J. Praisner, Member, Montgomery County Council
Mr. Gene Lynch, Member, Montgomery County Planning Board

RESOLUTION NO. 29-08 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for February 5, 2008.

RESOLUTION NO. 30-08 Re: **RESOLUTION IN APPRECIATION OF MRS. MARILYN J. PRAISNER**

On recommendation of the superintendent and on motion of Mrs. O’Neill seconded by Dr. Docca, the following resolution was adopted unanimously by members present:

WHEREAS, Mrs. Marilyn J. Praisner was a member of the Montgomery County Board of Education from December 1982 to December 1990 and served as president of the Board in 1984 and 1987; and

WHEREAS, In her service on the Board, Mrs. Praisner earned a great reputation for her intellect, work ethic, and passion for and dedication to the welfare of the children of Montgomery County; and

WHEREAS, Mrs. Praisner’s unwavering advocacy on behalf of the children of Montgomery County continued to be evident in her work on the Montgomery County Council as a councilmember and three-term president as she worked to ensure that resources dedicated to children’s issues were appropriately and efficiently deployed; now therefore be it

Resolved, That the Board of Education honors the life of Mrs. Marilyn J. Praisner for giving

tirelessly of herself in the service of Montgomery County and for her courageous advocacy on behalf of the children of Montgomery County; and be it further

Resolved, That a copy of this resolution be sent to the family of Mrs. Marilyn J. Praisner.

Re: **BOARD AND SUPERINTENDENT COMMENTS**

Mrs. O'Neill commented that she had known Mrs. Praisner for a very long time. First, as a PTA member, advocating at the Board of Education and County Council. One thing about Marilyn was that she never beat around the bush and you knew where she stood on an issue. When Mrs. O'Neill was elected to the Board, the selection of new superintendent was the first task. Mrs. Praisner took her to breakfast, and Mrs. Praisner shared her experience in that process. She will be missed.

Mr. Moskowitz stated that he saw her at almost every event over the past two years. He admired her work over her lifetime of service. He wanted to take her passion and values and incorporate it into his life's work. He will miss her as a model and friend.

Mr. Barclay commented that he knew Mrs. Praisner briefly as a PTA cluster coordinator. She was a straight shooter and clear in her opinions. She had a passion for the budgets of the county, and it was interesting that the operating budget was on the agenda. Her concern was about the need for transparency in the budget. Also, he had an opportunity to see Mrs. Praisner as a mom and grandmother at the dedication of the gym at Fairland Elementary School. He shared his sympathy with her family.

Dr. Docca stated that she knew Mrs. Praisner for a very long time. She always had a concern for the programs in the school system and how they are affecting children. She was in contact with all levels of MCPS employees to talk about programs. We knew that she was a risk-taker and fighter with an impressionable knowledge of the subject. After her recent illness, she did not let anything keep her from her County Council responsibilities. She will be missed, and we are proud of her

Ms. Cox commented on Mrs. Praisner's passion and values, and she was an old-fashioned politician driven by principles of good government. One of the principles she spoke about was the bright line between the authority and accountability of the Board of Education for its responsibility in policy and operations of the schools.

Mr. Abrams regretted that people wait for someone to die before we say nice things about them. In the heat of public policy, people leave civility aside. The Washington Post got it right; Mrs. Praisner was a human politician cared a great deal about the community she lived in, and she talked the talk and walked the walk. The last communication from Mrs. Praisner was a letter to the County Council as to how to interpret the report from the Office of Legislative Oversight regarding how well the school system was expending funds on addressing the gap. It was a very good letter and instructive piece to her colleagues.

Let's hope that part of her legacy is that others will listen to her guidance.

Ms. Navarro shared that her first interaction with Mrs. Praisner was to testify for a grant. She had a passion for early childhood, and she guided me in my work with child care issues. Board members are not just about our work, but family and balance. It is a difficult time; we have lost a strong women who was always a mentor and role model.

Dr. Weast noted that the school system also lost a principal, Sharon Jones. He mentioned that because many people are touched by this public person. He conveyed his condolences to Mrs. Praisner's family. Between the time of birth and time of death, there is a little dash that is on a tombstone. How you fill that in is how you lived. Did you love and did you make a difference? We need to remember how instructive a life is, and we can all continue her life's work.

Re: PUBLIC COMMENTS

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Suzanne Weiss	Call to Action
2.	Robyn P. Solomon	Academic Excellence
3.	Janice Sartucci	Graduation Venues

Re: FY 2009 OPERATING BUDGET ADOPTION

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

WHEREAS, The superintendent of schools presented the Recommended FY 2009 Operating Budget of \$2,111,237,124 to the Board of Education on December 13, 2007; and

WHEREAS, The Recommended FY 2009 Operating Budget includes the FY 2009 Special Education Staffing Plan; now therefore be it

Resolved, That the Board of Education approve the FY 2009 Special Education Staffing Plan, as outlined in the Superintendent's Recommended FY 2009 Operating Budget; and be it further

Resolved, That, upon final approval of the operating budget in June 2008, the Special Education Staffing Plan will be submitted to the Maryland State Department of Education; and be it further

Resolved, That the Board of Education adopt the Superintendent's Recommended FY 2009 Operating Budget totaling \$2,111,237,124 as follows:

	<u>Category</u>	<u>Superintendent's Recommended Operating Budget</u>
1	Administration	\$ 45,258,569
2	Mid-level Administration	138,428,637
3	Instructional Salaries	856,059,801
4	Textbooks and Instructional Supplies	33,331,871
5	Other Instructional Costs	19,481,375
6	Special Education	268,951,407
7	Student Personnel Services	11,922,050
8	Health Services	57,502
9	Student Transportation	91,977,417
10	Operation of Plant and Equipment	114,960,924
11	Maintenance of Plant	34,848,710
12	Fixed Charges	441,032,592
14	Community Services	208,495
37	Instructional Television Fund	1,566,791
51	Real Estate Fund	2,549,103
61	Food Services Fund	46,841,144
71	Field Trip Fund	2,199,661
81	Entrepreneurial Activities Fund	1,561,075
	Total	<u>\$2,111,237,124</u>

Re: **DISCUSSION**

Mr. Abrams commended staff for the budget process that was used this year. There were healthy discussions on budget issues, and it is a good lesson for the future. He said he was still concerned about the transparency of the budget process, which is the fault with public budgets in general. The school system is a state agency that gets its funding from the county, and it is an entity that does not have independent taxing authority. He thought it was not realistic to add anything to the budget, but he would have supported an increase in assistant principal positions in order to build flexibility and maximize resources in the school. The capacity of more assistant principals is a prudent management tool under tight fiscal circumstances. He said there is a need to collaborate with the Council, and he urged his colleagues to move this document forward for the next steps that will end in June.

Mrs. O'Neill noted that the final operating budget will not be done until June. Since the county is in serious fiscal times, she believed that the entire budget will not be fully funded.

She said this budget was carefully crafted, but must reflect the Board's priorities. She did not want to raise expectations because there could be disappointments with budget reductions in June. However, she thought middle school reform was essential because those students cannot wait for rigor and student achievement in the middle years. Staff has expressed concern about the system's capacity to move more quickly with the reform.

Mr. Barclay commented that it was important that the process was helpful, and the Board created opportunities to hear from staff and the affected stakeholders on their concerns. However, there is a need to face the reality of the county's fiscal situation. He thought that everything comes down to evaluation in order to demonstrate effectiveness in instruction and a basis for reductions, if needed.

Ms. Cox thanked staff and all of the people who participated in the operating budget process. Everything in the budget is worthy, but everything is not a priority with fiscal constraints. It is imperative that the Board emphasize its priorities and funding. She agreed that middle school reform is a priority.

Mr. Moskowitz said that he appreciated the input from the community on the operating budget since it helped frame his point of view. He would have liked to see more alignment with the strategic plan and testimony; however, this is a good budget. He said that anytime the Board is faced with fiscal constraints, the Board needs to focus on core priorities, especially the strategic plan and employee contracts. The Board recognizes the need, but the Board must make decisions based on funding.

Ms. Navarro thanked the staff for their hard work in defining the budget with the strategic plan and the Board's priorities. The new process demonstrated the response to the feedback from the community. At this point in time, it is important to have a strategic plan in order to identify priorities for funding. Also, further evaluation and communication will make the Board more effective in all areas, especially funding.

Re: **AN AMENDMENT TO THE FY 2009
OPERATING BUDGET ADOPTION**

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

Resolved, That the Board of Education amend the FY 2009 Operating Budget by adding \$329,000 for middle school reform with an offset from the increase for lunchroom aides, leaving \$103,000.

Re: **AN AMENDMENT TO THE FY 2009
OPERATING BUDGET ADOPTION**

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

Resolved, That the Board of Education remove the lunch aide positions from the budget but leave that amount in Category 3.

RESOLUTION NO. 31-08 Re: **AN AMENDMENT TO THE FY 2009 OPERATING BUDGET ADOPTION**

On motion of Mrs. O' Neill and seconded by Ms. Cox, the following was adopted with Mr. Barclay, Ms. Cox, Mrs. Navarro, and Mrs. O'Neill voting in the affirmative; Mr. Abrams, Dr. Docca, and Mr. Moskowitz voting in the negative:#

Resolved, That the Board of Education amend the FY 2009 Operating Budget by adding \$329,000 for middle school reform with an offset from the increase for lunch hour aides, leaving \$103,000.

Re: **AN AMENDMENT TO THE FY 2009 OPERATING BUDGET ADOPTION**

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

Resolved, That the Board of Education add an 11th middle school to the reform effort at a cost of \$364,000 and reduce the number of assistant principals to six.

Re: **A SUBSTITUTE AMENDMENT TO THE FY 2009 OPERATING BUDGET ADOPTION**

On motion of Mr. Abrams and seconded by Mrs. O'Neill, the following amendment failed with Mr. Abrams voting in the affirmative; Mr. Barclay, Ms. Cox, Dr. Docca, Mr. Moskowitz, Mrs. Navarro, and Mrs. O'Neill voting in the negative:#

Resolved, That the Board of Education delete the increase for lunch hour aides and delete enough of the parent community coordinators to add the 11th middle school for the reform.

Re: **AN AMENDMENT TO THE FY 2009 OPERATING BUDGET ADOPTION**

On motion of Mr. Barclay and seconded by Mr. Abrams, the following amendment failed with Mr. Barclay voting in the affirmative; Mr. Abrams, Ms. Cox, Dr. Docca, Mr. Moskowitz, Mrs. Navarro, and Mrs. O'Neill voting in the negative:#

Resolved, That the Board of Education add an 11th middle school to the reform effort, at a cost of \$364,000, and reduce the number of assistant principals to six.

RESOLUTION NO. 32-08 Re: **FY 2009 OPERATING BUDGET ADOPTION**

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

WHEREAS, The superintendent of schools presented the Recommended FY 2009 Operating Budget of \$2,111,237,124 to the Board of Education on December 13, 2007; and

WHEREAS, The Recommended FY 2009 Operating Budget includes the FY 2009 Special Education Staffing Plan; now therefore be it

Resolved, That the Board of Education approve the FY 2009 Special Education Staffing Plan as outlined in the Superintendent's Recommended FY 2009 Operating Budget; and be it further

Resolved, That, upon final approval of the operating budget in June 2008, the Special Education Staffing Plan will be submitted to the Maryland State Department of Education; and be it further

Resolved, That the Board of Education adopt the Superintendent's Recommended FY 2009 Operating Budget totaling \$2,111,237,124 as follows:

	<u>Category</u>	<u>Superintendent's Recommended Operating Budget</u>
1	Administration	\$ 45,258,569
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4	Textbooks and Instructional Supplies	33,331,871
5	Other Instructional Costs	19,481,375
6	Special Education	268,951,407
7	Student Personnel Services	11,922,050
8	Health Services	57,502

9	Student Transportation	91,977,417
10	Operation of Plant and Equipment	114,960,924
11	Maintenance of Plant	34,848,710
12	Fixed Charges	441,032,592
14	Community Services	208,495
37	Instructional Television Fund	1,566,791
51	Real Estate Fund	2,549,103
61	Food Services Fund	46,841,144
71	Field Trip Fund	2,199,661
81	Entrepreneurial Activities Fund	1,561,075
	Total	<u>\$2,111,237,124</u>

RESOLUTION NO. 33-08 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education takes no position on **HB21—Compulsory Attendance - Age of Withdrawal** that would alter the age at which a child may withdraw from required schooling to 18 years old; requiring specified individuals with the legal custody or care and control of children between the ages of 5 and 18 years old to see that the children attend school or receive specified instruction; and providing for a delayed effective date.

RESOLUTION NO. 34-08 Re: **ITEMS OF LEGISLATION**

On recommendation of the superintendent and on motion of Ms. Cox seconded by Mr. Abrams, the following resolutions, as amended, were adopted unanimously by members present:

Resolved, That the Board of Education supports with amendments **SB264—High School Dropouts—Alternative Education Programs and GED Requirements** that would require representatives of local boards of education to provide information concerning alternative education programs and GED program requirements and testing locations to specified individuals; and be it further

Resolved, That the Board of Education strongly opposes **HB185—Parental Choice Scholarship Program** that would establish the Parental Choice Scholarship Program in

the Maryland State Department of Education (MSDE); authorizing specified schools to apply to MSDE to participate in the program; authorizing eligible students to apply for specified scholarships; requiring MSDE to determine the amount of scholarships based on specified income eligibility; and establishing requirements for the use of scholarship moneys;

and be it further

Resolved, That the Board of Education strongly opposes **HB 188—Smart Start Scholarship Program** that would establish the Smart Start Scholarship Program in the Maryland State Department of Education; authorizing specified schools to apply to MSDE to participate in the Program; authorizing eligible students to apply for specified scholarships; requiring MSDE to determine the amount of scholarships based on specified income eligibility; and establishing requirements for the use of scholarship moneys; and be it further

Resolved, That the Board of Education opposes **HB199—Bullying and Cyber-Bullying—Policy and Disciplinary Standards** that would require the Marland State Board of Education to establish a policy prohibiting bullying and cyber-bullying in schools; requiring standards for investigating complaints of bullying and disciplining specified individuals; requiring county boards of education to establish local standards concerning bullying based on the state model uniform standards; and defining "bullying ;" and be it further

Resolved, That the Board of Education opposes **SB241—Child Welfare—Reports of Children at Substantial Risk of Abuse or Neglect** that would require specified professionals to notify the local department of social services if the professionals have reason to believe that a child is at substantial risk of abuse or neglect because the child is regularly permitted to associate with a specified individual; providing specified exceptions; describing the information that is to be included in a specified report; and providing for the receipt and investigation of a report that a child is at substantial risk of abuse or neglect; and be it further

Resolved, That the Board of Education opposes **SB77—Children in Informal Kinship Care Relationships** and **HB169—Children in Informal Kinship Care Relationships** that would allow a child to attend a school in a school attendance area other than the school in the school attendance area where the child is domiciled with the child's parent or legal guardian, if the child lives with a relative in an informal kinship care relationship due to a serious family hardship; and be it further

Resolved, That the Board of Education supports **HB121—Education—Special Education Services—Children in a Home School Setting** and **SB 50—Education—Special Education Services—Children in a Home School Setting** that would require a child with a disability in a home school setting be given the same consideration as a child with a

disability in a private school setting, for the purpose of passing through federal funds for the provision of specified federally authorized special education services; and be it further

Resolved, That the Board of Education opposes **SB96—Truancy Rates—Positive Behavioral Interventions and Support Programs and Behavior Modification Programs** and **HB285—Truancy Rates—Positive Behavioral Interventions and Support Programs and Behavior Modification Programs** that would require a county Board of education to require a school that has a truancy rate that exceeds specified standards to implement a positive behavioral interventions and support program or an alternative, research-based, positive, and effective behavior modification program, in collaboration with the State Department of Education; and be it further

Resolved, That the Board of Education supports **SB1—Maryland Legislative Youth Advisory Council** that would establish the Maryland Legislative Youth Advisory Council; providing for the appointment, membership, terms, and duties of the Council; and be it further

Resolved, That the Board of Education opposes **SB 78—Task Force to Study System Variables That Impact Student Achievement in Underperforming Public Schools** that would establish the Task Force to Study System Variables That Impact Student Achievement in Underperforming Public Schools; providing for the membership, purposes, and staffing of the Task Force; and be it further

Resolved, That the Board of Education supports **SB158—Farm-to-School Program** that would establish the Jane Lawton Farm-to-School Program in the Department of Agriculture; establishing the purposes of the program; requiring the program to establish specified promotional events to promote state agriculture and farm products to children through school meal and classroom programs; and be it further

Resolved, That the Board of Education supports **SB85—State Superintendent Approval—Exemption** that would exempt specified school construction projects funded without state funds from the requirement of approval by the state superintendent of schools; and be it further

Resolved, That the Board of Education opposes **HB15—Task Force on Classroom Indoor Air Quality Standards** that would establish a Task Force on Classroom Indoor Air Quality Standards; establishing the membership and staffing of the task force; providing for the designation of the chair of the task force; requiring the task force to evaluate and make recommendations regarding specified issues; and be it further

Resolved, That the Board of Education supports **SB208—High Performance Buildings Act** that would require specified buildings constructed or renovated solely with state funds to be high-performance buildings under specified circumstances; requiring the Department

of Budget and Management and the Department of General Services to establish jointly a waiver process; requiring specified new schools that receive state public school construction funds be constructed as high-performance buildings; etc.

Resolved, That the Board of Education strongly opposes **SB229—Classroom Instruction Expenditures—Required Funding** that would require a county board of education to spend revenues in accordance with specified requirements; and requiring each county board to spend a specified percentage of total operating expenditures on direct classroom expenditures, beginning in fiscal year 2010; and be it further

Resolved, That the Board of Education supports **SB267—Income Tax—Subtraction Modification—Public School Volunteer Aides** that would provide a subtraction modification under the state income tax for qualifying volunteer aides; requiring a county superintendent of schools or the superintendent's designee to provide a statement of certification to a volunteer aide who volunteers a specified number of hours; requiring the Maryland State Board of Education to create and provide a specified form; applying the Act to tax years after 2007; and be it further

Resolved, That the Board of Education opposes **SB230—Public School Collective Bargaining Sunshine Act** that would require written collective bargaining agreements be made available to the public by county boards of education within 10 days following approval of the agreement; requiring the county boards to submit the agreements to the Maryland State Board of Education (MSBE); requiring MSBE to store the agreements in a repository; and requiring MSBE to make the agreements available to the public; and be it further

Resolved, That the Board of Education opposes **HB119—Reporting Requirement—Class Size** that would require the Maryland State Board of Education (MSBE) to develop a uniform data collection method to track the number of students who regularly participate in a classroom teacher's class; requiring the method to reflect the number of these students in a classroom teacher's class as of September 30 of each year; and requiring each county board of education to implement the method and report the results to the Maryland State Department of Education on or before November 1 of each year.

RESOLUTION NO. 35-08

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:

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

WHEREAS, It is recommended that Bid. No. 9048.1, Cargo Van, be rejected due to lack of funds; and

WHEREAS, It is recommended that Bid No. 9364.3, Line Painting of Asphalt Parking and Play Areas at various locations, be rejected due to changes in the specifications; now therefore be it

Resolved, That Bid No. 9048.1, Cargo Van, be rejected due to lack of funds; and be it further

Resolved, That Bid No. 9364.3, Line Painting of Asphalt Parking and Play Areas at various locations, be rejected due to changes in the specifications; and be it further

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

35040 03024	DG, Design Services**	
	<u>Awardee</u>	
	Johnson, Mirmiran & Thompson	\$ 30,000
1033.2	Legal Services for Special-Education-Related Services—Extension	
	<u>Awardees</u> (See note)	
	Knight, Manzi, Nussbaum and LaPlaca, PA	
	Jeffrey A. Krew, LLC	
	Reese and Carney, LLP	
	Total	\$600,000
1141.5	Scan Forms	
	<u>Awardees</u>	
	Data Management Corporation	\$ 2,192
	Formost Graphic Communications	24,301
	Forms Xpress, Inc.	<u>7,347</u>
	Total	\$ 33,840
1160.1	Enterprise Wide Electronic Grading and Reporting System—Extension	
	<u>Awardee</u>	
	Excelsior Software, Inc.	\$101,000
4035.4	HVAC/Refrigeration, Equipment and Parts	

	<u>Awardees</u>	
	Aireco Supply, Inc.	\$141,500
	Applied Industrial Technologies	10,000
	Boland Trane Services, Inc.	14,000
	Capp, Inc.	297,000
	Chesapeake System CTS Services	140,000
	Heritage Food Service Equipment	18,000
	HM Sweeny Company	75,000
	M&M Controls, Inc.	10,000
	National Energy Control Corporation	20,000
	Smart Supply Company, Inc.	13,100
	United Refrigeration, Inc.	50,000
	WRT, Inc., T/A RPC	<u>110,000</u>
	Total	\$898,600
4038.6	Closed Circuit Television Equipment—Extension	
	<u>Awardees</u>	
	Alarmax Distributors, Inc.	\$2,000
	Graybar Electric Company, Inc.	162,488
	North American Video*	<u>279,564</u>
	Total	\$444,052
4053.5	Scanner Forms and Scanning Machines	
	<u>Awardee</u>	
	NCS Pearson, Inc.	\$ 90,000
4058.4	Office Furniture—Extension	
	<u>Awardees</u>	
	Douron, Inc.*	\$ 284,539
	Glover Equipment, Inc.	41,243
	MDM Office Systems, Inc.*	<u>119,544</u>
	Total	\$ 445,326
4063.8	Art Tools—Extension	
	<u>Awardees</u>	
	Commercial Art Supply	\$ 15,857
	Elgin School Supply Company, Inc.	244,438
	Integrity School Supplies*	61,120
	Pyramid School Products	47,401
	Sax Arts & Crafts	4,533

	Windtree Enterprises, Inc.	<u>5,957</u>
	Total	\$ 379,306
4086.8	Office and School Supplies—Extension	
	<u>Awardees</u>	
	AFP Industries, Inc.*	\$ 32,980
	American Product Distributors, Inc.*	8,247
	Bye Mor, Inc.*	4,015
	Elgin School Supply Company, Inc.	78,463
	Frank W. Winne & Sons, Inc.	13,050
	Integrity School Supplies*	89,189
	Interstate Office Supply Company*	120,856
	National Art & School Supplies	74,041
	Pyramid School Products	360,242
	Quill Corporation	5,331
	Rudolph's Office & Computer Supply, Inc.*	9,549
	Smith Office & Computer Supply	188,022
	Standard Stationery Supply Company	159,757
	Windtree Enterprises, Inc.	<u>13,815</u>
	Total	\$1,157,557
4088.6	Laminating Supplies—Extension	
	<u>Awardees</u>	
	AFP Industries, Inc.*	\$ 9,384
	General Binding Corporation	77,703
	Kunz, Inc.*	7,515
	Pyramid School Products	131,155
	Scott Electric	<u>3,512</u>
	Total	\$ 229,269
4135.2	Art Supplies/Systems Contract—Extension	
	<u>Awardees</u> (See note)	
	Nasco	
	Sax Arts and Crafts	
	Total	\$ 50,000
4147.1	Office Supplies/Systems Contract—Extension	
	<u>Awardee</u>	
	OfficeMax	\$1,600,000

4172.1	Special Education/Early Intervention System—Extension	
	<u>Awardee</u>	
	Spectrum K12 School Solutions, Inc.	\$ 240,000
4172.1	Printing of Blueprints/Construction Specifications and Brochures	
	<u>Awardee</u>	
	Reprographic Technologies	\$ 125,000
4221.1	Online Skills Assessment	
	<u>Awardee</u>	
	Previsor	\$ 95,220
7005.4	Hand Held Calculators and Cable Data Collection Systems—Extension	
	<u>Awardees</u>	
	D&H Distributing Company	\$ 658,056
	Pasco Scientific	<u>28,368</u>
	Total	\$ 686,424
7054.10	Purchase of School Buses	
	<u>Awardees</u>	
	American Truck & Bus, Inc.	\$3,216,684
	K Neal International Trucks, Inc.*	<u>2,469,690</u>
	Total	\$5,686,374
7078.4	Paperback and Prebound Paperback Books—Extension	
	<u>Awardees (See note)</u>	
	Perfection Learning	
	Tandem Library Books	
	Total	\$500,000
7101.2	Automotive Batteries—Extension	
	<u>Awardee</u>	
	Best Battery Company, Inc.	\$ 64,550
7114.4	Early Childhood Equipment and Supplies—Extension	
	<u>Awardees</u>	

	Childcraft Education Corporation	\$112,083
	Community Products, LLC	166,620
	Glover Equipment, Inc.	6,179
	Kaplan School Supply Corporation	33,815
	Lakeshore Learning Materials	36,367
	School Specialty	14,070
	Wood Etc. Corporation*	<u>5,480</u>
	Total	\$374,614
7116.2	Snowplow and Pump Parts—Extension	
	<u>Awardee</u>	
	Lawn and Power Equipment	\$ 41,471
7154.1	Studio Television Equipment for Richard Montgomery High School	
	<u>Awardee</u>	
	CTL Communications Televideo*	\$112,350
9017.4	Operable Wall System, Preventive Maintenance	
	<u>Awardee</u>	
	Modern Door and Equipment Sale	\$ 35,660
9018.4	Roofing Supplies—Extension	
	<u>Awardees</u>	
	ABC Supply Company, Inc.	\$380,111
	Roof Center, Inc.	308,996
	Seamless Gutter Supply of Maryland, Inc.	<u>121,529</u>
	Total	\$810,636
9021.5	Building Materials	
	<u>Awardees</u>	
	Amsco-A Maintenance Supply Company, Inc.*	\$ 2,806
	Capitol Building Supply	4,330
	Patuxent Materials, Inc.	17,667
	Pikesville Lumber Company	<u>27,206</u>
	Total	\$ 52,009
9048.1	Loaders, Backhoe, and Compact Track	
	<u>Awardee</u>	

	Gaithersburg Equipment Company	\$ 65,191
9098.3	Security System Installation/Cabling at Various Locations—Extension**	
	<u>Awardees</u>	
	Ava Electric Company*	\$200,000
	Eai Security System, Inc.	200,000
	East West Telecom, Inc.*	<u>200,000</u>
	Total	\$600,000
9170.4	Portable Classroom HVAC Replacements—Extension**	
	<u>Awardee</u>	
	W B Maske Sheet Metal Works, Inc.	\$ 71,000
9174.3	Latex Running Track Renovations and Repairs—Extension**	
	<u>Awardee</u>	
	American Tennis Courts*	\$205,000
9299.3	Chain Link Fencing, Gates, and Backstops at Various Locations**	
	<u>Awardee</u>	
	Hercules Fence Company	\$229,310
9301.3	Installation of Carpeting, Resilient Flooring and Accessories—Extension	
	<u>Awardee</u>	
	Carpet Experts, Inc.*	\$540,000
9317.4	Public Address System Replacements at Various Locations—Extension**	
	<u>Awardee</u>	
	Corbett Technology Solutions, Inc.	\$385,000
9339.3	Hot Mix Asphalt Replacement at Various Locations—Extension**	
	<u>Awardee</u>	
	Finley Asphalt & Sealing, Inc.	\$748,435
9411.2	Energy Management System at Various Locations	
	<u>Awardee</u>	
	Control Sources, LLC	\$ 89,291

9622.1 Re-roofing at Capt. James E. Daly Elementary School**

Awardee

J E Wood & Sons

\$ 527,713

TOTAL PROCUREMENT CONTRACTS OVER \$25,000

\$18,344,198

* 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. 36-08

Re: **AWARD OF CONTRACT—CLARKSBURG
ELEMENTARY SCHOOL #8**

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 May 8, 2007, the Board of Education authorized staff to utilize a construction management process for the Clarksburg Elementary School #8 project and awarded a contract for preconstruction services to Hess Construction Company, Inc.; and

WHEREAS, Various trade contracts were approved by the Board of Education on January 8, 2008; and

WHEREAS, There was an error in the contract amount for Pleasants Construction, Inc., awarded on January 8, 2008; and

WHEREAS, The correct contract amount for the site package awarded to Pleasants Construction, Inc. is \$2,760,000; and

WHEREAS, The following bid was received on January 8, 2008, for the specified trade for the Clarksburg Elementary School #8 project:

<u>Low Bid</u>	<u>Amount</u>
15A-Mechanical – R. W. Warner, Inc.	\$4,088,000

and

WHEREAS, The construction management contract contains provisions that permit the Montgomery County Public Schools to assign the awarded trade contracts to Hess

Construction Company, Inc. as part of a guaranteed price agreement to complete the Clarksburg Elementary School #8 project; and

WHEREAS, Staff has negotiated and recommends approval of a guaranteed price contract with Hess Construction Company, Inc. for the completion of the Clarksburg Elementary School #8 project, which includes the assignment of trade work by the Montgomery County Public Schools, along with all management and general conditions costs; and

WHEREAS, Hess Construction Company, Inc. has agreed to accept the assignment of the Clarksburg Elementary School #8 trade contracts awarded on January 8, 2008, and February 5, 2008, and complete the project for the guaranteed price; and

WHEREAS, The aggregate Minority Business Enterprise participation submitted is 10.96 percent Maryland Department of Transportation-certified, of which 3.59 percent is African American, .01 percent is women-owned, and 7.36 percent is other minority-owned; and

WHEREAS, That 3.4 percent non-Maryland Department of Transportation-certified Minority Business Enterprise participation also has been submitted; and

WHEREAS, A request has been submitted to waive the balance of the Maryland Department of Transportation-certified Minority Business Enterprise 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 Maryland Department of Transportation-certified Minority Business Enterprise requirements; now therefore be it

Resolved, That the contract amount for the site-work package awarded to Pleasants Construction, Inc. be amended to \$2,760,000; and be it further

Resolved, That the trade contract package be awarded to the low bidder for the mechanical package, in accordance with drawings and specifications prepared by Grimm and Parker, P.C.; and be it further

Resolved, That the trade contracts awarded for the Clarksburg Elementary School #8 project be assigned to Hess Construction Company, Inc.; and be it further

Resolved, That a contract in the amount of \$23,434,180, to include the assignment of the trade contract awards, be awarded to Hess Construction Company, Inc. for the Clarksburg Elementary School #8 project, in accordance with drawings and specifications prepared by Grimm and Parker, P.C., contingent upon approval of the Montgomery County Board of Education request for Transfer of Funds to the County Council, dated January 8, 2008.

RESOLUTION NO. 37-08

Re: **ACCEPTANCE OF THE SHERWOOD HIGH SCHOOL ADDITION 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, On behalf of the Board of Education, Mr. Benjamin Moskowitz, student member of the Board, inspected the Sherwood High School addition project on Tuesday, January 15, 2008; now therefore it be

Resolved, That the Board of Education accept the Sherwood 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 drawings and specifications, and all contract requirements have been met.

RESOLUTION NO. 38-08

Re: **CONSULTANT APPOINTMENT—SECURITY SYSTEMS FOR VARIOUS 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, It is necessary to appoint an engineering firm to provide professional security system design services; and

WHEREAS, A Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 26, 2006, identified East West Telecom, Inc. as the most qualified firm to provide the necessary professional security system design services; and

WHEREAS, Staff will negotiate fees for the necessary security system design services, based on the size and complexity of individual projects; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the firm of East West Telecom, Inc. to provide professional security system design services as requirements arise, with the total contract amount not to exceed \$100,000.

RESOLUTION NO. 39-08

Re: **ENGINEERING APPOINTMENTS—HEATING, VENTILATION, AND AIR CONDITIONING REPLACEMENT PROGRAM**

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 engineering firms to provide professional design services for the heating, ventilation, and air conditioning equipment replacement program at various schools; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Capitol Engineering Group, LLC; CS Consulting Engineers, Inc.; Mendoza, Ribas, Farinas & Associates; and James Posey Associates, Inc. as qualified firms to provide the necessary professional heating, ventilation, and air conditioning system design services; and

WHEREAS, Staff will negotiate fees for the necessary heating, ventilation, and air conditioning system design services, based on the size and complexity of individual projects; now therefore be it

Resolved, That the Montgomery County Board of Education enter into contractual agreements with the firms of Capitol Engineering Group, LLC; CS Consulting Engineers, Inc.; Mendoza, Ribas, Farinas & Associates; and James Posey Associates, Inc. to provide professional heating, ventilation, and air conditioning system design services as requirements arise, with a contract amount negotiated on each individual project that will not exceed budgeted amounts approved by the Board of Education in its adopted Capital Improvements Plan.

RESOLUTION NO. 40-08

Re: **PRECONSTRUCTION/CONSTRUCTION
MANAGEMENT SERVICES—EAST SILVER
SPRING 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 FY 2009 Capital Improvements Program includes planning and construction funds for an addition to East Silver Spring Elementary School; and

WHEREAS, The design phase of this project is proceeding, with construction scheduled to begin in December 2008 and be completed by August 2010; and

WHEREAS, Staff has recommended that this project be completed using a construction management delivery system due to its complexities and scope of work; and

WHEREAS, A Consultant Selection Committee, utilizing procedures adopted by the Board of Education on April 20, 2006, identified Henley Construction Company as the most qualified firm to provide the necessary management services; and

WHEREAS, The management services will be implemented in two phases; and

WHEREAS, The initial phase will consist of preconstruction services for cost estimating, value engineering, constructability planning, and construction implementation schedule; and

WHEREAS, Staff has negotiated a fee for the preconstruction services; and

WHEREAS, The second phase will consist of general construction management services, and a fee for this phase will be negotiated once the preconstruction services are completed; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with Henley Construction Company to provide phase one preconstruction services for value engineering, constructability reviews, and the development of the construction implementation schedule for an addition to East Silver Spring Elementary School, for a fee of \$52,400.

RESOLUTION NO. 41-08

Re: **WASHINGTON GROVE ELEMENTARY SCHOOL—AGREEMENT OF SALE FOR FOREST CONSERVATION CREDITS**

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 addition project at Washington Grove Elementary School, located at 8712 Oakmont Street in Gaithersburg, will result in tree loss; and

WHEREAS, There is insufficient space on site to replace this tree loss; it will be necessary to acquire off-site Forest Conservation Credits to satisfy environmental requirements for forest conservation; and

WHEREAS, The approved Forest Conservation Plan for Washington Grove Elementary School establishes a need for 5.92 acres of off-site Forest Conservation Credits in a mitigation bank that has been approved by the Maryland-National Capital Park and Planning Commission; and

WHEREAS, Winchester Homes, Inc. has established a Forest Conservation Mitigation Bank in the Poolesville area and is offering to sell Forest Conservation Credits to satisfy the Board's forestation requirements; and

WHEREAS, Winchester Homes, Inc. accepts all responsibility for the continued maintenance, monitoring, and protection of the Forest Conservation Mitigation Bank; and

WHEREAS, Staff has negotiated a purchase price of \$138,528 for 5.92 acres for the required Forest Conservation Credits; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute an Agreement of Sale with Winchester Homes, Inc. for 5.92 acres of off-site Forest Conservation Credits for Washington Grove Elementary School; and be it further

Resolved, That the president and secretary of the Board of Education be authorized to execute a Certificate of Compliance with Winchester Homes, Inc. and the Maryland-National Capital Park and Planning Commission, establishing the Conservation Easement at the off-site location.

RESOLUTION NO. 42-08 Re: **UTILIZATION OF THE FY 2008 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 above-noted 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, 2007; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2008 Provision for Future Supported Projects, to permit the above-noted transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2008 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Positions*</u>	<u>Amount</u>
Reading First	6.0	\$ 1,365,019
State School Improvement Grant	7.2	961,846
Education for Homeless Children and Youth Program		125,000
Montgomery College/MCPS Alternative Teacher Certification Program		8,189
Total	<u>13.2</u>	<u>\$ 2,460,054</u>

Positions*

- 1.0 instructional specialist
- 1.0 fiscal assistant
- 4.0 teachers

- 5.7 instructional specialists
- .5 parent community coordinator
- .5 ESOL literacy specialist
- .25 director
- .25 administrative secretary

and be it further

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

RESOLUTION NO. 43-08 Re: **FY 2008 SECOND QUARTER CATEGORY TRANSFERS REQUEST**

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 superintendent of schools be authorized to effect FY 2008 categorical transfers of \$287,252 in the following categories:

AMERICAN INDIAN EDUCATION

	<u>Category</u>	<u>From</u>	<u>To</u>
3	Instructional Salaries		\$ 1,815
4	Textbooks and Instructional Supplied	\$ 2,493	
5	Other Instructional Costs		1,967
9	Student Transportation	1,434	
12	Fixed Charges		145
	Total	<u>\$ 3,927</u>	<u>\$ 3,927</u>

EMERGENCY IMMIGRANT EDUCATION

	<u>Category</u>	<u>From</u>	<u>To</u>
2	Mid-level Administration		\$ 60,093
3	Instructional Salaries	\$191,525	
4	Textbooks and Instructional Salaries	84,628	
5	Other Instructional Costs		67,055
9	Student Transportation		2,500
12	Fixed Charges		56,505
	Total	<u>\$186,153</u>	<u>\$ 186,153</u>

TITLE I, PART D—NEGLECTED, DELINQUENT, OR AT-RISK CHILDREN

	<u>Category</u>	<u>From</u>	<u>To</u>
5	Other Instructional Costs		\$ 67,715
6	Special Education	\$ 67,715	
	Total	<u>\$ 67,715</u>	<u>\$ 67,715</u>

TITLE II—TECH PREP, CARL D. PERKINS

	<u>Category</u>	<u>From</u>	<u>To</u>
3	Instruction Salaries	\$ 9,950	
4	Textbooks and Instructional Supplies		\$ 18,726
5	Other Instructional Costs	18,726	
12	Fixed Charges	781	
	Total	\$ 29,457	\$ 9,457

and be it further

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

RESOLUTION NO. 44-08 Re: **HUMAN RESOURCES MONTHLY REPORT**

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 Board of education approved the Human Resources Monthly Report dated February 5, 2008.

RESOLUTION NO. 45-08 Re: **DEATH OF HELEN HINTERBERG, MEDIA ASSISTANT, HIGHLAND VIEW ELEMENTARY 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:

WHEREAS, The death on December 29, 2007, of Mrs. Helen Hinterberg, media assistant at Highland View Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 7.1 years that Mrs. Hinterberg had worked for Montgomery County Public Schools, she demonstrated a high degree of initiative in her performance with the staff and students; and

WHEREAS, She was conscientious about her duties and maintained a high degree of consistent excellence; 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 Helen Hinterberg 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. Hinterberg's family.

RESOLUTION NO. 46-08 Re: **DEATH OF MRS. SHARON M. JONES,
PRINCIPAL, GAITHERSBURG ELEMENTARY
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:

WHEREAS, The death on January 28, 2008, of Mrs. Sharon Jones, principal of Gaithersburg Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the more than 18 years that Mrs. Jones had been employed by Montgomery County Public Schools, she was truly dedicated to her school, community, staff, and students; and

WHEREAS, Her respect for her school, as well as her enthusiasm, expertise, sound decision making, sensitivity, and leadership qualities earned her an enviable reputation among colleagues and students; 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 Sharon Jones 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. Jones' family.

RESOLUTION NO. 47-08 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 March 1, 2008:

<u>Appointment</u> Stacy L. Scott	<u>Current Position</u> President, The Center for Understanding Equity	<u>As</u> Associate Superintendent, Office of Shared Accountability
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Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief operating officer, reported that this reflects the actual financial condition of the Montgomery County Public Schools as of December 31, 2007, and projections through June 30, 2008, based on program requirements and estimates made by primary and secondary account managers. At this time, revenues have a projected surplus of \$2,500,000, while expenses have a projected surplus of \$10,300,000. Staff will continue to closely monitor both revenues and expenditures. A discussion of the actual financial condition of MCPS as of December 31, 2007, and projected revenues and expenditures through June 30, 2008, followed.

RESOLUTION NO. 48-08 Re: **CLOSED SESSION RESOLUTION**

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 Monday, February 25, 2008, in Room 120 of the Carver Educational Services Center to meet from 5:30 to 6:00 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 to 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. 49-08 Re: **REPORT OF 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:

On January 8, 2008, 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 closed sessions on January 8, 2008, from 9:00 to 10:20 a.m. and 1:30 to 2:15 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeal in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): 2007-70.
2. Discussed the Human Resources Monthly Report with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. 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 sessions were Steve Abrams, Aggie Alvez, Christopher Barclay, Steve Bedford, Larry Bowers, Shirley Brandman, Judy Bresler, Patrick Clancy, Sharon Cox, Brian Edwards, Roland Ikheloa, Suzann King, Frieda Lacey, Joe Lavorgna, Susan Marks, Ben Moskowitz, Nancy Navarro, Pat O'Neill, James Song, Marie Sneed, Glenda Rose, and Jerry Weast.

RESOLUTION NO. 50-08 Re: **MINUTES**

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 approve the minutes from its July 2, July 17, and August 23, 2007, meetings.

Re: **NEW BUSINESS**

There was no new business.

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Progress Report
3. Minority-, Female-, or Disabled-owned Business Procurement Report

RESOLUTION NO. 51-08

Re: **ADJOURNMENT AND LUNCH**

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 Board of Education adjourn its meeting of February 5, 2008, at 12:10 p.m.

PRESIDENT

SECRETARY

JDW:gr

Resolution	Abrams	Barclay	Brandman	Cox	Docca	Moskowitz	Navarro	O'Neill
FY 2009 Operating Budget	A	A	O	A	A	A	A	A

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

MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET
February 5, 2008

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