

APPROVED
19-2008

Rockville, Maryland
September 9, 2008

The Board of Education of Montgomery County met at the Carver Educational Services Center, Rockville, Maryland, on September 9, 2008, at 10:15 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
Ms. Quratul-Ann Malik
Mrs. Patricia O'Neill
Mr. Larry Bowers, Acting Secretary/Treasurer

Absent: Dr. Jerry Weast, Secretary/Treasurer

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

** Mr. Abrams joined the open session at a later time.

RESOLUTION NO. 333-08 Re: **RESOLUTION FOR CLOSED SESSIONS**

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

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

Resolved, That the Board of Education of Montgomery County conduct closed sessions on September 9, 2008, in Room 120, from 9:00 to 10:00 a.m. and 12:00 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, 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 September 9, 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.”

RESOLUTION NO. 334-08 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for September 9, 2008.

RESOLUTION NO. 335-08 Re: **HISPANIC HERITAGE MONTH**

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, 2008 is the 20th anniversary of a joint resolution by the United States Congress proclaiming the period beginning September 15 and ending on October 15 as National Hispanic Heritage Month; and

WHEREAS, Hispanic Americans or Latinos are the fastest growing minority in the United States, currently representing 21.5 percent of the overall enrollment in Montgomery County Public Schools; and

WHEREAS, The Hispanic American or Latino community has made significant contributions within the broader community by the accomplishments of extraordinary individuals in the areas of politics, medicine, education, business, technology, science, and the arts; and

WHEREAS, In 2006–2007, 1,238 Hispanic American and Latino students earned Advanced Placement (AP) exam scores of 3 or higher, accounting for 34.4 percent and 1.2 percent, respectively, of all AP exam scores of 3 or higher earned by Hispanic American or Latino public school students in the state of Maryland and the nation; now therefore be it

Resolved, That, on behalf of the superintendent of schools, staff members, students, and families of Montgomery County Public Schools, the members of the Board of Education

hereby declare September 15 to October 15, 2008, to be observed as "Hispanic Heritage Month."

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
Edward Siguel	Legal Fees and Special Education

** Mr. Abrams joined the meeting at this time.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Ms. Malik reported that she went to a presentation of the Islamic Center of Maryland on Ramadan. She noted that this was the second week of school, but the athletes have been practicing for more than a month.

Mr. Barclay stated that he attended the presentation by the Islamic Center of Maryland for Ramadan. He also had the opportunity to do a community walk in Takoma Park, and he was presented with a report— Silver Spring Loves Teachers. It was a good report written by parents about quality teachers. He recognized the press conference at Shady Grove Middle School, which included an opportunity to see the Promethean boards and how they work.

Dr. Docca visited school the first day of school with the superintendent. Richard Montgomery High School has a new camera system, and it very sophisticated. It can zoom in on images and staff can see everything in the halls, with recordings in the school and Central Office. The International Student Admissions Office open house had many families enrolling their children before school. Also, she attended Walk Safe, a pedestrian safety conference, and an event in honor of African Heritage Month, declared by the county executive.

Mr. Abrams noted that Richard Montgomery High School is becoming the new destination for Montgomery County because of its artificial turf. He gave kudos to Ms. Cox on her comments regarding Majority Leader Barve's latest intervention in micromanaging education. The Board needs to get his attention and disabuse some of the misinformation that exists on the issues of fees and policy. The Board needs to make sure there are no impediments for those who cannot afford fees and make their needs known. He has written an op ed piece regarding the slots referendum and its impact on Montgomery County's education funding. In looking at the proposal, the Board stands to be more at risk rather than beneficiaries if the package is passed. He said he was not philosophically opposed to slots in Maryland; however, he feels that this proposal package essentially forces those of us in education who are relying on new funding sources to go into this with

one arm tied behind our backs. The sites that have been designated in the legislation do not actuarially lead to revenue streams that the state is counting on nor is there a provision or consideration for the time lag before state funding from slots could reach LEAs.

Mrs. Navarro commented that Ms. Steinberg, legislative aide, contacted Mr. Barve to clarify the misstatements and misinformation. Also, she has been in contact with Delegate Hixon, who is very supportive and understands MCPS policy. The Board has asked the superintendent to look into the fidelity of implementation on fees. She said it is important to be in a two-way dialogue with the delegation.

Mrs. O'Neill reported that Governor O'Malley and County Executive Leggett toured College Gardens Elementary School and Walter Johnson High School. Walter Johnson is undergoing modernization, and she commended the students for their patience during this protracted process. Finally, she noted the passing of Dr. Donald Riddick, former principal of Walter Johnson.

Ms. Brandman reminded the public of community strategic plan forums on September 18 and October 16.

Mrs. Navarro commented on the budget and the gloomy forecast. the Board has begun discussions with president of the County Council and chairperson of the Education Committee to begin to shape what the next budget will look like.

Dr. Docca commended the principals for their practice ensuring that no child goes without materials if parents cannot afford the fees.

Mr. Bowers thanked the Board president for talking about the upcoming budget and dire circumstances. There is a great deal of interest in MCPS from other school systems regarding what goes on here. MCPS is a member of the American Productivity and Quality Center, which has highlighted MCPS for a number of best practices. Also, there will be more visits from national and international school systems, with 30 visits from 17 countries.

Re: **WORK PLAN OF THE OFFICE OF
LEGISLATIVE OVERSIGHT**

Mr. Bowers invited the following people to the table: Ms. Karen Orlansky; Dr. Elaine Bonner-Tompkins, senior legislative analyst; Mr. Aron Trombka, senior legislative analyst; Ms. Kristen Latham, legislative analyst; and Mr. Rich Romer, legislative analyst.

The Board of Education has expressed an ongoing interest in the Office of Legislative Oversight (OLO) work projects. On August 19, 2008, Board President Nancy Navarro, Board Vice President Shirley Brandman, and Staff Assistant to the Board of Education Ms. Laura Steinberg, met with Ms. Karen Orlansky, director, Office of Legislative Oversight, to

review the FY 2009 work plan (online). In addition, Board members expressed an interest in reviewing the work plan and discussing it with OLO staff. OLO staff presented their findings of the review of MCPS' recycling efforts.

Re: **DISCUSSION**

Mr. Barclay asked why the upper grades do not recycle as well as the elementary schools. Mr. Trombka replied that the smaller schools perform better, and the biggest correlation is with those schools that have recycling champions.

Mr. Barclay noted the move to milk in plastic bottles with an increased cost. What is MCPS doing to offset the cost? Staff replied that the cost has been offset with different funds, such as grants.

Ms. Cox was impressed with the professionalism of the staff at OLO. The recycling issue could relate to curriculum, and MCPS might consider a review. Ms. Cox referred to the ultimate findings, including food recycling; and asked whether OLO makes recommendations to the County Council for supporting other agencies to make improvements?

Dr. Docca asked how the recycling percentages for MCPS compared with those of the county government. OLO staff agreed to provide the information.

Ms. Malik asked if the report was online. She said she knew that students want to become active in recycling. She asked how a recycling champion is created. OLO staff replied that it is usually a home-grown champion, but an identification and training process could be developed..

Mrs. O'Neill asked for information on the recycling curriculum, and she wanted Central Office to have more recycling containers, especially those for soda cans. Staff agreed to report on both issues.

Mrs. Navarro thanked the OLO staff for presenting the report on recycling, and said she was interested in the work plans for the future, with an opportunity to discuss them with OLO staff.

Dr. Elaine Bonner-Tompkins stated that the work plan is directed by the County Council to more fully understand the MCPS operating budget. The three new projects include (1) high school consortia; (2) workforce readiness for students; and (3) workforce age, composition, and succession planning for county employees.

Ms. Cox asked about the scope of the high school consortia project. One of the bullets included the costs of operating a consortia school versus the traditional approach. OLO

replied that they would like to track the progress of the consortia schools reflected against the trends of the school system.

Ms. Cox asked if there was flexibility in the scope of the project, as charged by the County Council. OLO staff replied that the Council has ideas for a project, and staff works with the Council to describe the project to ascertain the availability of data. On the high school consortia project, it is clear that they have to report on the costs and results based on analysis.

Mr. Barclay thought it was important that, given the resources and the ability of OLO, it was important to use the reports since they were done by an independent body.

Mrs. Navarro wanted to ensure that the reports informed the County Council on the implications of recommendations.

Re: LUNCH AND CLOSED SESSION

The Board of Education recessed from 12:00 to 2:10 p.m. for lunch and closed session.

RESOLUTION NO. 336-08 Re: CONTRACTS OF \$25,000 OR MORE

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

WHEREAS, Funds have been budgeted for the purchase of other 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:

BL01478 062-12A	Chillers, Cooling Equipment Diagnosis Analysis Repair—Extension	
	<u>Awardee</u>	
	Boland Trane Services	\$ 150,000
4042.4/ 9406.1	Boiler Supplies and Associated Materials—Extension	
	<u>Awardees</u>	
	Complete Boiler Systems	\$ 90,000
	HM Sweeney Company	14,979
	M&M Controls, Inc.	37,500
	Noland Company	128,935
	Southern Utilities Company, Inc.	164,590

	Tate Engineering Systems, Inc.	<u>31,000</u>
	Total	\$ 467,004
4044.5	Security System Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Alarmax Distributors, Inc.	\$ 413,122
	Allegheny Electronics	12,140
	Capitol Cable & Tech, Inc.	<u>94,738</u>
	Total	\$ 520,000
4047.5	Flooring Materials—Extension	
	<u>Awardees</u>	
	B&B Concepts*	\$ 35,927
	Capitol Building Supply	8,614
	Continental Flooring Company	<u>9,400</u>
	Total	\$ 53,941
4075.4	Plumbing Supplies—Extension	
	<u>Awardees</u>	
	Best Plumbing Specialties, Inc.	\$ 24,624
	Colt Plumbing Company	31,500
	Ferguson Enterprises, Inc.	105,180
	Superior Specialty Company	<u>61,000</u>
	Total	\$ 222,304
4094.4	Lamps	
	<u>Awardees</u>	
	Aries Supply, Inc.*	\$ 174
	Atlantic Electric Supply Corporation	1,991
	B&B Lighting Supply, Inc.*	2,355
	CN Robinson Lighting Supply Company	81,233
	Graybar Electric Company, Inc.	2,883
	Ideal Electrical Supply Corporation*	238
	Light Bulbs Etc., LLC	1,799
	Pyramid School Products	4,259
	Scott Electric	1,754
	Stokit Supply Company, Inc.	4,042
	Vehicle Maintenance Program, Inc.*	1,799
	Video Service of America, VSA Inc.*	<u>26,215</u>
	Total	\$ 128,742

4110.4	Overhead Door Installation and Repairs	
	<u>Awardee</u>	
	Rolling Doors of Maryland, Inc.	\$ 85,000
7066.4	Vehicle Maintenance, Repair, and Inspection—Extension	
	<u>Awardees</u> (See note)	
	General Automotive Servicenter, Inc.	
	J&M Truck Repair, Inc.	
	K Neal International Trucks, Inc.*	
	Light Truck Service Company, Inc.	
	Middleton & Meads Company, Inc.	
	Vehicare Corporation	
	Total	\$ 210,000
7131.3	Commodity Product Processing Services	
	<u>Awardees</u>	
	Don Lee Farms/Division of Goodman Food Products	\$ 146,625
	Land O'Lakes, Inc.	53,916
	Oak Valley Farms, Inc.	74,320
	Pierre Foods, Inc.	185,577
	Pilgrim's Pride Corporation	178,020
	Quik-To-Fix Foods, Inc.	115,480
	Schreiber Foods, Inc.	50,865
	Tyson Sales & Distribution, Inc.	<u>286,110</u>
	Total	\$1,090,913
7133.8	Cafeteria Disposable Supplies—Extension	
	<u>Awardees</u>	
	Acme Paper and Supply Company, Inc.	\$ 108,325
	Calico Industries, Inc.	6,758
	Carroll Manufacturing and Sales	8,561
	Central Poly Corporation	14,821
	Dade Paper Company, Inc.	485,774
	S. Freedman & Sons, Inc.	66,127
	Leonard Paper Company	16,465
	PFG-Carroll County Foods, Inc.*	17,975
	Transilwrap Company, Inc.	2,827
	Webco Packaging, Inc.*	<u>38,459</u>
	Total	\$ 766,092

9073.6	Weight Training Supplies and Equipment	
	<u>Awardees</u>	
	American Fitness & Sport Supply, Inc.	\$ 5,100
	Concept II, Inc.	18,500
	Fitness Lifestyles	23,853
	Fitness Resource	110,770
	Gym Source	28,447
	Heartline Fitness Products, Inc.	227,648
	Leisure Fitness, Inc.*	94,550
	Sportime, LLC	<u>2,490</u>
	Total	\$ 511,358
9181.3	Masonry Thru-Wall Flashing and Waterproofing—Extension**	
	<u>Awardee</u>	
	Walker Willis/T/A Custom Masonry	\$ 950,000
9344.3	Portable Classroom Re-roofing at Various Locations—Extension**	
	<u>Awardee</u>	
	Interstate Corporation*	\$ 75,000
9405.1	Kitchen Equipment for Hospitality Labs—Extension	
	<u>Awardee</u>	
	Take Two Unlimited	\$ 72,167
	TOTAL PROCUREMENT CONTRACTS OVER \$25,000	\$5,302,521

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

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

RESOLUTION NO. 337-08 Re: **EXECUTION OF SUBDIVISION RECORD
PLAT—FALLSMEAD ELEMENTARY SCHOOL**

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

WHEREAS, The Mayor and City Council of Rockville requested a Subdivision Record Plat in connection with the modernization of Fallsmead Elementary School, located at 1800

Greenplace Terrace; and

WHEREAS, The record plat to be recorded will identify public utility easements and storm drain easements; and

WHEREAS, Adoption of the subdivision record plat will benefit the school by delineating areas for environmental protection and locate utilities and stormwater management structures in conformity with the addition project; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a subdivision record plat for Fallsmead Elementary School.

RESOLUTION NO. 338-08 Re: **UTILIZATION OF THE FY 2009 PROVISION
FOR FUTURE SUPPORTED PROJECTS
FUNDS**

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

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. 16-578, approved May 22, 2008; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2009 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 \$875,434 within the FY 2009 Provision for Future Supported Projects, as specified below:

Project	Amount
Tobacco Prevention	76,000
Transition from Laboratory to Classroom	286,899
Fine Arts Initiative	173,040
Montgomery County Public Schools Defined Contribution Website	29,911

Silver Spring Judy Center Program	202,988
Maryland Model for School Readiness Program	105,028
American Indian Education Program	1,568
Total	\$ 875,434

and be it further

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

RESOLUTION NO. 339-08 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:

Resolved, That the Board of Education approve the Human Resources Monthly Report dated September 9, 2008.

RESOLUTION NO. 340-08 Re: **DEATH OF MS. ANN SMILEY, SCHOOL ADMINISTRATIVE SECRETARY. GAITHERSBURG MIDDLE SCHOOL**

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

WHEREAS, The death on August 16, 2008, of Ms. Ann D. Smiley, school administrative secretary at Gaithersburg Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Ms. Smiley had been a dependable and loyal employee of Montgomery County Public Schools for more than 43 years: and

WHEREAS, Ms. Smiley was committed to her Gaithersburg Middle School family and always genuinely cared about the overall environment to ensure student success; 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 Ms. Ann D. Smiley and extend deepest sympathy to her family; and be it further

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

Re: **NEW RACE CODE DESIGNATIONS**

Mr. Bowers invited the following people to the table: Dr. Stacy L. Scott, associate superintendent, Office of Shared Accountability; and Mr. Sherwin Collette, chief technology officer, Office of the Chief Technology Officer.

The federal government uses racial and ethnic data for many purposes, such as ensuring equal access to housing, education, and employment. In 1993, the federal government initiated a complete review of the categories used to collect data on race and ethnicity of the nation's population. Many people felt that the categories, which had been in use for more than 20 years, did not adequately reflect the increasing diversity of the nation's population. A federal committee that included representatives from more than 30 government agencies was established to assist with the review and to ensure that data collection was consistent throughout the government. In 1997, the government published the committee's recommendations on how the categories and process should be revised and received feedback from thousands of individuals on the proposed changes.

In 2007, the U.S. Department of Education (USDE) issued its final guidelines, requiring state education departments to implement the new racial and ethnic categories for public school students. USDE mandated the use of the new codes for reporting race and ethnicity beginning with the 2010–2011 school year. The Maryland State Department of Education (MSDE) is requiring local school systems to report data using both the existing race/ethnicity codes and the new race/ethnicity codes for the 2009–2010 school year. This is one year prior to the federal deadline for implementation and will begin with the September 30, 2009, enrollment reports. Montgomery County Public Schools (MCPS) must collect data from students during the 2008–2009 school year in order to meet that timeline.

Once the forms are returned to CESC, Data Center staff will scan the forms, with the data from the forms being transferred to the Online Achievement Student Information System. Blank forms and monitoring reports will be sent to schools with the first, second, and third marking period report cards to aid schools in their collection of any missing student forms. A final monitoring report for students whose data are missing will be provided to schools in June 2009. Principals have been asked to utilize any and every opportunity available to encourage the prompt return of the form.

Re: **STATEMENT BY MRS. NAVARRO**

Ms. Navarro commented that the Board met with general counsel today concerning legal

issues that have been raised in recent weeks concerning the establishment and implementation of various school fees. Counsel was asked for advice as part of a continuing effort to examine fees. The Policy Committee will meet tomorrow to review the monitoring process associated with current policy and implementation procedures. In addition, the Board was informed that the superintendent has asked a staff committee to review existing practices regarding fees. The Board will continue to keep the community informed regarding this issue.

Re: **ORAL UPDATE ON THE OPENING OF SCHOOLS**

Mr. Bowers, Dr. Frieda Lacy, deputy superintendent, and Mr. Steve Bedford, chief performance officer, commented on the beginning of school. There was a short video on the opening of school which featured many excited students and teachers beginning instruction.

Three principals, Mrs. Yong-Mu Kim, Mrs. Jennifer Baker, and Dr. Christine Handy-Collins, pointed out the successes and new beginnings at their schools.

Mrs. Navarro pointed out that the Board makes decisions about the strategic plan and the budget. These decisions can sometimes seem detached from the daily work at the school building. For her, the updates highlighted progress in internalizing the vision of the strategic plan at the building level and the uniformity with flexibility to build a culture in the school. She commended staff for consistency and patience the reform efforts.

RESOLUTION NO. 341-08 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the superintendent and on motion of Mr. Abrams seconded by Mr. Barclay, 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 Monday, September 22, 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 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. 342-08 Re: **REPORT OF CLOSED SESSION**

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

On August 21, 2008, by unanimous vote of members present, the Board of Education voted to conduct a closed session, as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in a closed session on August 21, 2008, from 11:00 a.m. to 1:10 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-2008-12, T-2008-35, T-2008-44, T-2008-49, NEC-2008-47, DCC-2008-48, T-2008-26, T-2008-42, 2008-25, 2008-37, 2008-28, 2008-29, 2008-30, 2008-32, 2008-33, 2008-34, 2008-35, 2008-36, 2008-38, and 2008-39.
2. Discussed the Human Resources Monthly Report and Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. 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, Larry Bowers, Shirley Brandman, Patrick Clancy, Brian Edwards, Ursula Hermann, Suzann King, Frieda Lacey, Erick Lang, Susan Marks, Quratul-Ann Malik, Nancy Navarro, Patricia O'Neill, Glenda Rose, Steve Simon, Laura Steinberg, and Jerry Weast.

RESOLUTION NO. 343-08 Re: **CITIZEN MEMBER FOR COMMUNITY USE OF PUBLIC FACILITIES**

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

WHEREAS, The term of Mr. Jonathan Walker, citizen member of the Interagency Coordinating Board, expired on June 30, 2008; now therefore be it

Resolved, That on the recommendation of the superintendent of schools, the Board of Education confirm the appointment of Dr. Sheila Dobbins for a four-year term, beginning September 10, 2008, and ending June 30, 2012; and be it further

Resolved, That a copy of this resolution be sent to the Montgomery County Council, county executive, executive director of the Community Use of Public Facilities, and members of the Interagency Coordinating Board for Community Use of Public Facilities.

RESOLUTION NO. 344-08 Re: **MINUTES**

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

Resolved, That the Board of Education approve its minutes for the following meetings: May 13, May 27, June 10, June 23, July 1, July 15, July 28, and August 21, 2008.

RESOLUTION NO. 345-08 Re: **APPEALS**

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

WHEREAS, The Board of Education has met in closed session and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-503(a) of the *State Government Article*; now therefore be it

Resolved, That the Board of Education hereby decides 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>
T-2008-46	Student Transfer	Affirmed
T-2008-50	Student Transfer	Reversed
T-2008-51	Student Transfer	Affirmed
T-2008-52	Student Transfer	Affirmed
T-2008-55	Student Transfer	Reversed
T-2008-57	Student Transfer	Affirmed
NEC-2008-53	Student Assignment	Affirmed
DCC-2008-56	Student Assignment	Affirmed
2008-14	Residency/tuition	Affirmed
2008-17	Alternative Placement	Affirmed
2008-41	Alternative Placement	Affirmed
2008-42	Early Entrance to Kindergarten	Affirmed
2008-43	Early Entrance to Kindergarten	Affirmed

2008-45

Honor Society

Affirmed

Re: **SPECIAL EDUCATION CENTERS' REPRESENTATION IN FACILITY PLANNING**

On motion of Ms. Cox and seconded by Mrs. O'Neill, the previous new business item was on the table for discussion:

WHEREAS, The Special Education Advisory Committee (SEAC) exists to provide stakeholder input and advise Montgomery County Public Schools (MCPS) staff regarding issues related to special education; and

WHEREAS, The Montgomery County Council of PTAs (MCCPTA) is a membership organization that is not required to represent the interests of nonaffiliated schools; and

WHEREAS, Issues related to two of three of our current special education center facilities have only been included in PTA cluster comments in one of the past five years; now therefore, be it

Resolved, That the SEAC's charge be amended to include acting as a cluster (as defined in FAA-RA, *Long-Range Educational Facilities Planning*) in identifying and providing comments and testimony regarding facility-related interests of the school communities served by special education centers; and be it further

Resolved, That staff from the Department of Special Education Services and the Department of Facilities Management work with the leadership of SEAC to provide information and support equivalent to that provided PTA clusters, to help the committee fulfill this charge; and be it further

Resolved, That the Board of Education will allot SEAC the same amount of time as a PTA cluster during public hearings on facilities issues.

RESOLUTION NO. 346-08 Re: **SUBSTITUTE MOTION**

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

Resolved, That the Board of Education send representation in facilities planning to the Board's Committee on Special Populations for review and recommendations to the full Board for action.

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

RESOLUTION NO. 347-08 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of September 9, 2008, at 4:05 p.m.

PRESIDENT

SECRETARY

JDW:gr

Resolution	Abrams	Barclay	Brandman	Cox	Docca	Malik	Navarro	O'Neill

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

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

September 9, 2008

RESOLUTION FOR CLOSED SESSIONS	1
PLEDGE OF ALLEGIANCE	2
APPROVAL OF THE AGENDA	2
HISPANIC HERITAGE MONTH	2
PUBLIC COMMENTS	3
BOARD/SUPERINTENDENT COMMENTS	3
WORK PLAN OF THE OFFICE OF LEGISLATIVE OVERSIGHT	4
LUNCH AND CLOSED SESSION	6
CONTRACTS OF \$25,000 OR MORE	6
EXECUTION OF SUBDIVISION RECORD PLAT—FALLSMEAD ELEMENTARY SCHOOL	9
UTILIZATION OF THE FY 2009 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS	10
HUMAN RESOURCES MONTHLY REPORT	11
NEW RACE CODE DESIGNATIONS	11
ORAL UPDATE ON THE OPENING OF SCHOOLS	13
CLOSED SESSION RESOLUTION	13
REPORT OF CLOSED SESSION	13
CITIZEN MEMBER FOR COMMUNITY USE OF PUBLIC FACILITIES	14
APPEALS	15
SPECIAL EDUCATION CENTERS' REPRESENTATION IN FACILITY PLANNING	15
NEW BUSINESS	16
ITEMS OF INFORMATION	16
ADJOURNMENT	17