

APPROVED
24-2008

Rockville, Maryland
October 14, 2008

The Board of Education of Montgomery County met at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, October 14, 2008 at 10:00 a.m.

Present: Mrs. Nancy Navarro, President
in the Chair
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: Mr. Steve Abrams
Dr. Jerry Weast

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

RESOLUTION NO. 360-08 **Re: RESOLUTION FOR CLOSED SESSIONS**

On recommendation of the superintendent and on motion of Ms. Brandman 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 conduct closed sessions on October 14, 2008, in Room 120 from 9:00 to 10:00 a.m. and 1:00 to 2:00 p.m.; and be it further

Resolved, That the Board of Education review 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; and be it further

Resolved, That the Board of Education review the Equal Employment Opportunity Report, as permitted under Section 10-508(a)(1) of the State Government Article; and be it further

Resolved, That the Board of Education dedicate part of the closed sessions on October 14, 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.

** Mr. Abrams left the meeting after closed session.

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. 361-08 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 October 14, 2008.

RESOLUTION NO. 362-08 Re: **AMERICAN INDIAN HERITAGE MONTH**

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, Since 1990 the President of the United States has proclaimed November as “National American Indian Heritage Month,” honoring the generations of American Indians who have added to the character of our nation; and

WHEREAS, Inspired by the legacy of the extraordinary American Indians who have preceded them, American Indians perform vital roles throughout society and continue to play a major role in contributing to the greatness of this nation; and

WHEREAS, The American Indian 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, The continued academic achievement of American Indian students and partnerships with their parents, staff, and community members contribute to the present and future success of Montgomery County, the state of Maryland, and our nation as a whole; now therefore be it

Resolved, That, on behalf of the superintendent of schools, staff members, students, and families, the Montgomery County Board of Education hereby declares the month of November 2008 to be observed in Montgomery County Public Schools as “American Indian Heritage Month.”

RESOLUTION NO. 363-08

Re: **2008 MONTGOMERY COUNTY PUBLIC
SCHOOLS CHARITY CAMPAIGN**

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:

WHEREAS, The needs of others have long motivated the generosity of the employees of Montgomery County Public Schools, who have contributed to charity campaigns organized in collaboration with Montgomery County Government; and

WHEREAS, This year's charity campaign gives employees the option of contributing to four worthy charities—the Montgomery County United Way, the Union Community Fund, the Montgomery County Community Foundation, and the Montgomery Alliance; and

WHEREAS, The four employee representative organizations—the Montgomery County Association of Administrative and Supervisory Personnel, the Montgomery County Education Association, the Montgomery County Business and Operations Administrators, and the Service Employees International Union Local 500, along with Montgomery County Public Schools have formed a partnership for the 2008–2009 school year to provide employees with four organizations through to which they can direct their charitable contributions; and

WHEREAS, Last year Montgomery County Public Schools employees contributed approximately \$213,000 through the campaign; now therefore be it

Resolved, That the period of October 27 through November 21, 2008, is hereby designated by the Board of Education of Montgomery County as the period for participation in the Montgomery County Public Schools Employees' Charity Campaign; and be it further

Resolved, That all employees of Montgomery County Public Schools are urged to demonstrate their continuing charity by donating to this campaign, as a reflection of their commitment to addressing the needs of those less fortunate.

RESOLUTION NO. 364-08

Re: **SUPERINTENDENT'S ANNUAL MARK
MANN EXCELLENCE AND HARMONY
AWARD**

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 superintendent's Annual Mark Mann Excellence and Harmony Award was established in 1991 to honor the highest qualities and most significant accomplishments of the late Dr. Mark Mann, former principal of Parkland Junior High School; and

WHEREAS, The award is presented annually to a Montgomery County Public Schools administrator who has shown exceptional performance in promoting academic excellence, positive human relations, and community outreach; and

WHEREAS, Mr. Michael J. Zarchin, principal at Thomas W. Pyle Middle School, was chosen as the recipient of the 2008 Mark Mann Excellence and Harmony Award for his extensive record of excellence in educational leadership; and

WHEREAS, At Thomas W. Pyle Middle School, Mr. Zarchin has instilled the belief that all students can learn and be successful and academic achievement has increased significantly for all student groups; now therefore be it

Resolved, That the Board of Education congratulates Mr. Zarchin on his accomplishments and on receiving the Mark Mann Excellence and Harmony Award.

RESOLUTION NO. 365-08 Re: **NATIONAL SCHOOL BUS SAFETY WEEK**

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:

WHEREAS, October 20–24, 2008, has been designated as National School Bus Safety Week; and

WHEREAS, The members of the Board of Education and the superintendent of schools implemented a Ride by the Rules campaign in FY 2006 to ensure each student has a safe, pleasant, and secure ride to and from school; and

WHEREAS, The standards of conduct on the school bus are as important to student success as they are in the classroom; and

WHEREAS, Each student riding a school bus should have a safe and secure environment that sets a positive tone for the day and fosters a high level of learning and success; now therefore be it

Resolved, That the Board of Education proclaim the week of October 20–24, 2008, as National School Bus Safety Week; and be it further

Resolved, That the Board of Education commits its continued support for the Ride by the Rules campaign during National School Bus Safety Week.

RESOLUTION NO. 366-08

Re: **HEALTHIERUS SCHOOL CHALLENGE**

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, Childhood obesity is a growing concern for school children in the United States; and

WHEREAS, The United States Department of Agriculture believes that schools should be taking a leadership role in helping students learn to make healthy eating and active lifestyle choices; and

WHEREAS, In 2004, the United States Department of Agriculture created the HealthierUS School Challenge to recognize nutrition excellence in schools; and

WHEREAS, Schools must meet the following criteria to be eligible for the recognition: enroll as a Team Nutrition School, offer lunches that demonstrate healthy menu planning practices, provide nutrition education to students, offer students the opportunity for physical activity, and maintain an average daily participation of 62 percent or higher of school enrollment for lunches; and

WHEREAS, As of September 16, 2008, the United States Department of Agriculture HealthierUS School Challenge has been awarded to 452 schools across the United States, including 44 elementary schools in Montgomery County Public Schools; now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of schools extend their congratulations to the cafeteria staff, principals, teachers, and students in the following elementary schools that earned the HealthierUS School Challenge recognition:

| | |
|---------------|-----------------------|
| Arcola | Highland |
| Bel Pre | Jackson Road |
| Broad Acres | Kemp Mill |
| Brookhaven | S. Christa McAuliffe |
| Brown Station | Montgomery Knolls |
| Burnt Mills | New Hampshire Estates |
| Burtonsville | Roscoe Nix |
| Cannon Road | Oak View |
| Clopper Mill | William Tyler Page |

| | |
|---------------------|------------------|
| Cresthaven | Judith A. Resnik |
| Capt. James E. Daly | Rosemont |
| East Silver Spring | Sargent Shriver |
| Fairland | Sequoyah |
| Flower Hill | South Lake |
| Fox Chapel | Stedwick |
| Gaithersburg | Strathmore |
| Galway | Summit Hall |
| Georgian Forest | Twinbrook |
| Glenallen | Washington Grove |
| Glen Haven | Watkins Mill |
| Greencastle | Weller Road |
| Harmony Hills | Wheaton Woods |

Re: **PUBLIC COMMENTS**

There were no public comments.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mr. Bowers commented that Dr. Charles R. Drew Elementary School has won a national award for its exemplary arts education program. Drew was one of only five schools in the nation chosen as a John F. Kennedy Center for the Performing Arts National School of Distinction in Arts Education. The national award winners were selected from schools nominated by their State Alliance for Arts Education. The success of the arts integration programs in all three of these schools is due, in large part, to a genuine commitment to arts education by school staff, an investment in professional development, and strong community and parental support. Second, he stated that Amy Corbman, second grade teacher at Greencastle Elementary School, has won an American Stars of Teaching award from the U.S. Department of Education. The program recognizes an exemplary teacher from each state. Nearly 100 Maryland teachers were nominated by their peers, and there were about 5,000 nominees nationwide.

Ms. Malik commented that she attended the Courage Exhibition in Baltimore, and it was very informative and tied in with diversity conversations in MCPS. On October 13, 2008, parents visited their children's schools to learn more about MCPS.

Dr. Docca stated that she attended, with other Board members, (1) the Teacher of the Year Awards in Baltimore; (2) the Hispanic Democratic Club as a private citizen; (3) Hispanic Association; (4) Alpha Wives of Montgomery County annual Ebony Fashion Fair for student scholarships; and (5) the Southern Christian Leadership Conference.

Ms. Brandman added that she attended Walk-to-School Day at Piney Branch Elementary School; rededication of College Park Elementary School; and Character Education at Newport Mill Middle School.

Mrs O'Neill stated that she attended the College Gardens rededication ceremony. One of the delegates mentioned that capital funds should be spent on sidewalks, and she commented that there is not enough money for the essential projects. She also attended the dinner with SEIU Local 500 and the partnership to create English Language Classes in the Workplace.

Ms. Cox also attended the Teacher of the Year Award event and Character Education at Newport Mill Middle School.

Mr. Barclay mentioned Albert Einstein High School's college fair, and said that all students must plan their futures—college or not. He said he was also impressed with the SEIU Local 500 presentation on English in the Workplace.

Ms. Navarro congratulated staff and students during Hispanic Heritage Month. She mentioned that discussions have begun about the coming budgets with county deficits. There have been briefings with the county executive and County Council to develop strategies.

RESOLUTION NO. 367-08 Re: **RESOLUTION ON HIGH SCHOOL
ASSESSMENTS**

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

WHEREAS, The Montgomery County Board of Education supports the concept of accountability standards that determine mastery of the curriculum in a fair and equitable manner; and

WHEREAS, On October 28, 2008, the Maryland State Board of Education will be discussing the requirement that students pass the High School Assessments in order to receive a Maryland high school diploma; and

WHEREAS, The Montgomery County Board of Education has previously, consistently, and publicly raised concerns about the High School Assessments; and

WHEREAS, The Montgomery County Board of Education remains concerned that the test format for students graduating in 2009 will be different from the format for students

graduating in 2010 and beyond; and

WHEREAS, The Montgomery County Board of Education remains concerned that the Bridge Plan for Academic Validation is overly complex and fraught with unresolved issues; now therefore be it

Resolved, That the Montgomery County Board of Education requests that the Maryland State Board of Education delay linking the Maryland High School Assessment program to high school diplomas for at least one year, until all the concerns raised by stakeholders have been resolved.

Re: **UPDATE ON ENROLLMENT AND CAPITAL IMPROVEMENTS PROGRAM**

Mr. Bowers invited the following people to the table: Mr. Joseph Lavorgna, acting director, Department of Facilities Management, and Mr. Bruce Crispell, director, Division of Long-range Planning.

This year's annual update on enrollment includes a presentation of preliminary enrollment and demographic trends affecting future enrollment. The presentation also includes an overview of school facility issues and the upcoming superintendent's recommended Capital Improvements Plan, scheduled for release October 29, 2008 (filed in the Board Office).

Re: **DISCUSSION**

Board members were interested and wanted to know—

- whether or not students were transferring from other jurisdictions;
- if students were enrolling from private schools based on excellence of MCPS or higher tuition costs;
- what areas of the county are growing, such as areas of affordable housing;
- the impact of individual schools in the Downcounty and Northeast consortia;
- about the underutilization of facilities at some middle schools;
- the enrollment, who will need more resources, and the economic trend;
- the urban component and focus on sustaining student achievement;
- more information on the facility projects that are not refundable by the state; and
- that, based on enrollment figures, where are the students going if there are no recordation or impact taxes?

Mrs. O'Neill stated that there will be testimony from community groups and parents about the condition of their schools, even though this is an amendment year. The system will be lucky to get things done that are in the CIP, based on the economy.

Ms. Cox suggested and Mr. Lavorgna agreed to work with Ms. Steinberg to craft a facilities proposal that would be more favorable to all LEAs. This proposal will become part of the

legislative platform and will be shared with the delegation.

Re: **FINAL APPROVAL OF THE COMPREHENSIVE
MASTER PLAN**

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

WHEREAS, The Montgomery County Public Schools Bridge to Excellence in Public Schools Act—Comprehensive Master Plan fulfills all of the required components, including strategies and supporting documentation; and

WHEREAS, On July 28, 2008, the Board of Education took action to tentatively approve the annual update to the Comprehensive Master Plan for 2008; and

WHEREAS, Tentative action was required because all of the data for the master plan were not available from the Maryland State Department of Education and the General Assembly required submission of the plan to the county executive and the County Council at least 60 days prior to submission of the plan to the Maryland State Department of Education; and

WHEREAS, The tentatively adopted Comprehensive Master Plan was submitted to the County Council and the county executive on August 15, 2008; and

WHEREAS, Because the Master Plan Updates, by law, are due to the county boards and the Maryland State Department of Education before some or all of the Maryland State Assessments and High School Assessments data analysis are final, the assessment data contained in this updated Master Plan, unless noted otherwise, is preliminary only; it does not reflect the full analysis necessary to ascertain Adequate Yearly Progress or students' progress toward achieving a diploma; and the update will be amended to reflect final assessment data analysis when it is available; now therefore be it

Resolved, That the Board of Education approve the updated Montgomery County Public Schools Bridge to Excellence in Public Schools Act—Comprehensive Master Plan for 2008; and be it further

Resolved, That Montgomery County Public Schools staff submits the Comprehensive Master Plan to the Maryland State Department of Education on or before October 15, 2008, as required by the Bridge to Excellence in Public Schools Act.

RESOLUTION NO. 368-08

Re: **AMENDMENT**

On motion of Ms. Brandman and Ms. Cox, the following amendment was adopted unanimously by members present:

Resolved, That the Board of Education amend the resolution by adding the following disclaimer offered by the state superintendent:

Because the Master Plan Updates, by law, are due to the county boards and the Maryland State Department of Education before some or all of the Maryland State Assessments and High School Assessments data analysis are final, the assessment data contained in this updated Master Plan, unless noted otherwise, is preliminary only; it does not reflect the full analysis necessary to ascertain Adequate Yearly Progress or students' progress toward achieving a diploma; and the update will be amended to reflect final assessment data analysis when it is available

RESOLUTION NO. 369-08

Re: **FINAL APPROVAL OF THE COMPREHENSIVE MASTER PLAN**

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 Public Schools Bridge to Excellence in Public Schools Act—Comprehensive Master Plan fulfills all of the required components, including strategies and supporting documentation; and

WHEREAS, On July 28, 2008, the Board of Education took action to tentatively approve the annual update to the Comprehensive Master Plan for 2008; and

WHEREAS, Tentative action was required because all of the data for the master plan were not available from the Maryland State Department of Education and the General Assembly required submission of the plan to the county executive and the County Council at least 60 days prior to submission of the plan to the Maryland State Department of Education; and

WHEREAS, The tentatively adopted Comprehensive Master Plan was submitted to the County Council and the county executive on August 15, 2008; now therefore be it

Resolved, That the Board of Education approve the updated Montgomery County Public Schools Bridge to Excellence in Public Schools Act—Comprehensive Master Plan for 2008; and be it further

Resolved, That Montgomery County Public Schools' staff submits the Comprehensive Master Plan to the Maryland State Department of Education on or before October 15, 2008, as required by the Bridge to Excellence in Public Schools Act; and be it further

Resolved, .That the Board of Education codifies the state superintendent's disclaimer,

which reads: Because the Master Plan Updates, by law, are due to the county boards and the Maryland State Department of Education before some or all of the Maryland State Assessments and High School Assessments data analysis are final, the assessment data contained in this updated Master Plan, unless noted otherwise, is preliminary only; it does not reflect the full analysis necessary to ascertain Adequate Yearly Progress or students' progress toward achieving a diploma; and the update will be amended to reflect final assessment data analysis when it is available.

RESOLUTION NO. 370-08 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 by members present:#

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

WHEREAS, Funds have been budgeted for the lease/purchase of copier systems through Bid No. 4139.1; and

WHEREAS, The acquisition of copier systems through a lease/purchase agreement has been reviewed by legal counsel; now therefore be it

Resolved, That copier systems in the amount of \$18,441 be lease/purchased for a 60-month term under the Master Lease/Purchase Agreement with First Southwest Leasing Company; and be it further

Resolved, That the Board president and superintendent of schools be authorized to execute the documents necessary for these transactions; 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:

| | | |
|--------|--------------------------------------|------------|
| 1062.3 | Software Training Services—Extension | |
| | <u>Awardees</u> (See note) | |
| | Learning Tree International, Inc. | |
| | Office Pro, Inc. | |
| | Personalized Computer Training | |
| | Softeck Services, Inc. | |
| | ST-Net, Inc. | |
| | TechObject Corporation | |
| | Total | \$ 320,000 |

| | | |
|--------|---|------------|
| 1151.1 | COTS/ASP Instructional Management System—Extension | |
| | <u>Awardee</u> | |
| | Edmin.com, Inc. | \$ 347,971 |
| 4080.8 | Computer Supplies—Extension | |
| | <u>Awardees</u> | |
| | B&H Photo Video Pro Audio, Inc. | \$ 4,348 |
| | Business Stationers | 8,469 |
| | Carolina Imaging Products* | 9,472 |
| | Educational Resources | 288,423 |
| | Global Government Educational Solutions | 18,323 |
| | Infoserve Technologies Corporation* | 2,088 |
| | Interstate Office Supply Company* | 2,750 |
| | M&B Supplies, Inc. | 157,123 |
| | Pyramid School Products | 57,339 |
| | Quill Corporation | 721 |
| | Tree House, Inc.* | 11,635 |
| | Total | \$ 560,691 |
| 4080.7 | Art Equipment | |
| | <u>Awardees</u> | |
| | AFP Industries, Inc.* | \$ 4,624 |
| | Dick Blick East | 1,018 |
| | Diversified Educational Systems | 15,333 |
| | Glover Equipment, Inc. | 95,285 |
| | James Howard Company | 953 |
| | Nasco | 2,393 |
| | Pyramid School Products | 5,467 |
| | Satco, Inc. | 537 |
| | Sax Arts & Crafts | 4,627 |
| | Sheffield Pottery, Inc. | 24,473 |
| | Total | \$154,710 |
| 4138.1 | Copier Systems | |
| | <u>Awardee</u> | |
| | Sharp Business Systems | \$ 18,441 |
| 4194.1 | Grant Evaluator for Smaller Learning Communities Program Grant—Extension | |
| | <u>Awardee</u> | |
| | Pacific Research & Evaluation, LLC | \$ 30,000 |

| | | | |
|--------|--|----|--------------|
| 4209.1 | Biodiesel Fuel—Extension | | |
| | <u>Awardee</u> | | |
| | Tri Gas & Oil | | \$11,250,000 |
| 4216.1 | Learning Lab Program for Career and Technology Education—Extension | | |
| | <u>Awardee</u> | | |
| | PCS Adventures, Inc. | \$ | 49,790 |
| 4234.1 | Disaster Recovery Services | | |
| | <u>Awardee</u> | | |
| | Sungard Availability Services | \$ | 217,092 |
| 4235.1 | Communication Outreach Tool | | |
| | <u>Awardee</u> | | |
| | Blackboard Connect-ED | \$ | 344,363 |
| 4816.2 | HP Cartridges for New Printers—Extension | | |
| | <u>Awardees</u> | | |
| | Carolina Imaging Products* | \$ | 8,061 |
| | Educational Resources | | 64,441 |
| | Super Warehouse* | | 772,674 |
| | Total | \$ | 845,176 |
| 7050.8 | Photographic Equipment and Supplies—Extension | | |
| | <u>Awardees</u> | | |
| | B&H Photo Video Pro Audio, Inc. | \$ | 7,512 |
| | Freestyle Sales Company | | 19,944 |
| | Penn Camera Exchange, Inc. | | 79,991 |
| | Service Photo Supply, Inc. | | 15,529 |
| | Unique Photo, Inc. | | 1,127 |
| | WB Hunt Company, Inc. | | 36,289 |
| | Total | \$ | 160,392 |
| 7110.3 | Automotive Body Shop Paints and Supplies | | |
| | <u>Awardee</u> | | |
| | Mattos Pro Finishes | \$ | 62,952 |

| | | | |
|---|--|----|--------------|
| 9182.3 | Waste Compactor Replacements at Various Facilities—Extension** | | |
| | <u>Awardees</u> | | |
| | Big Stuff, Inc. | \$ | 13,960 |
| | Mid Atlantic Waste Systems, Inc. | | 39,500 |
| | Total | \$ | 53,460 |
| 9417.1 | Energy Management Automation Systems at Various Locations | | |
| | <u>Awardee</u> | | |
| | Control Sources, LLC | \$ | 159,638 |
| TOTAL PROCUREMENT CONTRACTS OVER \$25,000 | | | \$14,574,676 |

*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. 371-08 Re: **AMENDMENT TO THE REVISED MINORITY BUSINESS ENTERPRISE PROCEDURES FOR STATE-FUNDED PUBLIC SCHOOL CONSTRUCTION PROJECTS**

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 Interagency Committee on Public School Construction has asked local school boards to formally approve an amendment to the revised procedures for Minority Business Enterprise participation on state-funded projects; and

WHEREAS, Staff recommends that the amendment to the revised procedures be approved and incorporated in the Board of Education procedures for Minority Business Enterprise participation on school construction projects; now therefore be it

Resolved, That the revised procedures for Minority Business Enterprise participation adopted on September 22, 2008, by the Board of Education be awarded, as per the attached document, to include the September 2008 amendment adopted by the Interagency Committee on Public School Construction.

RESOLUTION NO. 372-08 Re: **A W A R D O F C O N T R A C T — SURFACE-MOUNTED SWING DOOR OPERATORS FOR CLASSROOM BUILDINGS**

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 following unit price proposal was received September 30, 2008, for the installation of surface-mounted swing door operators:

| <u>Bid</u> | <u>Amount</u> |
|-----------------------------|---------------|
| Atlantic Door Control, Inc. | \$2,950 |

and

WHEREAS, Atlantic Door Control, Inc. has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The proposal is within the staff estimate; now therefore be it

Resolved, That a one-year contract be awarded to Atlantic Door Control, Inc. for the installation of surface-mounted swing door operators as needs arise, at the unit price of \$2,950 each.

RESOLUTION NO. 373-08 Re: **GRANT OF STORMWATER MANAGEMENT EASEMENT AND STORMWATER MANAGEMENT INSPECTION AND MAINTENANCE AGREEMENT AT MEADOW HALL ELEMENTARY SCHOOL**

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 mayor and Council of Rockville (City) requested a Stormwater Management Easement and Stormwater Management Inspection and Maintenance Agreement in connection with a gymnasium addition project at Meadow Hall Elementary School, located at 951 Twinbrook Parkway in Rockville; and

WHEREAS, The Board of Education is responsible for all construction and future maintenance of stormwater management facilities at the school; and

WHEREAS, The proposed easement of 19,019 square feet, configured in two parcels, will grant the City the right to inspect two stormwater management quality control structures and the right to maintain said structures, if the Board fails to do so, and assess the Board for the cost of maintenance, in accordance with Chapter 19 of the City Code; and

WHEREAS, The stormwater management easement area will not affect any land that could be used for school programming or recreational activities; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Grant of Stormwater Management Easement and Stormwater Management Inspection and Maintenance Agreement to the mayor and Council of Rockville (City) for 19,019 square feet of land at Meadow Hall Elementary School.

RESOLUTION NO. 374-08 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 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. 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 \$522,365 within the FY 2009 Provision for Future Supported Projects, as specified below:

| <u>Project</u> | <u>Amount</u> |
|--|---------------|
| 21st Century Community Learning Centers | \$ 187,500 |
| IDEA Enhancement of Positive Behavioral Interventions | 38,000 |
| IDEA Least Restrictive Environment Prekindergarten Inclusion | 36,000 |
| IDEA Transition, Dropout, Graduation Gap | 38,602 |
| IDEA Alternate Maryland School Assessment | 15,000 |
| IDEA Early Intervention | 132,263 |
| Education for Homeless Children and Youth | 75,000 |
| Total | \$ 522,365 |

and be it further

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

** Ms. Navarro left the meeting at this point.

RESOLUTION NO. 375-08 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 by members present:

Resolved, That the Board of Education approve the Human Resources Monthly Report dated October 14, 2008.

RESOLUTION NO. 376-08 Re: **DEATH OF MS. KAREN A. ZOELLNER, BUS OPERATION I, DEPARTMENT OF TRANSPORTATION**

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 death on August 29, 2008, of Ms. Karen A. Zoellner, bus operation I at the Randolph Transportation Depot, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the nearly 11 years with Montgomery County Public Schools, Ms. Zoellner demonstrated exceptional ability as a bus operator; and

WHEREAS, Ms. Zoellner was known as a warm, genuine, and trustworthy employee and was dedicated to the safe transportation of her 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 Ms. Karen A. Zoellner and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 377-08 Re: **CLOSED SESSION RESOLUTION**

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 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, October 27, 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 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 the meeting shall continue in closed session until the completion of business.

RESOLUTION NO. 378-08 Re: **REPORT OF CLOSED SESSION**

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:

On September 22, 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 September 22, 2008, from 5:35 to 6:15 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

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-2009-45, T-2004-54, DCC-2008-59, and 2008-47.

1. 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.
2. Received legal advice concerning the Maryland Public Information Act as permitted under Section 10-508(a)(7) 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, Steve Bedford, Larry Bowers, Shirley Brandman, Judy Bresler, Patrick Clancy, Sharon Cox, Judy Docca, Brian Edwards, Roland Ikheloa, Suzann King, Frieda Lacey, Erick Lang, Jody Leleck, Susan Marks, Quratul-Ann Malik, Patricia O'Neill, Glenda Rose, Steve Simon, Laura Steinberg, and Jerry Weast.

RESOLUTION NO. 379-08 Re: **MINUTES**

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 minutes for the following meetings: September 9, 10, and 22, 2008.

RESOLUTION NO. 380-08 Re: **APPEAL**

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

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

Resolved, That the Board of Education hereby 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-2008-61 | Student Transfer | Affirmed |

Re: **COMMITTEE UPDATES**

Policy Committee: Ms. Cox reported the committee has asked counsel to review the Board of Education Handbook. Since the Strategic Planning Committee review Policy AEB, Strategic Planning for Continuous Improvement, it will come to the Policy Committee for consideration prior to recommendation for tentative approval by the Board.

Fiscal Management Committee: Mr. Barclay stated that the Independent Activity Fund received a report on work of the Task Force on the fund. There were recommendations in terms of communication with business managers and principals on retraining to understand compliance with the rules.

Strategic Planning Committee: Dr. Docca commented that the policy was reviewed. The Collaboration Council sent representatives to meet with the committee about the study they did in three parts of the county on activities and population of these areas.

RESOLUTION NO. 381-08 Re: **FACILITY PLANNING PROCESS FOR SPECIAL EDUCATION AND ALTERNATIVE PROGRAM CENTERS**

On motion of the Committee on Special Populations, the following resolution was adopted unanimously by members present:

Resolved, That the Special Education Advisory Committee's (SEAC) charge be amended to include acting as the equivalent of a cluster (as defined in Montgomery County Public Schools Regulation FAA-RA, Long-Range Educational Facilities Planning) in identifying and providing comments and testimony regarding facility-related interests of those school communities served by special education centers which do not have affiliated Parent Teacher Associations (PTA); and be it further

Resolved, That staff from the Department of Special Education Services and the Division of Long-range Planning work with 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; and be it further

Resolved, That the superintendent direct staff to continue and expand upon existing outreach efforts aimed at directly engaging alternative program stakeholders in the facilities planning process, including meeting each spring with alternative program community members to directly solicit their input and soliciting feedback from alternative program administrators about their facilities; and be it further

Resolved, That the Board of Education direct the superintendent of schools to review and revise Regulation FAA-RA, Long-Range Educational Facilities Planning, to reflect the charge to the Special Education Advisory Committee in facility planning and the necessary outreach staff has identified for the alternative program centers.

Re: **STUDENT TRANSFERS**

Resolved, That the Board of Education amend Policy JEE, Student Transfers, to include an alternative to the hardship requirement when the transfer is supported by the school that a student wishes to transfer into and believes that the transfer would aid that school.

This item was deferred until October 27, 2008, since the maker of the motion was not present.

Re: **NEW BUSINESS**

There was no new business

Re: **LUNCH**

The Board of Education recess from 12:45 to 2:00 p.m. for lunch.

RESOLUTION NO. 382-08

Re: **PLANS FOR BROOKHAVEN ELEMENTARY SCHOOL ADDITION**

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 architect for the proposed Brookhaven Elementary School addition project, Delmar Architects, P.A., has prepared a schematic design, in accordance with the educational specifications; and

WHEREAS, The Brookhaven Elementary School Facility Advisory Committee has provided input for the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plans report for the Brookhaven Elementary School addition project developed by Delmar Architects, P.A.

RESOLUTION NO. 383-08

Re: **PLANS FOR SHERWOOD ELEMENTARY SCHOOL ADDITION**

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 architect for the proposed Sherwood Elementary School addition project, JK Architects & Associates, Inc., has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Sherwood Elementary School Facility Advisory Committee has provided input for the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plans report for the Sherwood Elementary School addition project developed by JK Architects & Associates, Inc.

Re: **ARTS, MUSIC AND PHYSICAL EDUCATION**

Mr. Bowers invited the following people to the table: Mr. Erick J. Lang, associate superintendent, Office of Curriculum and Instructional Programs; Ms. Betsy Brown, director, Department of Curriculum and Instruction; Ms. Mary Theresa McCauley, supervisor, Health and Physical Education; Mrs. Cheryl D. Pulliam, principal, Oakland Terrace Elementary School; Mr. Stephen C. Whiting, principal, Rocky Hill Middle School; and Ms. Kimberly A. Williams, principal, Stone Mill Elementary School.

In light of state legislation proposed during 2008 to increase physical education instructional time and the recent stakeholder inquiries regarding arts programs in Montgomery County Public Schools (MCPS), this is an excellent opportunity to reaffirm our commitment to providing a balanced instructional experience at all grade levels. This discussion must occur within the context of the Board's priorities—preparing all students for college and careers and ensuring that race and economic status are not predictors of achievement. This dialogue also must acknowledge the severe fiscal limitations we are experiencing.

The Board of Education has charged MCPS with aligning rigorous curriculum, delivery of instruction, and assessments for continuous improvement of student achievement in support of Goal 1, Ensure Success for Every Student; and Goal 2, Provide an Effective Instructional Program, as identified in Our Call to Action: Pursuit of Excellence, the strategic plan for Montgomery County Public Schools.

Our district has made great strides to meet these goals in the arts and physical education—first by developing Pre-K–12 curriculum frameworks, approved by the Board in 2006, and second by developing instructional guides, assessments, and grading

resources to support standards-based teaching and learning in these areas. MCPS provides instructional resources and equipment, professional development, and direct support to school-based staff members to promote effective arts and physical education instruction and meaningful extracurricular experiences.

As we acknowledge the importance of art, theater, dance, music, and physical education instruction for all students, we also must recognize the harsh reality of limited resources and competing demands for instructional time. As a district, we seek creative and cost-effective means to provide a balanced instructional program designed to address the Board's priorities to close the achievement gap. This memorandum provides Board members with information on the challenges we face; the current state of art, theatre, dance, music, and physical education in MCPS; actions the district is taking to address the challenges; and recommendations for the future.

MCPS must address concerns that programs in the arts and physical education are declining. Trends in enrollment, course offerings, scheduling options, and intervention models must be analyzed. If such concerns are accurate, the district must determine root causes so that we can reaffirm our commitment to the arts and physical education. District leaders must work with government agencies, business partners, and elected officials to tackle childhood health issues that the school system cannot be expected to resolve alone. We must build an understanding of the constraints in which public school systems work among legislators and community members. If more instructional time in a particular area is desired, we must engage in honest conversations about what, if anything, can be reduced and what resources are required to meet this objective.

Over many years, MCPS has demonstrated a strong belief in fine arts and physical education as important disciplines in their own right, and for the role they play in developing critical and creative thinking and problem-solving skills, as well as mental and physical wellness. We have set ourselves significant achievement goals and remain undeterred when facing difficult financial times. Because of these beliefs and goals, we seek creative answers to difficult questions in order to avoid reducing valuable opportunities for students, and we are open to partnering with other agencies to address the concern about childhood obesity. We accept the challenge to determine how we can serve our students well, ensuring that they graduate with the requisite skills and knowledge needed to lead productive and healthy lives. As with all challenges we face during tight budget cycles and an era of increased accountability, we must spend our time and resources wisely.

Re: **DISCUSSION**

Ms. Cox asked about the purpose of the arts integration grant, and what the system learned. Staff said they learned that when students are engaged in the arts, the content of the arts can be reinforced by core curriculum. Furthermore, students become more reflective, engage in self-assessment, and set goals. What is learned from grants is leveraged across the system.

Ms. Malik wanted to know how this approach works at the high school level. Staff

explained that it is an interest in developing a skill. At that point, they can go in depth in a specific area or experiment with other options.

Dr. Docca stated that she has observed integration of art and literature.

Ms. Brandman asked about the federal grant for physical education and whether all elementary and middle school teachers have received training. Staff replied that the voluntary training was offered to them as part of the grant.

Ms. Brandman inquired about the curriculum on the Web for these subjects. Staff replied that this is a future plan in which teachers can observe other teachers teaching specific lessons. Ms. Brandman said she thought it was compelling to make people aware of the fact that these subjects reinforce other skills, such as literacy and math.

Mr. Barclay inquired about best practices outside of Montgomery County and lessons learned from those practices. Staff replied that the system has been a leader in implementing unique and innovative programs.

Mrs. O'Neill said she has heard from people that other school systems do more minutes of art, music, and physical education. Staff explained that they have been benchmarking and gathering data on minutes. Some jurisdictions have a longer day at the elementary level. Other considerations are higher education, the business community, and associations. Staff is looking for strategies that the system should be using in order to learn from other districts. Finally, there is a Wellness Committee which could provide tool kits to schools.

Mr. Barclay inquired about partnerships for before- and after-school activities since there is a limitation on time during the school day. Staff answered that there are an array of after-school programs, and staff was thinking of ways to enhance what is offered to students.

Mr. Barclay asked if there was a relationship between the school system and the Department of Recreation. Staff replied that the system works closely with the Department of Recreation, and there are intramural programs and fitness clubs, among others.

Mrs. O'Neill mentioned that students are only with the school system for 9 percent of their lives. On the issue of childhood obesity, she heard that it is the system's responsibility. Changing from a sports-based physical education curriculum to a fitness-based one is building life skills. With the knowledge base, students are do fitness on their own without a full team to do a sport. She said she did not see the system adding to the number of minutes in the school day, especially with the budget constraints. She has heard that legislators want to mandate time, but there is a need to create opportunities.

Ms. Cox said the system cannot be responsible for a child's health, but the system can give them the tools and knowledge to be fit for life. The information that might come out of the

Wellness Committee could be shared through the Department of Family and Community Partnerships.

Mrs. O'Neill pointed out the linkage between instructional music and math with higher intellectual skills. Society without art and music would be a boring place.

Ms. Brandman stated that she was struck by the culture in a school that values art, music, and physical education. She suggested that the Wellness Work Group could share their thinking with the Board regarding physical activity opportunities during school. Ms. Brandman also requested that staff provide more specific information about the current number of minutes of PE instruction (elementary level) and how those minutes match up with staffing allocations.

Mrs. O'Neill commented that there is a statewide work group based on the PE legislation of mandating 90 minutes of PE at elementary schools. It would be important to have the current number of PE minutes captured and a fiscal note, including the facilities implications.

Re: **ITEMS OF INFORMATION**

The following documents were available:

1. Legal Fees Report
2. Construction Progress Report
3. Contract Awards for On-call Heating, Ventilation, and Air Conditioning Replacement Services and On-call Construction Services

RESOLUTION NO. 384-08 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of October 14, 2008, at 4:05 p.m.

PRESIDENT

SECRETARY

JDW:gr

| Resolution | Abrams | Barclay | Brandman | Cox | Docca | Malik | Navarro | O'Neill |
|---|---------------|----------------|-----------------|------------|--------------|--------------|----------------|----------------|
| Resolution on High School Assessment | O | A | A | A | A | A | A | A |
| Final Approval of the Comprehensive Master Plan | O | A | A | A | A | A | A | A |

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

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

October 14, 2008

| | |
|--|----|
| RESOLUTION FOR CLOSED SESSIONS | 1 |
| PLEDGE OF ALLEGIANCE | 2 |
| APPROVAL OF THE AGENDA | 2 |
| AMERICAN INDIAN HERITAGE MONTH | 2 |
| 2008 MONTGOMERY COUNTY PUBLIC SCHOOLS CHARITY CAMPAIGN | 3 |
| SUPERINTENDENT’S ANNUAL MARK MANN EXCELLENCE AND HARMONY AWARD | 3 |
| NATIONAL SCHOOL BUS SAFETY WEEK | 4 |
| HEALTHIERUS SCHOOL CHALLENGE | 4 |
| PUBLIC COMMENTS | 6 |
| BOARD/SUPERINTENDENT COMMENTS | 6 |
| RESOLUTION ON HIGH SCHOOL ASSESSMENTS | 7 |
| UPDATE ON ENROLLMENT AND CAPITAL IMPROVEMENTS PROGRAM | 8 |
| FINAL APPROVAL OF THE COMPREHENSIVE MASTER PLAN | 8 |
| APPROVAL OF THE COMPREHENSIVE MASTER PLAN | 10 |
| CONTRACTS OF \$25,000 OR MORE | 11 |
| AMENDMENT TO THE REVISED MINORITY BUSINESS ENTERPRISE PROCEDURES FOR STATE-FUNDED PUBLIC SCHOOL CONSTRUCTION PROJECTS | 14 |
| AWARD OF CONTRACT—SURFACE-MOUNTED SWING DOOR OPERATORS FOR CLASSROOM BUILDINGS | 14 |
| GRANT OF STORMWATER MANAGEMENT EASEMENT AND STORMWATER MANAGEMENT INSPECTION AND MAINTENANCE AGREEMENT AT MEADOW HALL ELEMENTARY SCHOOL | 15 |
| UTILIZATION OF THE FY 2009 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS | 16 |
| HUMAN RESOURCES MONTHLY REPORT | 17 |
| CLOSED SESSION RESOLUTION | 18 |
| REPORT OF CLOSED SESSION | 18 |
| MINUTES | 19 |
| APPEAL | 19 |

| | |
|--|-----------|
| COMMITTEE UPDATES | 19 |
| FACILITY PLANNING PROCESS FOR SPECIAL EDUCATION AND ALTERNATIVE PROGRAM CENTERS ... | 20 |
| STUDENT TRANSFERS | 21 |
| NEW BUSINESS | 21 |
| LUNCH | 21 |
| PLANS FOR BROOKHAVEN ELEMENTARY SCHOOL ADDITION | 21 |
| PLANS FOR SHERWOOD ELEMENTARY SCHOOL ADDITION | 21 |
| ARTS, MUSIC AND PHYSICAL EDUCATION | 22 |
| ITEMS OF INFORMATION | 25 |
| ADJOURNMENT | 25 |