

APPROVED
16-2011

Rockville, Maryland
June 27, 2011

The Board of Education of Montgomery County held a special meeting at the Carver Educational Services Center, Rockville, Maryland, on June 27, 2011, at 5:35 p.m.

Present: Mr. Christopher Barclay, President
in the Chair
Ms. Laura Berthiaume
Ms. Shirley Brandman
Dr. Judy Docca
Mr. Michael Durso
Mr. Philip Kauffman
Mrs. Patricia O'Neill
Mr. Alan Xie
Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 334-11 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Mr. Kauffman, 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 June 27, 2011, in Room 120 from 5:30 to 6:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County discuss the Human Resources and Development Appointments as permitted under Section 10-508(a)(1) of the *State Government Article* with a subsequent vote in open session; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on June 23, 2011, to acquit its administrative functions and receive legal advice to review and adjudicate appeals, which is a quasi-judicial function outside the purview of the *Open Meetings Act* under Section 10-508(a) of the *State Government Article*; and be it further

Resolved, That the meeting continue in closed session until the completion of business.

Re: OPEN SESSION

The Board of Education met in closed session from 5:35 to 6:30 p.m. At 6:35 p.m., the Board of Education reconvened in open session.

To view specific portions of the meeting or the entire meeting, please watch <http://www.montgomeryschoolsmd.org/boe/meetings/archive/2011/2011-0627.shtm>

Re: PLEDGE OF ALLEGIANCE

The Board of Education, staff, and community recited the Pledge.

RESOLUTION NO. 335-11 Re: APPROVAL OF THE AGENDA

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

Resolved, That the Board of Education approve its agenda for June 27, 2011.

RESOLUTION NO. 336-11 Re: RECOGNITION OF VIETNAMESE SCHOLARS

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

WHEREAS, The Maryland Vietnamese Mutual Association is dedicated to advancing the Vietnamese American community in Maryland through direct services, advocacy, and education; and

WHEREAS, The Maryland Vietnamese Mutual Association awarded \$1,000 scholarships to two Montgomery County Public Schools' students for their academic excellence, leadership skills, and community service at its Twenty-third Annual Academic Awards Ceremony held on Sunday, June 5, 2011; and

WHEREAS, The goal of the Maryland Vietnamese Mutual Association scholarships is to assist outstanding Vietnamese American students in accessing higher education and achieving their full academic potential; and

WHEREAS, Montgomery County acknowledges and applauds the many contributions of Vietnamese American students to our country, our state, and our county; and

WHEREAS, The Board of Education takes great pride that Montgomery County Public Schools continues to recognize the academic achievements of Vietnamese American

students; now therefore be it

Resolved, That on behalf of the superintendent of schools, staff members, students, and parents of Montgomery County Public Schools, the members of the Board of Education congratulate the recipients of the 2011 Maryland Vietnamese Mutual Association academic awards and scholarships:

Mary Mai-Lan Nguyen from Montgomery Blair High School
Cindy Pham from Gaithersburg High School

Re: PUBLIC COMMENTS

The following people provided comments:

<u>Person</u>	<u>Topic</u>
1. Mary Rivkin	Seneca Creek Charter School
2. Shannon Hamm	Bethesda-Chevy Chase Middle School #2
3. Angela Edwards	Transportation for Farquhar Middle School Students to Tilden
4. Troy Kimmel	Farquhar Modernization
5. James Pekar	Bethesda-Chevy Chase Middle School #2
6. Jennifer Mckneely	Transportation for Farquhar Middle School Students to Tilden
7. Ruth Silverstein	Bethesda-Chevy Chase Middle School #2
8. Teresa Murray	Bethesda-Chevy Chase Middle School #2
9. David Kaplan	Bethesda-Chevy Chase Middle School #2
10. Teddy Springer	Bethesda-Chevy Chase Middle School #2
11. Jill Gallagher	Bethesda-Chevy Chase Middle School #2
12. Mr. John Holbrooke	Bethesda-Chevy Chase Middle School #2
13. Ms. Maria Marzullo	Bethesda-Chevy Chase Middle School #2
14. Mr. Hill Carter	Bethesda-Chevy Chase Middle School #2

Ms. Berthiaume asked for information on the land swap for the construction of Farquhar Middle School, including feasibility, obstacles, and cost.

Re: FAREWELL TO DR. WEAST

The Board of Education bid farewell to Dr. Jerry D. Weast, outgoing superintendent of schools, who is retiring on June 30 after serving as superintendent for 12 years. The farewell presentation was highlighted by expressions of appreciation from each Board member and a slideshow featuring outstanding moments in Dr. Weast's tenure with the school system.

RESOLUTION NO. 337-11 Re: CONTRACTS OF \$25,000 OR MORE

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

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

WHEREAS, Funds have been budgeted for the lease/purchase of two cargo vans for the Department of Materials Management through Bid No. 9048.3; and

WHEREAS, The acquisition of cargo vans through lease/purchase agreements has been reviewed by legal counsel; now therefore be it

Resolved, That the cargo vans in the amount of \$156,260 be lease/purchased for a six-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

Resolved, That the proceeds from the aforementioned financing be used to reimburse Montgomery County Public Schools accounts to the extent that such equipment has been or will be acquired before closing; and be it further

Resolved, That the president of the Board of Education and the 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:

001B79 00139	Office Imaging Document Solutions	
	<u>Awardee</u>	
	Océ North America, Inc.	\$67,680
03670 00079	Off the Lot New Vehicles	
	<u>Awardees</u>	
	Criswell Chevrolet, Inc.	\$ 19,890
	Lindsay Ford of Wheaton	<u>40,678</u>
	Total	\$ 60,568
290731	Fuel Management System	
	<u>Awardee</u>	
	Tanks Direct	\$587,000

10-055PS-LJ Commodity Processed Foods—Extension

Awardee
Café Favorites

\$ 28,000

11-011/BP	Bulk Commodity Processing—Extension	
	<u>Awardee</u> Don Lee Farms	\$ 38,000
BCS-1 0032	Frozen/Refrigerated/Dry Goods and USDA Commodities—Extension	
	<u>Awardee</u> Café Favorites\$	30,000
GS-35F -0153M	Oracle Identity and Access Management Suite—Extension	
	<u>Awardee</u> Mythics, Inc.	\$622,616
GS-35F -0515V	ProofPoint P845 Messaging Security Appliance—Extension	
	<u>Awardee</u> Vinitech, Inc.	\$155,877
GS-35F -0704P	M86 Web Filtering—Extension	
	<u>Awardee</u> Vinitech, Inc.	\$404,769
JMI-605- 08-003	Computer and Peripheral Memory Modules—Extension	
	<u>Awardee</u> Rocky Mountain RAM	\$200,000
RQ10-16 6154-59A-B	Fresh and Frozen Bread Products—Extension	
	<u>Awardee</u> Hadley Farms, Inc.	\$ 45,000
1086.3	Third Party Billing Services for Student with Disabilities—Extension	
	<u>Awardee</u> Dawkins Medical Management	\$150,000
1161.1	Enterprise Wide Electronic Grading and Reporting System—Extension	
	<u>Awardee</u> GlobalScholar, Inc.	\$468,200

4060.1	Instructional Software—Extension	
	<u>Awardee</u> Kunz, Inc.	\$ 70,000
4166.1	Professional Development Management System—Extension	
	<u>Awardee</u> iAssessment	\$474,000
4169.1	Subscription Fee for Automated Reading Assessments—Extension	
	<u>Awardee</u> Wireless Generation	\$460,000
4175.1	Web-based Parent Outreach Application—Extension	
	<u>Awardee</u> Edline	\$243,250
4183.1	Information Technology Research and Consulting—Extension	
	<u>Awardee</u> Gartner, Inc.	\$130,000
4205.1	Applicant Tracking and Recruiting and Implementation Services—Extension	
	<u>Awardee</u> Taleo Corporation	\$261,000
4211.1	Fortis PowerWeb Server/View Station Software and Professional Services—Extension	
	<u>Awardee</u> Aztech Datasystems, Inc.	\$155,919
4230.1	Workspace K–12 Web-based Software Support—Extension	
	<u>Awardee</u> Naviance	\$ 84,696

4231.1	Discovery Education Site Licenses—Extension	
	<u>Awardee</u> Discovery Education	\$246,843
4236.1	Communication Outreach Tool—Extension	
	<u>Awardee</u> Blackboard Connect, Inc.	\$323,625
4253.1	Unicenter Service Desk Licensing—Extension	
	<u>Awardee</u> Computer Associates	\$ 61,275
4257.1	Subscription for Professional Training and Consulting Services—Extension	
	<u>Awardee</u> Northwest Evaluation Association	\$476,000
4259.1	Instructional Software—Extension	
	<u>Awardee</u> Tech 4 Learning, Inc.	\$ 98,000
4261.1	Youth Violence Prevention Program—Extension	
	<u>Awardee</u> Mental Health Association	\$ 62,500
4262.1	School-based Partnership with Gaithersburg High School—Extension	
	<u>Awardee</u> Identity, Inc.	\$ 62,500
4269.1	Consultant for the MCPS Hispanic Community—Extension	
	<u>Awardee</u> Spanish Speaking Community of Maryland, Inc.	\$ 27,800

4274.1	Lawson Consulting and Maintenance—Extension	
	<u>Awardee</u>	
	Lawson Software Americas, Inc.	\$183,629
4280.1	Paybase Application Maintenance—Extension	
	<u>Awardee</u>	
	Bottomline Technologies	\$ 49,800
4294.1	Instructional Software, LanSchool—Extension	
	<u>Awardee</u>	
	LanSchool Technology, LLC	\$ 40,000
4298.1	Critical Data and Systems Disaster Recovery—Extension	
	<u>Awardee</u>	
	Recovery Point Systems, Inc.	\$351,820
4314.1	Nonviolent Crisis Intervention Program	
	<u>Awardee</u>	
	Crisis Prevention Institute (CPI)	\$ 70,000
4315.1	Teaching American History Grant Project Coordinator	
	<u>Awardee</u>	
	Education Consulting Services, Inc.	\$ 60,000
4316.1	Teaching American History Grant Project Evaluator	
	<u>Awardee</u>	
	Curriculum & Evaluation Associates, LLC	\$ 33,000
7147.1	Laser Printer System Maintenance—Extension	
	<u>Awardee</u>	
	Xerox Corporation	\$110,250
7199.1	Online Content Management System for Teachers—Extension	
	<u>Awardee</u>	
	Blackboard, Inc.	\$ 43,200

9048.3	Cargo Vans	
	<u>Awardees</u>	
	Johnson Truck Center	\$ 97,405
	K. Neal International Trucks, Inc.*	<u>58,855</u>
	Total	\$156,260
9108.10	Poultry Products Frozen and Processed—Extension	
	<u>Awardees</u> (See note)	
	Dori Foods, Inc.	
	Jennie-O Turkey Store Sales, LLC	
	Pilgrims Pride Corporation	
	Total	\$ 400,000
9129.4	Pretzels, Soft—Extension	
	<u>Awardee</u>	
	Glennco, Inc.	\$ 26,750
9135.4	Cookie Dough, Frozen—Extension	
	<u>Awardee</u>	
	Glennco, Inc.	\$ 84,810
9711.1	Electrical Main Breaker at Fallsmead Elementary School**	
	<u>Awardee</u>	
	Graybar Electric Company, Inc.	\$ 32,000
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$7,736,637

* 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. 338-11 Re: **AWARD OF CONTRACTS—BEVERLY FARMS ELEMENTARY SCHOOL MODERNIZATION**

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

WHEREAS, On February 9, 2010, the Board of Education authorized staff to utilize a construction management process for the Beverly Farms Elementary School modernization project and awarded a contract for preconstruction services to Meridian Construction Company, Inc.; and

WHEREAS, The following low bids were received on June 9, 2011, for the Beverly Farms Elementary School modernization project:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Sitework—Urban N. Zink Contractor, Inc.	\$2,574,000
2B-Geothermal—Allied Well Drilling	745,446
3A-Concrete—Chevy Chase Contractors, Inc.	1,202,650
4A-Masonry—KaRon Masonry of Maryland, Inc.	2,988,000
5A-Steel—S.A. Halac Iron Works, Inc.	2,017,000
6B-Carpentry—Hancock & Albanese, Inc.	720,000
7A-Roofing—Orndorff & Spaid, Inc.	1,416,155
8A-Glass & Glazing—Engineered Construction Products, Ltd.	635,320
9A-Drywall—Finishes, Inc.	470,000
11A-Kitchen Equipment—11400, Inc.	119,500
12A-Casework—Steel Products, Inc.	268,286
15A-Sprinkler—Kennedy Fire Protection, LLC	237,200
15B-Mechanical—R.W. Warner, Inc.	3,091,000
16A-Electrical—Brandenburg Electric, Inc.	1,815,000

and

WHEREAS, On June 9, 2011, Meridian Construction Company, Inc. received bid proposals for the remaining trade contracts for the project, which will be included in the guaranteed maximum price; and

WHEREAS, Detailed information on other bid proposals are available for review in the Department of Facilities Management; and

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

Resolved, That the following trade contract packages be awarded to the low bidders for the construction of Beverly Farms Elementary School modernization in accordance with the drawings and specifications prepared by Muse Architects:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Sitework—Urban N. Zink Contractor, Inc.	\$2,574,000

2B-Geothermal—Allied Well Drilling	745,446
3A-Concrete—Chevy Chase Contractors, Inc.	1,202,650
4A-Masonry—KaRon Masonry of Maryland, Inc.	2,988,000
5A-Steel—S.A. Halac Iron Works, Inc.	2,017,000
6B-Carpentry—Hancock & Albanese, Inc.	720,000
7A-Roofing—Orndorff & Spaid, Inc.	1,416,155
8A-Glass & Glazing—Engineered Construction Products, Ltd.	635,320
9A-Drywall—Finishes, Inc.	470,000
11A-Kitchen Equipment—11400, Inc.	119,500
12A-Casework—Steel Products, Inc.	268,286
15A-Sprinkler—Kennedy Fire Protection, LLC	237,200
15B-Mechanical—R.W. Warner, Inc.	3,091,000
16A-Electrical—Brandenburg Electric, Inc.	1,815,000

RESOLUTION NO. 339-11 Re: **AWARD OF CONTRACT—COLD SPRING
ELEMENTARY SCHOOL GYMNASIUM
ADDITION**

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

WHEREAS, The following sealed bids were received on June 14, 2011, for the Cold Spring Elementary School gymnasium addition project:

<u>Bidder</u>	<u>Amount</u>
J. A. Scheibel, Inc.	\$3,220,000
R. J. Crowley, Inc.	3,248,150
Keller Brothers, Inc.	3,290,000
William F. Klingensmith, Inc.	3,593,300
Henley Construction Co., Inc.	3,596,600
Tuckman-Barbee Construction Co., Inc.	3,683,600
Meridian Construction Co., Inc.	3,740,600

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 12 percent; and

WHEREAS, The low bidder, J. A. Scheibel, Inc., has submitted 14.97 percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 6.25 percent is women-owned, and 8.72 percent is other MDOT-certified; and

WHEREAS, J. A. Scheibel, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$3,220,000 contract be awarded to J. A. Scheibel, Inc. for the Cold Spring Elementary School gymnasium addition project, in accordance with drawings and specifications prepared by JK Architects & Associates, Inc.

RESOLUTION NO. 340-11 Re: **AWARD OF CONTRACT—DARNESTOWN
ELEMENTARY SCHOOL SEPTIC SYSTEM
REPLACEMENT AND SITE WORK**

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

WHEREAS, On December 7, 2010, the Board of Education authorized staff to utilize a construction management process for the Darnestown Elementary School septic system replacement and addition project and awarded a contract for preconstruction services to Dustin Construction, Inc.; and

WHEREAS, The following sealed bids were received on June 3, 2011, for the first phase of the project, which is the septic system replacement and site work:

<u>Bidder</u>	<u>Amount</u>
Pleasants Construction, Inc.	\$4,531,288
Ross Contracting, Inc.	4,570,000
Urban N. Zinc Contractor, Inc.	4,594,700
Peak, Inc.	5,024,000

and

WHEREAS, The goal for the Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 20 percent; and

WHEREAS, The Minority Business Enterprise participation submitted is 25 percent Maryland Department of Transportation-certified, of which 21.29 percent is women-owned, and 3.71 percent is other minority-owned; and

WHEREAS, The project specifications state that the awarded contract shall be assigned to the construction manager, Dustin Construction, Inc., as part of a guaranteed price agreement to complete the Darnestown Elementary School addition project, which will be awarded at a future date; and

WHEREAS, The low bidder has completed similar work successfully for Montgomery County

Public Schools; now therefore be it

Resolved, That a contract in the amount of \$4,531,288 be awarded to Pleasants Construction, Inc. for the Darnestown Elementary School septic system replacement and site work, in accordance with drawings and specifications prepared by Gauthier, Alvarado & Associates, Inc.

RESOLUTION NO. 341-11 Re: **AWARD OF CONTRACT—HIGHLAND
ELEMENTARY SCHOOL SCHOOL-BASED
HEALTH CENTER**

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

WHEREAS, The following sealed bids were received June 2, 2011, for the Highland Elementary School School-based Health Center addition project:

<u>Bidder</u>	<u>Amount</u>
Towson Mechanical, Inc.	\$1,360,600
Tuckman-Barbee Construction Company, Inc.	1,393,000
Meridian Construction Company, Inc.	1,409,000
Keller Brothers, Inc.	1,419,400
William F. Klingensmith, Inc.	1,431,500
North Point Builders, Inc.	1,462,000
Henley Construction Company, Inc.	1,473,500
R.J. Crowley, Inc.	1,486,000
John W. Brawner Contracting Company, Inc.	1,549,234

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 10 percent; and

WHEREAS, The low bidder, Towson Mechanical, Inc., has submitted 10.07 percent women-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, The project is being funded by the Montgomery County Department of Health and Human Services; and

WHEREAS, Montgomery County Public Schools is Montgomery County Department of Health and Human Services' representative for the project, and the Department of Facilities Management will administer the project; and

WHEREAS, The low bidder, Towson Mechanical, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$1,360,600 contract be awarded to Towson Mechanical, Inc. for the Highland Elementary School School-based Health Center addition, in accordance with drawings and specifications prepared by Smolen-Emr-Ilkovitch Architects, Inc.; and be it further

Resolved, That a copy of the contract be forwarded to the Montgomery County Department of Health and Human Services for approval and funding for the project.

RESOLUTION NO. 342-11 Re: **GAITHERSBURG HIGH SCHOOL—
CONSERVATION EASEMENT
AGREEMENTS**

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

WHEREAS, The City of Gaithersburg has requested Conservation Easement Agreements at Gaithersburg High School, located at 314 South Frederick Avenue in Gaithersburg, Maryland, in connection with the school construction project; and

WHEREAS, A proposed Category I Conservation Easement will protect existing and future forest cover, individual trees, streams and adjacent buffer areas, wetlands, and other sensitive natural features configured in three parcels contained in 83,177 square feet within the school site; and

WHEREAS, A proposed Category II Conservation Easement will protect existing trees and/or forested areas and allow installation, maintenance, and protection of certain additional trees and/or forested areas configured in two parcels containing 60,446 square feet within the school site; and

WHEREAS, The proposed conservation easements will not affect any land that could be used for school programming or recreational activities and will benefit both the school site and the community by preserving sensitive environmental areas; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Category I Conservation Easement Agreement consisting of 83,177 square feet and a Category II Conservation Easement consisting of 60,446 square feet with the City of Gaithersburg at Gaithersburg High School.

RESOLUTION NO. 343-11 Re: **UTILIZATION OF THE FISCAL YEAR 2011
PROVISION FOR FUTURE SUPPORTED
PROJECTS**

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

WHEREAS, The City of Gaithersburg has requested Conservation Easement Agreements at Gaithersburg High School, located at 314 South Frederick Avenue in Gaithersburg, Maryland, in connection with the school construction project; and

WHEREAS, A proposed Category I Conservation Easement will protect existing and future forest cover, individual trees, streams and adjacent buffer areas, wetlands, and other sensitive natural features configured in three parcels contained in 83,177 square feet within the school site; and

WHEREAS, A proposed Category II Conservation Easement will protect existing trees and/or forested areas and allow installation, maintenance, and protection of certain additional trees and/or forested areas configured in two parcels containing 60,446 square feet within the school site; and

WHEREAS, The proposed conservation easements will not affect any land that could be used for school programming or recreational activities and will benefit both the school site and the community by preserving sensitive environmental areas; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Category I Conservation Easement Agreement consisting of 83,177 square feet and a Category II Conservation Easement consisting of 60,446 square feet with the City of Gaithersburg at Gaithersburg High School.

RESOLUTION NO. 344-11 Re: **FISCAL YEAR 2011 FOURTH QUARTER
CATEGORY AND OBJECT TRANSFERS
REQUEST**

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

WHEREAS, Montgomery County Public Schools must report each transfer between state categories to the county executive and the County Council; and

WHEREAS, Categorical and object transfers are required at this time for grant-funded projects; now therefore be it

Resolved, That the superintendent of schools be authorized to effect Fiscal Year 2011

categorical transfers of \$21,389 in the following categories:

Individuals with Disabilities Education Act (IDEA) Projects

	<u>Category</u>	<u>From</u>	<u>To</u>
6	Special Education		\$ 1,335
12	Fixed Charges	\$ 1,335	
	Total	<u>\$ 1,335</u>	<u>\$ 1,335</u>

Judith B. Hoyer (Judy) Center—Gaithersburg

	<u>Category</u>	<u>From</u>	<u>To</u>
3	Instructional Salaries		\$ 6,762
4	Textbooks and Instructional Supplies		3,520
5	Other Instructional Costs	\$ 8,500	
7	Student Personnel Services		133
12	Fixed Charges	<u>1,915</u>	
	Total	<u>\$ 10,415</u>	<u>\$ 10,415</u>

Title II, Part D—Enhancing Education through Technology

	<u>Category</u>	<u>From</u>	<u>To</u>
3	Instructional Salaries		\$ 4,246
4	Textbooks and Instructional Supplies	\$ 661	
5	Other Instructional Costs	8,978	
12	Fixed Charges		<u>5,393</u>
	Total	<u>\$ 9,639</u>	<u>\$ 9,639</u>

and be it further

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

RESOLUTION NO. 345-11 Re: TUITION FOR NONRESIDENT STUDENTS

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

WHEREAS, Board of Education Policy JED, *Residency, Tuition, and Enrollment*, adopted by Resolution No. 328-04, establishes the basis for nonresident tuition charges and provides that the per-student cost shall be based on the current year's estimated cost, including debt service; and

WHEREAS, The basis for the calculation of per-student cost for tuition purposes in Fiscal Year 2012 is as follows:

Description	Elementary School	Secondary School
Projected Fiscal Year 2012 Enrollment	62,792	70,296
Cost		
Regular Operating Costs	\$788,848,894	\$882,453,935
Capital Budget Costs:		
Current Receipts	11,861,484	13,278,999
County Debt	52,865,181	59,182,870
Total Cost	\$853,575,559	\$954,915,804
Tuition Cost Per Pupil		
Regular Operating Costs	12,563	12,553
Capital Budget Costs:		
Current Receipts	189	189
County Debt	842	842
Total Tuition Cost Per Pupil	\$13,594	\$13,584

and

WHEREAS, The basis for the calculation of tuition for full-day kindergarten is the same as for elementary school students in Grades 1–5; now therefore be it

Resolved, That the tuition rates for nonresident students for the 2011–2012 school year will be as follows:

Elementary School (including kindergarten)	\$13,594
Secondary School	\$13,584

and be it further

Resolved, That tuition rates for special education students will reflect the cost requirements of implementing the Individualized Education Program.

RESOLUTION NO. 346-11 Re: **RECOMMENDED FISCAL YEAR 2012 FEES
FOR THE FOOD AND NUTRITION
SERVICES PROGRAM**

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

WHEREAS, The Board of Education sets prices for participation in the breakfast and lunch programs each June for the following fiscal year; and

WHEREAS, It is recommended that the current prices for meals in Fiscal Year 2011 be maintained for Fiscal Year 2012; and

WHEREAS, The Division of Food and Nutrition Services will continue to focus on outreach to students and parents as part of an ongoing marketing plan to increase average daily student participation for breakfast and lunch; now therefore be it

Resolved, That lunch prices will be \$2.50 for elementary students, \$2.75 for secondary students, and 40 cents for all reduced-price eligible students; and be it further

Resolved, That breakfast prices for elementary and secondary students will be \$1.30 and students who are eligible for reduced-price meals will receive breakfast at no cost.

RESOLUTION NO. 347-11 Re: **HUMAN RESOURCES AND DEVELOPMENT
APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2011:

Denise M. DeFiore, currently staff development specialist, Department of Instructional Leadership Support, as director, Staff Development Teacher Project Team

RESOLUTION NO. 348-11 Re: **HUMAN RESOURCES AND DEVELOPMENT
APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2011:

Loretta M. Favret, currently principal, S. Christa McAuliffe Elementary School, as director, Administrative and Supervisory Professional Growth System—Elementary

RESOLUTION NO. 349-11 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2011:

Krishnanda A. Tallur, currently senior specialist, Position and Salary administration, as director, Functional Administration, Department of Financial Services

RESOLUTION NO. 350-11 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2011:

Amy S. Cropp, currently coordinator, Preschool Education Program, as supervisor, Child Find/Early Childhood Disabilities Unit

RESOLUTION NO. 351-11 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2011:

Mildred L. Charley-Greene, currently assistant principal, Albert Einstein High School, as principal, Takoma Park Middle School

RESOLUTION NO. 352-11 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2011:

Irina LaGrange, currently assistant principal, A. Mario Loiederman Middle School, as principal, Tilden Middle School

RESOLUTION NO. 353-11 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2011:

Ruschelle Reuben, currently principal intern, Paint Branch High School, as principal, Benjamin Banneker Middle School

RESOLUTION NO. 354-11 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2011:

Carla Glawe, currently principal intern, Stonegate Elementary School, as principal, Olney Elementary School

RESOLUTION NO. 355-11 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2011:

Katherine W. Lertora, currently instructional specialist, School-Based Special Education Services, as coordinator, Stephen Knolls School

Re: **CONSIDERATION OF CHARTER SCHOOL APPLICATIONS**

Dr. Weast invited the following people to the table: Dr. Marshall C. Spatz, director, Department of Management, Budget, and Planning; Ms. Betsy Brown, director, Department of Curriculum and Instruction; Ms. Lori-Christina Webb, executive director to the deputy superintendent of schools, Office of the Deputy Superintendent of Schools; and

Mr. Douglas G. Prouty, president, Montgomery County Education Association.

In accordance with Montgomery County Board of Education Policy CFB, *Public Charter Schools*, and accompanying Montgomery County Public Schools (MCPS) Regulation CFB-RA, *Public Charter Schools*, two applications to establish public charter schools in Montgomery County are presented for your consideration. The application process provides for an in-depth review by a wide range of stakeholders. On April 1, 2011, MCPS received two applications requesting approval to open charter schools in Montgomery County. Both applications were reviewed in compliance with Board of Education (Board) Policy CFB, *Public Charter Schools*, and MCPS Regulation CFB-RA, *Public Charter Schools*. The Community Montessori Public Charter School applicant proposes an early primary (Pre-K–3) Montessori charter, and the Seneca Creek Public Charter School applicant proposes an inquiry-based curriculum focused on the environment as an integrating concept. After careful and thorough consideration, the review panel recommends that the Community Montessori Public Charter School application be approved and that the Seneca Creek Public Charter School application be denied. This recommendation was forwarded to Dr. Frieda K. Lacey, deputy superintendent of schools, who considered the review panel's findings and concurred with its recommendation. Dr. Lacey in turn forwarded her recommendation to me. Based upon a review of the findings, considerations, and recommendations, Dr. Weast concurred with the evaluation of the applications and recommend that the Board approves the Community Montessori Public Charter School application and denies the application for the Seneca Creek Public Charter School.

In 2010, MCPS received and reviewed charter school applications under Policy CFB, *Public Charter Schools*, and Regulation CFB-RA, *Public Charter Schools*. Subsequent to the completion of the 2010 review timeframe, process improvements were made to streamline the process and provide additional supports to applicants. In an effort to provide significant technical assistance to charter school applicants prior to the application submission date, three technical assistance meetings were offered to all community members considering applying to open a charter school in Montgomery County. Both Community Montessori and Seneca Creek participated in the technical assistance sessions. The following sessions were held:

February 14, 2011—General overview session of application process for applicants

March 4, 2011—Academic and governance session for applicants

March 11, 2011—Facility, finance, and operations session for applicants

In addition to these technical assistance meetings, staff members met with Global Garden Public Charter School at the direction of the Board. At the March 28, 2011, Montgomery County Board of Education meeting, a discussion ensued regarding the Board's June 8, 2010, decision to deny both of the 2010 charter school applications (Community Montessori Public Charter School and Global Garden Public Charter School) and the Board directed

MCPS staff members to meet with the two 2010 applicants to review the concerns raised, and allow the applicants to submit a revised application no later than May 1, 2011 (one month after the deadline for the current round). Given Community Montessori Charter School's participation in the technical assistance sessions, they believed that they were in a position to reapply and declined the extension. Global Garden Public Charter School chose not to participate in the three technical assistance sessions offered to 2011 applicants. After the Board's resolution, Global Garden Public Charter School applicants met with MCPS staff members for additional technical assistance on April 7, 2011, and participated in an additional telephone conference regarding food service requirements on April 13, 2011.

MCPS received two charter school applications on Friday, April 1, 2011, the deadline for receipt of completed charter school applications. The applicants are Community Montessori Charter School, a proposed Grades Pre-K–3 Montessori school with wraparound services and Seneca Creek Public Charter School, a proposed Grades K–8 school with an emphasis on using the environment as an integrating context for learning. In accordance with Board Policy CFB, *Public Charter Schools*, the first step conducted in the application review process was the technical review, a nonsubstantive review that ensures that the applications are complete prior to the substantive review. Both applications were deemed complete and moved to the next phase of the process.

In the second phase of the process, an extensive review and examination of the applications was completed. The applications were reviewed by a panel consisting of internal and external representatives. The internal representatives included staff members from a broad spectrum of offices including, among others, the offices of School Performance, Special Education and Student Services, Curriculum and Instructional Programs, and the Chief Operating Officer as well as the three MCPS employee associations. The external representatives included persons representing the Montgomery County Council of Parent Teacher Associations, the community, higher education institutions, and business enterprises. Both internal and external representatives reviewed the applications and participated in developing the full panel's recommendations.

As a component of the review process, panelists were asked to generate any questions or areas of concern they had during their evaluation of the applications. Questions and concerns were captured, categorized and synthesized for the applicants. They were forwarded to the applicants on May 16, 2011, with a cover memorandum that informed the applicant that although they were provided with all of the questions that reviewers posed during the initial review of the application, they were not expected to respond to each question, rather that the time should be used to address the general themes provided to them in the summary. On Monday, May 23, 2011, each applicant met with the panel and had the opportunity to respond to panelists' questions. The applicants were provided two hours to present clarifying information, based on the questions from the initial review of the application.

Both applicants participated in the meeting with panelists. Each applicant was given the discretion to decide the most effective method of presentation, as well as whether and when to entertain direct questions from the panelists. Time remained at the end of each applicant's presentation for questions from the panelists. Panelists sought clarification on a range of issues and the applicants responded by referring the panelist to the text, speaking to the issue extemporaneously, or suggesting possible room for compromise. During the course of the meeting, panelists requested additional documentation of representations made during the course of the Community Montessori Public Charter School presentation. These documents included financial and audit reports. Consequently, these reports were provided subsequent to the May 23, 2010, meeting.

The review panel reconvened on Thursday, June 2, 2011, to discuss the reviews and reached a consensus on recommendations regarding the applications. Using a consensus-based process, the panelists deliberated using all information gathered over the course of the review process. After carefully considering all of the information supplied by the applicants, as well as the quality and substance of the participants' presentations regarding the questions generated by the initial review, the panel recommended that the Board deny the application by Seneca Creek Public Charter School and approve the application by Community Montessori Charter School, contingent on successful negotiation of a contract between MCPS and Crossway Community, Inc.

Dr. Weast reviewed the applications and the findings of the review panel. After thorough consideration, Dr. Weast concurred with the panel's evaluations and recommended that the Board approve the application by Community Montessori Charter School, contingent on successful negotiation of a contract between MCPS and Crossway Community, Inc. and deny the application for Seneca Creek Public Charter School.

Seneca Creek Public Charter School

The application for the Seneca Creek Public Charter School describes a K–8 public charter school with an emphasis on environmental science, community-based studies, and outdoor education. The applicant proposes to use the Environment as an Integrating Context (EIC) as the foundation of their curriculum and instructional approach. The school is envisioned as a hands-on, interactive inquiry-based model that emphasizes extensive daily time out-of-doors. The applicant has identified a possible facility, indicating that they have entered into a nonbinding agreement to lease the Wellspring Conference Center in Germantown, Maryland, which is owned by Dayspring Ministry. The applicant proposes opening the school with Grades K–5.

Seneca Creek Proposed Enrollment Plan

School Year	Grade Levels	Total Student Enrollment
First Year (2012–2013)	K–5	1021

¹ During their presentation to the panel, the applicant indicated that this number would be increased to 150 students for budgetary reasons.

Second Year (2013–2014)	K–8	150
Third Year (2014–2015)	K–8	150
Fourth Year (2015–2016)	K–8	150

The review panel found the outdoor education concept and the “green” focus to be significant strengths of the application. The panel also noted a number of conceptually intriguing ideas, such as the existence of partnerships, specifically the partnerships with the Audubon Naturalist Society and the State Environmental Education Roundtable. However, overall, the consensus of the review panel was that numerous questions and concerns about the efficacy of the curriculum and the applicant’s capacity to operationalize the concepts of the application into a workable action plan remained unanswered.

A myriad of concerns were raised in the areas of governance and finance, but the most significant concerns were in the areas of academic design, facilities, and operations. Of particular concern to the panel was the applicant’s poor understanding of how to meet the needs of special education students and English Language Learners (ELL). The lack of a depth of understanding was demonstrated during the dialogue with the panel, during which the applicant stated her belief that parents of ELLs would be unwilling to send their children to such a charter school because they would not be willing to try something so new. In addition to the applicant’s lack of understanding of two large, and (in the case of ELLs) growing populations, the application was deficient in demonstrating how, when, and where direct instruction would be provided and in what subjects. The delivery of special education services also was not clear, as the applicants noted that related services would be provided during “electives” with no acknowledgment of the many logistical or equal access to curriculum issues that would result from this model. Further, there was an assumption that ELLs who were not making progress would, as a matter of course, be referred for special education services.

The applicants did not provide an adequate plan for assessments and demonstrated a lack of understanding of the various purposes of assessments, such as formative, summative, and accountability measures to inform instructional planning, to monitor progress, to communicate achievement to students and parents, and to evaluate program effectiveness. Seneca Creek Public Charter School’s plan also would prove daunting for the teaching staff. The teachers would be expected to develop curriculum, instructional resources and plans, and assessments without any clear guidance. The proposal appears to present a series of loosely constructed activities without coherence or connection to content. There were state mandated subject areas, with full state curriculum frameworks, such as physical education and health education that were not addressed at all. The application and later dialogue also included proposals to have parents or paraeducators provide electives to students, which is problematic as it is unclear what training or credentialing would be required. The review panel also was not convinced that the applicants presented an educationally sound concept that could be applied across the curriculum in a way that ensured mastery of required clearly delineated objectives. They noted that it was clear how the environmental approach would work in all areas of the science curriculum. However,

there was a heavy emphasis on life science. Social studies appeared to be limited to the study of community without historical thinking, political, or economic concepts addressed. It appeared that there was no realistic plan to integrate the many curricular concepts and objectives required by the state of Maryland into a coherent curriculum.

The concerns raised by the review panel about the operational capacity of the applicant to create and maintain a safe, functional educational environment were extensive. Throughout the application and presentation, the review panel was concerned about an overall lack of specificity, leadership experience, and organizational capacity. For example, given the location of the site, the transportation plan along with the budget for transportation were inadequate. The lack of understanding of what is required of a food service plan (i.e., adequate refrigeration), or a maintenance plan was disconcerting. Having 35 to 50 students housed in residential cabins that are approximately 30 to 40 years old would require a level of upkeep and maintenance that the applicant had not planned for appropriately. Putting aside the question of whether deploying parent volunteers in such a manner is appropriate, reliance on parents for functions such as crossing guard and teaching is a tenuous proposition without a backup plan if parental volunteerism does not reach anticipated levels.

The Wellspring facility itself raised a variety of challenging issues. The primary facilities proposed to house the students' classrooms are three cabins. A conference center building also is part of the proposed facility, apparently to function as a multipurpose room. The review panel was concerned because the cabins themselves comprise a number of small rooms, the largest of which is a common room of 240 square feet. This common room is about a quarter of the size of a standard MCPS classroom and would not be able to accommodate a class larger than 12 students at desks. The remaining rooms are identified as "sleeping rooms" in the floor plan submitted with the application. These rooms are 120 square feet and 108 square feet and could accommodate only four or five students each. It would be assumed that these small sleeping rooms would be used for small group instruction with certified staff, and if that is the case, the budget would not support the number of teachers required to adequately staff each of these rooms. The facility simply does not provide a sufficient number of classroom-sized rooms for the anticipated enrollment. In addition, there was no evidence of planning for facility upgrades converting the cabins from a temporary residential use to full time instructional use.

The secluded nature of the site raised concerns about the safety of students during the extensive outdoor instruction time. The review panel was not comforted by the planned assignment of the groundskeeper as security staff. In addition, the road leading to the site is a gravel road and access and egress for student transportation purposes is questionable.

The panel expressed a general lack of confidence in the applicant's financial and executive management experience or skills and capacity to implement the concept. For example, the applicant indicated that the administrative secretary would be accountable for maintaining

and developing the financial records and reports as well as providing nursing services. The critical function of financial management should not be designated to an administrative secretary. Additionally, having the administrative secretary maintain and develop the financial records does not provide adequate separation of duties, as this person will likely handle cash collected by teachers (for field trips, lost materials, etc.). Under the applicants' proposal, the administrative secretary would be expected to maintain the account books and act as school nurse. This demonstrated a poor understanding of the many functions the administrative secretary is responsible for, and creates an unrealistic expectation as to the capacity of this one role. The applicant also proposed using a groundskeeper employed by Dayspring Ministry for security and maintenance. This individual, who would not be employed by the charter school, would be expected to provide security on a huge secluded campus, where by design, much of the instructional time would be spent outdoors. The simplicity of the applicant's solutions often belied the complexity of the issues presented. Given that much of the instructional time is intended to be spent outdoors, the applicant's plan for ensuring access for students with physical limitations and complying with the *Americans with Disabilities Act of 1990* requirements was the use of a golf cart. Finally, under the proposal, rent on the site would begin one month prior to the opening of school. This would not be sufficient time to convert a site designed as a residential camp setting into a fully functioning school.

In addition to the deficiencies and unanswered questions noted above, there were concerns about a wide array of issues including but not limited to: contradictions between employment practices of MCPS and the applicant, capacity to provide professional development, evaluation and supervision in accordance with the professional growth system, adequately funding transportation for homeless and special education students, and food handling and sanitation.

For the above stated reasons, as well as those contained in the attached documents, the review panel was resolute in its recommendation that the Seneca Creek Public Charter School application be denied. It is clear that despite the earnestness of their effort and the potential appeal of the concept, the applicant is simply not equipped to operate a school.

Community Montessori Public Charter School

The application for the Community Montessori Public Charter School describes the inception of the idea for the charter school as an outgrowth of the work Crossway Community, Inc., the parent corporation, has done through education to break the cycle of poverty for young women and their children. The Community Montessori Public Charter School is proposed to serve Grades Pre-K–3 using Dr. Maria Montessori's educational approach. The applicant states a specific desire to work with economically disadvantaged students. The application states it is Community Montessori's mission "to provide a comprehensive, highly individualized education for children pre-K to grade 3 in a nurturing, family-like environment using the Montessori approach to education." The applicant proposes to privately fund the education of three-year-old and non-income eligible four-year-old children.

Crossway Community, Inc. is a nonprofit organization that has been operating in Montgomery County for 20 years. It is located on 14 acres in Kensington. The organization currently operates the following: The Family Leadership School, a residential life skills program for women and their children who have experienced trauma, family violence, and financial insecurity; The Lifelong Learning Center, a facility that houses work on academics, youth development, family support, health and social services, and community development; and The Crossway Montessori Children's Program, an early intervention center for children ages three months to six years. Before and after-school care, summer programs, garden literacy, and evening child care twice a week are among the services offered.

The applicant proposes the following enrollment roll out plan:

School Year	Grade Levels	Total Student Enrollment
First Year (2012–2013)	Pre-K–3	122
Second Year (2013–2014)	Pre-K–3	150
Third Year (2014–2015)	Pre-K–3	172
Fourth Year (2015–2016)	Pre-K–3	188

Community Montessori made significant upgrades from its 2010 application. Using the feedback the applicant received during the 2010 review process, the Community Montessori significantly strengthened the application, providing well thought through plans in the majority of areas. Although there were some concerns of significant weight, the review panel believed that if those issues could be resolved, the Community Montessori application was worthy of approval.

In particular, the review panel found that the applicant had a particularly strong academic design. In addition to the documents provided in the application, during the presentation, the applicant brought to the presentation the principal of a Montessori charter school in Hartford, Connecticut, who has agreed to partner with them. In addition, an educational consultant, with significant experience in the Montessori approach, also was present. The panel noted that the applicant presented a strong emphasis on professional development, an excellent system for authentic assessments and documentation processes to monitor student progress, a substantive understanding of and plan for involving and reporting progress, and staff members with strong backgrounds in teaching and learning. Although the applicant made a strong case during the presentation about the national organization's work aligning Montessori with the Common Core State Standards, the panel did not have any additional information about these efforts. Additionally, the applicants understanding of state mandated assessment requirements and timelines would have to be improved.

The audit report provided by the applicant raised no concerns and the records show a stable organization with established partners making financial donations. The applicant also was able to demonstrate a consistent track record in fundraising. During the presentation, Community Montessori shared that they had received a private grant to

complete capital improvements on the facility. The budget appears to be adequate and the financial planning strong. The parent organization has been operating in Montgomery County for a number of years and has a demonstrated capacity to provide financial oversight and management. Although training would need to be provided for the Montessori staff members on MCPS' financial software and other practical considerations worked out, as a whole, the financial capacity of the parent organization, the financial planning for the school and the realistic understanding of the costs associated with operating a school were considered strengths of the application.

An area of significant concern was the applicant's request for a waiver from provisions of the collective bargaining agreement regarding the hiring of principals. The applicant has formally withdrawn this request, and instead has asked to be a part of the selection process. Another waiver request from the state law requirements for charter school lotteries is more problematic. The applicant has a strong desire to serve economically disadvantaged children and, in particular, the children residing in the Crossway residential program; however, Title 9 of the Education Article does not authorize the requested waiver of the open admission requirement. Although Crossway's desire for the requested waiver is understandable and the objective laudable, it does not appear to be statutorily permissible. However, subject to confirmation from the Maryland State Board of Education (State Board), it is our understanding that while a charter school should seek to reach all segments of the parent community when recruiting students, Community Montessori can target additional recruitment efforts toward this group of students. Community Montessori has indicated that upon confirmation from the State Board, this is how they would proceed, focusing their efforts on targeted recruitment.

There are remaining issues surrounding the preschool component of the application. In particular, there is a question about how the preschool component will be funded. MCPS must be reimbursed for the costs of any students not normally eligible for MCPS programs. Another issue is that operationally, the preschool component may be challenging; for example, the student selection process will have to be collaboratively determined. The applicant also needs to work with MCPS to develop a more feasible food service plan. The applicant has received a sizable donation to build an adequate kitchen facility to support the school. The facility that would house Community Montessori is a former MCPS school that is in good condition and would adequately meet indoor and outdoor capacity needs; however, some factors would need to be addressed. It would be imperative that all the necessary permits and approvals are obtained as well as assurance that the facility complies with all applicable codes and regulations. In particular, there may be some deficiencies in the current facility configuration related to applicable codes and alignment with current practices. One of the requirements that can be included in a subsequent contract is that the applicant be required to demonstrate code compliance, and correct any code deficiencies including compliance with the *Americans with Disabilities Act of 1990* accessibility; Montgomery County, Maryland, fire code; and the Asbestos Hazard Emergency Response Act.

With the understanding that certain facility requirements must be addressed, as noted

above, the facility appears to be generally in good condition, clean, and well maintained. In addition to modifications for code compliance, there will need to be some interior modifications for space reconfiguration and kitchen upgrades. Community Montessori will have one year in which to make these modifications and space reconfigurations, which is a reasonable amount of time to perform this type of work. Although there are areas of the Community Montessori application that require further collaboration, none of the issues pose serious obstacles to a successful opening of a public charter school. Community Montessori presents a concept that would be unique for Montgomery County Public Schools and it is clear the applicant has the knowledge, skills, and plan to be successful.

Conclusion

After an extensive multi-faceted process, containing four levels of review, input from numerous content experts, and hundreds of hours of thoughtful deliberation, Dr. Weast recommended that the Board of Education deny the application of Seneca Creek Public Charter School and approve the application for Community Montessori Public Charter School.

The full discussion of the Board of Education can be seen and heard at <http://www.montgomeryschoolsmd.org/boe/meetings/archive/2011/2011-0627.shtm>

RESOLUTION NO. 356-11 Re: CLOSED SESSION RESOLUTION

On recommendation of the superintendent and on motion of Ms. O'Neill seconded by Mr. Kauffman, 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 Thursday, July 7, 2011, in Room 120 of the Carver Educational Services Center to meet from 8:30 to 9:30 a.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107(d) of the *Education Article*; review and adjudicate appeals in its quasi-judicial capacity; consult with counsel to obtain legal advice, as permitted under Section 10-508(a)(7) of the *State Government Article*; and discuss matters of an administrative function outside the purview of the *Open Meetings Act* (Section 10-508(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. 357-11 Re: REPORT OF CLOSED SESSION

On recommendation of the superintendent and on motion of Ms. O'Neill seconded by Mr. Kauffman, the following report was adopted unanimously:

On June 16, 2011, the Board of Education voted unanimously to conduct a closed session as permitted under the *Education Article* Section 4-107(d) and *State Government Article* Section 10-508(a), *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in a closed session on June 16, 2011, from 3:00 to 4:45 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and:

1. Received legal advice and considered Appeals 2011-10, T-2011-8, T-2011-9, T-2011-10, T-2011-11, T-2011-12, T-2011-13, T-2011-14, T-2011-15, and T-2011-16, as permitted under Section 10-508(a)(7) of the *State Government Article* with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*).
2. Reviewed the Monthly Human Resources and Development 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 an appointment to the Board's Ethics Panel as permitted under Section 10-508(a)(1) of the *State Government Article* with a subsequent vote in open session.
4. Received legal advice concerning long-term discipline cases, as well as the school system's maintenance of effort, and received legal advice and consulted with staff about potential litigation as permitted under Section 10-508(a)(7) and (8) of the *State Government Article*.
5. Discussed collective bargaining negotiations and related matters, as permitted under Section 10-508(a)(9) of the *State Government Article* and Section 4-107(d)(2)(ii) of the *Education Article*, as well as personnel matters including executive compensation as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

In attendance at the 3:00 p.m. closed session were Chris Barclay, Laura Berthiaume, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Alan Xie, Ikhide Roland Ikheloa, Suzann King, Glenda Rose, Laura Steinberg, and Pat Clancy. At 3:45 p.m., Mr. Clancy left the meeting and the following staff joined the meeting: Larry Bowers, Judy Bresler, Sean Bulson, Carole Goodman, Ursula Hermann, LaVerne Kimball, Don Kress, Frieda Lacey, Erick Lang, Brian Edwards, Bronda Mills, Chris Richardson, Frank Stetson, Dana Tofig, and Jerry Weast.

RESOLUTION NO. 358-11 Re: APPEALS

On recommendation of the superintendent and on motion of Ms. O'Neill seconded by Mr. Kauffman, 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 10-508(a) of the *State Government Article* of the *Annotated Code of Maryland*; 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 dispositions of which will be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
T-2011-17	Student Transfer	Affirmed
T-2011-18	Student Transfer	Affirmed
T-2011-19	Student Transfer	Reversed
T02011-20	Student Transfer	Affirmed

RESOLUTION NO. 359-11 Re: APPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON FAMILY LIFE AND HUMAN DEVELOPMENT

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

WHEREAS, By Resolution 389-05, approved July 27, 2005, the Board of Education reconstituted the Citizens Advisory Committee on Family Life and Human Development to serve in an advisory capacity only and to consult with professional educators within Montgomery County Public Schools (MCPS) in the course of their developing, implementing, and evaluating the Family Life and Human Development Program to the degree deemed appropriate by the superintendent of schools; and

WHEREAS, On June 9, 2009, the Board of Education modified the compositional requirements such that the Citizens Advisory Committee on Family Life and Human Development is now comprised of 15 individual members, all of whom must be bona fide residents of Montgomery County who did not serve on the Committee prior to July 27, 2005; two of whom shall be MCPS high schools students; and

WHEREAS, The normal terms of appointment shall be two years for the adult members and one year for the student members, with no member appointed to serve for more than two consecutive terms unless exempted by the Board of Education; and

WHEREAS, The terms of all current members of the committee end on June 30, 2011; now therefore be it

Resolved, That the following individuals be appointed to serve terms ending June 30, 2013, with the exception that the terms of the students hereby appointed shall expire as of June 30, 2012:

Kaushal Chauhan
James Corbett
Glenwood Elam
Marialuz Johnson
Deborah Livornese
Sarah Meytin
Donna Rismiller
Laurie-Anne Sayles
Tomas Silvani
Mamie Stewart Albertie
Elizabeth (Betsy) Stiefvater
Candace Webb
Washiq Ahmed – Student
Jason Ledesma – Student
Stephanie Evers

and be it further

Resolved, That the following individual is hereby designated as committee chairperson:

Deborah Livornese

RESOLUTION NO. 360-11 Re: **APPOINTMENT OF MEMBERS TO THE
MONTGOMERY COUNTY COLLABORATION
BOARD FOR CAREER AND TECHNOLOGY
EDUCATION**

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

WHEREAS, On January 13, 2004, the Montgomery County Collaboration Board for Career and Technology Education was instituted by the Board of Education; and

WHEREAS, On January 20, 2004, the Montgomery County Collaboration Board for Career and Technology Education was instituted by the Montgomery College Board of Trustees; and

WHEREAS, The Montgomery County Collaboration Board for Career and Technology Education is comprised of a president, the nominees of the 11 Career Cluster Advisory Boards jointly appointed by Montgomery College and Montgomery County Public Schools, one student member nominated by the president of Montgomery College, and two student members nominated by the superintendent of schools; and

WHEREAS, The nominees of the Career Cluster Advisory Boards are its presidents, diverse in gender and ethnicity as a group, all representing business/governmental agencies; and

WHEREAS, The membership of the Montgomery County Collaboration Board for Career and Technology Education, pursuant to the January 2004 resolutions that were revised and adopted in December 2006, is appointed jointly by the Board of Education and the Board of Trustees of Montgomery College; and

WHEREAS, The Board of Education and the Board of Trustees made appointments to the Montgomery County Collaboration Board for Career and Technology Education in July 2010, for a one-year term which expires this month; and

WHEREAS, The current president of the Montgomery County Collaboration Board for Career and Technology Education, Mr. Thomas DeGonia, has indicated he will step down from the position at the end of his term and his successor has not been identified by the Montgomery County Collaboration Board for Career and Technology Education; and

WHEREAS, The current presidents of the Information Technology Career Cluster Advisory Board, the Academy of Information Technology Board, the Information Technology Foundations Board, as well as information technology leaders at Montgomery College and in Montgomery County Public Schools, are working on a revised collaborative structure for the Information Technology Career Cluster Advisory Board to facilitate communication and collaboration regarding information technology efforts, Pre-K–12, and across all schools and programs, now therefore be it

Resolved, That the proposed 2011–2012 president of the Montgomery County Collaboration Board for Career and Technology Education will be presented to the Board of Education in fall 2011; and be it further

Resolved, That the proposed 2011–2012 president of the Information Technology Career Cluster Advisory Board will be presented to the Board of Education in fall 2011; and be it further

Resolved, That the following individuals be appointed, subject to the concurrence of the Board of Trustees, to serve a one-year term effective July 1, 2011, and ending June 30, 2012:

Arts, Humanities, Media, and Communications	Joseph Malouf
Biosciences, Health Science, and Medicine	Lisa McDonald
Business Management and Finance	Miara A. Rasamoelina
Construction and Development	Tom Clendenin
Education, Training, and Child Studies	Mary Kay Shartle-Galotto
Engineering, Scientific Research, and Manufacturing Technologies	Nafiz Karabudack and Sanj Malushte
Environmental, Agricultural, and Natural Resources	Marie Rojas
Human and Consumer Services, Hospitality, and Tourism	Andy Chaves
Information Technologies	TBD
Law, Government, Public Safety, and Administration	Wanda Martinez
Transportation, Distribution, and Logistics	Harold Redden
MCPS student members	Dina Broydo, Nancy Cao
MC student member	Adam Shirazi

Re: **NEW BUSINESS**

There was no new business.

RESOLUTION NO. 361-11 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of June 27, 2011, at 11:35 p.m.

PRESIDENT

SECRETARY

JDW:gr